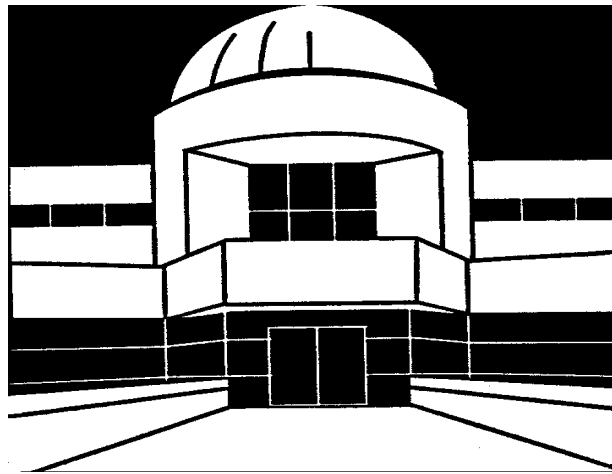


# **University of Iowa College of Law**



## **Guide to Courses**

***Course offerings change each academic year. Not all Courses are offered every semester or every academic year.***

***This guide lists courses that have been offered within the last two academic years. It also lists courses expected to be offered during the next academic year.***

**Updated August 2009**

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## FIRST YEAR COURSES

**91:104 Civil Procedure (Bauer, David, Stensvaag, Wetlaufer) 4 s.h.**

This course deals primarily with procedure before trial. The commencement of a suit is studied with care; this includes subject matter jurisdiction, jurisdiction over the person and venue. The pleadings are considered along with motion practice including summary judgment. Simple joinder of parties and claims is examined in determining the scope and size of the lawsuit. Pretrial discovery procedures are considered. The final portion of the course deals with the trial and claim and issue preclusion.

**91:116 Constitutional Law I (Bezanson, Buss, Matsumoto, Pettys, Wing) 3 s.h.**

Studies allocation of governmental powers according to the Constitution; the doctrine of judicial review and the nature of the judicial function in constitutional cases; relationships among the several branches of the national government, the federal system including powers delegated to the national government, powers reserved to the states; and intergovernmental immunities. The course introduces students to the role of the judicial process in structuring the limits within which our society operates, and gives them an understanding of the institutional development of our legal system and the relationship among the several institutions within that system.

**91:120 Contracts & Sales Transactions (Andersen, Burton, Carrasco, Estin, Linder, Sidel, Smith) 4 s.h.**

Contract law is the law that governs the otherwise unregulated sector of the economy. It concerns the making and enforcement of promises, usually made as part of a bargain. This course will cover the basics-formation of agreements, consideration, invalidating causes, parole evidence and interpretation, conditions, and remedies. It will also explore the roles of promises and promissory exchanges in a modern economy, as well as limitations the law places on freedom of contract. A brief introduction to the Uniform Commercial Code, Article 2, may be included, but a full treatment of Article 2 will be undertaken in Sales of Goods.

**91:124 Criminal Law (Baldus, Carlson, Gruber, Raymond, Tomkovicz) 3 s.h.**

This course provides a basic understanding of the substantive criminal law for all law students and serves as a foundation for those students who will elect to enroll in advanced courses with a view toward professional involvement in the criminal justice system. The course is designed to introduce students to the underlying premises of and justifications for the criminal law. Particular emphasis is placed on the general doctrines that dictate the minimum elements necessary to impose criminal liability. The essential requirements of culpable conduct (an *actus reus* or "guilty act") and a blameworthy mental state (a *mens rea* or "guilty mind") are considered at length. Other topics that may be addressed include: rape, homicide, causation, attempt, conspiracy, accomplice liability, and various defenses to criminality such as self-defense, duress, intoxication, insanity, and diminished capacity.

**91:102 Introduction to Law & Legal Reasoning (Andersen, Bauer, Carlson, Jones) 1 s.h.**

This introductory course treats explicitly and systematically basic concepts and intellectual skills that are necessary for understanding the rest of the first-year curriculum and much of the advanced curriculum.

**91:130/131 Leg Analysis Writing and Research I & II (Anderson, Falkhoff, Liebig, Sheerin, 2 s.h. Reins-Schweer)**

Designed to equip students with effective skills in legal analysis, writing and research.

**91:132 Property (Hines, Hovenkamp, Gallanis, Kurtz, Matsumoto) 4 s.h.**

Inquires into the concept of private property as one of the basic foundations of our legal system. Explores the historical development of Anglo-American property law in conjunction with changing currents of economic, social, and political thought. Emphasis is placed on understanding decision making by courts in the common-law tradition, and its interplay with legislative enactments intended to change the common law. Themes covered include fundamental notions relating to the origins of property rights; the relationship of possession and ownership, with emphasis on the capacity of property law to recognize a wide a range of interest configurations (i.e., interests which are tangible and intangible, possessory and nonpossessory, present and future, legal and equitable, separate and concurrent, vertical and horizontal). Also examined are the impetus for promoting ease and reliability in the conveyance of property interests, both commercially and gratuitously; the function of public recording in providing stability to transfers of interests in land; the role of adverse possession and prescriptive use in recognizing expectations based on long standing property relationships; and the responsiveness of property law to social change as principally illustrated by modern reforms in landlord-tenant law.

**91:364 Torts (Bohannon, Hovenkamp) 4 s.h.**

This course investigates the development of tort principles, emphasizing civil responsibility for harms to tangible personal and property interests and the roles of legislatures, judges, and juries. It analyzes intentional harms, negligence, and strict liability from the perspectives of jurisprudence, economics, and moral philosophy.

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## SECOND & THIRD YEAR COURSES

### **91:204 Administrative Law (Bonfield, Reitz)**

**3 s.h.**

Considers formal and informal procedures, processes, and functions of state and federal administrative agencies including legislative, executive, and judicial control of their action. Among the specific subjects considered are the nature and definition of administrative agencies; permissible delegation of authority to administrative agencies; the scope of agency authority; the right of agencies to obtain information from members of the public; the right of citizens to obtain information in the possession of agencies; the definition and types of administrative rules; rule-making procedure; agency discretion to make law by rule or adjudication; the right to a trial-type hearing before an agency; the specific rights of parties in an administrative hearing including notice, open or closed hearing, right to counsel, evidence, nature and exclusivity of the record, agency decision-making process, including role of hearing officers, separation of functions and bias of decision makers, nature of opinion required; judicial review of administrative action, including reviewability of agency action, primary jurisdiction of agencies, exhaustion of administrative remedies, standing, the scope of judicial review, and the mechanics of judicial review. Professor Bonfield spends equal amounts of time on federal and state administrative law. Professor Reitz's version of the course emphasizes federal administrative law.

### **91:198 Advanced Legal Research (Library Staff)**

**2 s.h.**

This course builds on the introduction to legal research presented during the first year Legal Analysis, Writing and Research course. The purpose of the Advanced Legal Research course is to permit students to acquire an in-depth knowledge of American legal resources. Current print and electronic resources will be explored for the purpose of developing better, more efficient search techniques and to assist students in selecting the most effective formats for their research. Through a combination of lectures, class assignments and exercises, students will review the basic sources of legal information, utilize a variety of techniques for accessing the legal information, and develop personal strategies for managing information. Students will also complete advanced training sessions in LEXIS and WESTLAW, and the Internet. The course may also introduce some nonlegal information sources which are of increasing importance to the legal community, as well as briefly introduce research resources of other legal jurisdictions and international law.

### **91:208 Antitrust Law (Hovenkamp, Wetlaufer)**

**3 s.h.**

This course will provide a comprehensive introduction to the federal antitrust laws dealing with restraints of trade, monopolization and mergers. We will examine the history of these laws and of their development in the courts; current doctrine and the legal and economic theories that underlie it; the analytical tools of the trade; and the sufficiency of economic efficiency as the measure of justice under the antitrust laws. Familiarity with economics is not a prerequisite

### **91:207 Arbitration: Law and Theory (Pitton)**

**2-3 s.h.**

Arbitration is a widely practiced, sometimes mandatory form of resolving disagreement over disputed facts and issues. This course examines the substantive law of arbitration as well as its role in modern conflict resolution in the context of various settings in which it is used. A conceptual framework and explanatory theories for the analysis of issues frequently encountered in arbitration will be studied. Statutory and contractual grounds for arbitration will be considered in a number of areas, such as labor relations, employment, consumer and commercial transactions. The specific subjects covered will include the decision to use arbitration; the role of lawyers in arbitration; judicial enforcement of arbitration agreements and arbitration awards; contractual issues and defenses; federal preemption; arbitrability and

separability; remedies; the relationship between arbitration and litigation, on the one hand, and mediation and other non-adversary forms of dispute resolution, on the other.

**91:240 Arbitration: Practice & Advocacy (Pitton) 2 s.h.**

The growing use of arbitration in resolving disputes requires application of unique presentation skills and an understanding of procedures relating to enforcement by the courts. This course is designed to develop advocacy skills necessary to effectively participate in arbitration and related court proceedings through the use of problems and exercises simulating common arbitration scenarios in which students participate as lawyers, arbitrators and parties. Students will learn to advise clients on various aspects of arbitration, and will have the opportunity to draft an arbitration agreement, a petition to compel arbitration, a prehearing arbitration booklet with legal authorities and supporting exhibits, and pleadings necessary for judicial review (confirmation, modification and/or vacation of an arbitration award). All aspects of the arbitration process from the agreement to arbitrate and selection of arbitrators to the final award will be examined as well as procedures for post-award remedies and judicial review. Hybrid methods of arbitration, applicable rules and ethics concepts will also be addressed. Skills developed in this course will prepare students interested in competing in events such as the national arbitration competition co-sponsored by the ABA Law Student Division and the National Arbitration Forum held annually

**91:192 Art, Law & Ethics (Stier, White) 3 s.h.**

This course will provide students an opportunity to critically examine the ways in which law and ethics apply to the individuals and institutions concerned with the visual arts. All individuals, regardless of how they are situated in life, have personal ethical commitments. Persons whose circumstances involve professions are inducted into a community with additional ethical obligations. National and international legal regimes now exist to enforce some of the general legal and special moral obligations associated with the visual arts.

The course is historically focused. Relevant issues dating from the eighteenth century to the present will be discussed. They will learn to evaluate the ways in which law and ethics both support and constrain the visual arts. Through readings, lectures, discussion and role plays, advanced undergraduates and graduate students in law, art, art history, museum studies, and business will develop the critical vocabulary to allow them to recognize and evaluate legal and ethical issues that arise in the visual arts.

**91:214 Bankruptcy (Bauer, Porter) 4 s.h.**

This survey course studies the rights of individuals and entities under the federal bankruptcy laws from the perspective of both debtors and creditors. The course covers all foundational topics in bankruptcy, beginning with liquidation bankruptcy (Chapter 7) and then proceeding to the two major forms of reorganization bankruptcy (Chapter 13 and Chapter 11). Equal weight will be given to both consumer and business bankruptcies. Students will be exposed to advanced bankruptcy topics such as small business reorganizations, farm bankruptcies, ethical issues in bankruptcy law, and international insolvencies. This course principally relies on the problem method. **Prerequisite:** Debt Transactions (91:215) or Commercial Transactions (91:222).

**91:272 Basic Federal Income Taxation (Ward) 3-4 s.h.**

This course focuses on the principles and policies underlying the operation of the federal income tax. A major goal is to aid the student in developing the skills in statutory analysis that are essential to much legal work, including, of course, the resolution of income-tax issues. The course examines substantive issues such as the concept of "income," the deductibility of various types of outlays, efforts to shift income among family members, the treatment of property transactions, and the timing of income and deductions. Students need not have any previous coursework in business, economics or taxation.

**91:213 Business Bankruptcy Reorganizations (Porter) arr.**

This course examines the reorganization of distressed businesses using chapter 11 of the Bankruptcy Code. Topics to be covered include pre-bankruptcy negotiations and out-of-court restructurings, avoiding powers and other tools to restructure the company, formation and confirmation of a plan of reorganization, and post-confirmation issues. The course is particularly suitable for those who plan to work as commercial litigators or transactional lawyers. Pre- or Co-requisites is dependent on the individual instructor and will be listed on ISIS when the class is offered.

**91:196 Child Maltreatment and the Juvenile Justice and Child Welfare Systems (Gittler) 3 s.h.**

The focus of this course is coercive state intervention to protect children from maltreatment by parents and other caretakers through the vehicle of the juvenile justice and child welfare systems. Among the subjects covered in the course are definitions of child abuse and neglect, child abuse and neglect reporting laws, civil child abuse and neglect proceedings, foster care and out-of-home placement of abused and neglected children and termination of parental rights and the role of attorneys and guardians ad litem in child abuse and neglect proceedings. Course materials include judicial decisions, statutes and relevant empirical data and research from other disciplines. The course deals with child maltreatment in the larger context of the relationship between children, families and the state and the status of children in American society.

**91:219 Civil Procedure Pre-trial Theory and Practice (David) 1 s.h. (1W)**

This course will provide an opportunity for students to consider, in depth, the law of pleadings and other pretrial matters touched upon in the basic Civil Procedure class. In addition to considering decided cases, students will consider hypothetical scenarios typical of a case as it develops from the interview stage to the pleading stage and early pretrial stage. Students will gain practical experience by actually drafting pleadings and motions relevant to the hypothetical.

The class will be divided into teams of two, with half the teams representing plaintiff and the other half representing defendant. There will be classroom time and drafting sessions each day. During the classroom session we will discuss in depth the legal requirements of pleadings and other pre-trial matters. During the drafting sessions the students will draft papers reflecting that day's classroom work, utilizing form books and other litigation resources. Required materials: Federal Rules of Civil Procedure and photocopied materials. Prerequisite: Civil Procedure

**91:410 Client Counseling (Moreland) 2 s.h.**

Client counseling is designed to provide a foundation for recognizing and resolving legal, non-legal, and ethical issues in the process of interviewing and advising clients. This course introduces the theories and skills used by lawyers in identifying, analyzing, and diagnosing legal issues and problems, developing a strategy for factual investigation, and generating and evaluating alternative solutions and courses of action. Emphasis is placed on the importance of effective communication, including questioning, listening, and advising. Attention is given to the counseling relationship which must respect both the nature and limits of the lawyer's role and the goals of eliciting and understanding client needs and desires, assisting the client to craft solutions and implement decisions. A variety of teaching methods and materials will be used.

**91:227 Comparative Constitutional Law (Wing, Somek) 2-3 s.h.**

This course will compare constitutional law structures, decision making, and substantive results under a variety of different constitutional systems, including major Western and perhaps also non-Western systems. The course will examine different forms of judicial review and separation of powers, different forms of federalism and alternatives to federalism, and different conceptions of fundamental human rights. When the course is offered, the instructor will provide information about the countries or international legal systems to be studied.

There are at least three good reasons for studying comparative constitutional law: First, in many countries, including the United States, constitutional adjudication has come to attribute a certain relevance to foreign case law. Comparative constitutional law is no longer merely an academic subject, it is part of (national) constitutional law. Second, knowledge of comparative constitutional law is indispensable for good constitutional engineering. Finally, understood as the specifically legal attempt to regulate the exercise of public authority, constitutional law is a historical phenomenon. Is it about to be superseded by something else? The course will cover the following topics: the relevance of foreign case law, constitution-making (how can “a people” act?), entrenchment (“Higher Law”), varieties of constitutional review (the decentralized American and centralized Austrian model), the three-track system of Human Rights in Europe (Constitutional Courts, European Court of Human Rights, European Court of Justice), England’s struggle with (or against?) the European Convention of Human Rights, fundamental rights in the United States and in the Federal Republic of Germany (some examples), Hungary’s quest for constitutional legality; Multiculturalism (Canada, India), Positive Rights and Affirmative Action, “transnational governance” and national constitutional law, the state and private actors in the global age.

**91:223 Comparative Islamic Law (Reitz) 3 s.h.**

This course is designed for students who are interested in law, jurisprudence, and governance. We will begin by looking at (a) the history of the legislative, the executive, and the judicial branches in Islamic political thought (b) the sources of Islamic law, (c) the origins and functions of the various schools of jurisprudence, (d) Islamic legal philosophy, and (e) the corpus of Islamic legal rulings according to five major schools of law (Maliki, Hanafi, Ja`fari, Hanbali and Shafi`i). We will cover topics such as legal procedure, family law (marriage, divorce, inheritance, etc...), contracts (sales, business, and partnerships), *hudud*, and Islamic law of war. We will examine legal and jurisprudential documents from the classical period, through the Ottoman era (Ottoman Legal Code, also known as the *majalla*), to the modern era (legal systems in modern states that apply *shari`ah* like Iran and Saudi Arabia).

**91:224 Comparative Law (Reitz, Wing) 3 s.h.**

Comparative Law addresses such questions as part of a comparative study of the origins, development, and principal features of the world’s main legal systems with emphasis on the common and civil law traditions. The course offers basic information on the historical development of the main legal systems and their sources, ideologies, and techniques. The course will also acquaint students with some subjects of particular importance in international legal practice, such as international judicial assistance and the application of foreign law in American courts. Countries covered in some depth will include the modern legal systems of the United States, Britain, France, Germany, Japan, and Russia, as well as an introduction to other legal traditions including preliterate tribal law and traditional Chinese and Islamic law. Throughout the course, there is an emphasis on understanding very different ideas about law and legal systems.

**91:225 Comparative Law in Post-Communist Countries (Domrin) 3 s.h.**

The course is intended for students wishing to deepen their knowledge and understanding of law and legal reforms in Russia, the Newly Independent States (NIS), and Post-Communist countries of Eastern and Central Europe. It will explore a variety of issues of topical and lasting interest in the field. The subject will be studied in the context of Post-Soviet and European history of the latest period.

Particular topics to be covered include: “velvet revolution” and legal and political reforms initiated by Soviet and other Eastern and Central European leaders in mid-1980s and aimed at creation of a law-governed state; creation of permanently working legislatures and introduction of presidency in the countries of the region; creation of Constitutional Courts in post-Communist countries and their main decisions; comparative analysis of new Constitutions of Russia (1993) and other countries of the region; comparative analysis of Civil, Criminal and Administrative Law in post-Communist countries; accession to the European Union by a group of countries of the region and EU legal and economic standards; EU and

the Council of Europe on human rights in the countries of the region; options of further development of legal and political systems of post-Communist countries.

The course doesn't have prerequisites, although previous studies in Russian, post-Soviet and Eastern European affairs would be helpful.

**91:228 Conflict of Laws (Bohannon, Carlson) 2-3 s.h.**

Explores the problems created when a transaction or relationship has associations with more than one jurisdiction, with emphasis both on the selection of the appropriate rules where there are differences in the laws of the various jurisdictions and on the recognition of judgments of other states. Particular consideration is given to the current evolution in the theoretical approaches to these problems. Attention is also focused on the particular limitations imposed on American state courts by the federal constitution.

**91:232 Constitutional Law II (Bonfield, Buss, Pettys) 3 s.h.**

Considers the limits on governmental power imposed by the national constitution for the protection of individuals; protection of life, liberty, and property by due process of law and equal protection of the laws; freedom of expression and association; religious freedom and the guaranty against establishment of religion. While this course will provide students with an exposure to both the First and Fourteenth Amendments, faculty members teaching the course may emphasize one amendment more than the other and will so advise students by notice in the registration materials.

**91:230 Consumer Law (Porter) 3 s.h.**

Consumer law considers whether and how the law should regulate the rights of consumers and businesses to transact freely with each other. Laws that aim to protect consumers from harmful consequences exist in tension with principles of freedom to contract, caveat emptor, and free market economics that dominate traditional contract and tort law. Students will study a variety of state and federal consumer protection statutes, including the Truth in Lending Act, the Equal Credit Opportunity Act, and the Unfair and Deceptive Practices Acts, and a number of current topics in consumer law including predatory lending, marketing fraud, and arbitration clauses. Particular attention will be paid to the practical realities facing attorneys who advise businesses on complying with consumer laws and to the competing concerns of plaintiffs' attorneys and government officials who seek to enforce consumer laws.

**91:283 Copyrights (Bohannon) 3-4 s.h.**

Will survey the law of copyrights, focusing primarily on the Copyright Act of 1976, Pub. L. 94-553, 90 Stat. 2541. Special emphasis will be given to the manner in which copyright protections affect new technologies, such as videotaping, computer hardware and software, electronic data transfer, and cable television rebroadcast, and the ability of such legal concepts to keep pace with technological developments.

**91:241 Corporations I (Ward) 3-4 s.h.**

Studies the structure and characteristics of the modern business corporation, including both the large, publicly held corporation and the closely held corporation. Particular attention is directed to the distribution of powers among management, directors, and shareholders; the fiduciary duties which limit these powers; and the enforcement of such duties by shareholder suits.

The four-credit course will cover these topics as well as a few additional general corporations topics. The course may also cover the basic principles of agency, partnership, and limited partnership law.

**91:239 Corporate Governance and Control (Holland) 1 s.h.**

This course entails a study of the principal issues involved in creating appropriate governance and control systems for large publicly-held corporations. It focuses on questions of corporate structure,

shareholder voting rights, duties of directors, derivative suits, indemnification, and transfers of control, viewed from the perspective of Delaware's statutory and common law. 91:241 Corporations recommended.

**91:206 Criminal Procedure: Adjudication (Gruber, Tomkovicz) 3-4 s.h.**

This course is concerned with the adjudicatory phases of the criminal justice system. These may include: indictments and the charging process, preliminary hearings, applications for release on bail and pretrial detention, the processes of discovery, guilty pleas, jury selection, the conduct of criminal trials, sentencing proceedings and post-trial motions, appellate review, and collateral remedies. The primary focus is on constitutional rights, more specifically: the Fifth Amendment privilege against self-incrimination and guarantee against double jeopardy; the Sixth Amendment rights to a speedy and public trial, to confront witnesses, to an impartial jury, and to the assistance of counsel; the Eighth Amendment prohibition on excessive bail; and the Fourteenth Amendment equal protection and due process guarantees. To a limited extent, statutory provisions — such as the Federal Bail Reform Act and the Federal Speedy Trial Act — and rules of criminal procedure — such as those governing discovery, joinder, and severance — are also considered.

The particular topics addressed may vary. Some instructors focus on an in-depth study of a limited number of topics. Others may prefer more of a “survey” approach, exposing students to a greater number of subjects, but covering them less thoroughly.

**91:125 Criminal Procedure: Investigation (Gruber, Raymond, Tomkovicz) 3-4 s.h.**

The primary focus of this course is upon the guarantees/rights which the fourth amendment and certain provisions of the fifth and sixth amendments to the U.S. Constitution provide against police and prosecutorial practices designed to investigate and prove criminal cases. Specifically, the course deals with protection against unreasonable searches and seizures, the guarantee against extraction of involuntary confessions, privilege against self-incrimination constraints upon securing confessions (i.e., the Miranda doctrine), due process protection against unreliably suggestive identification procedures, and right to counsel protection against inculpatory admissions and identification practices. The course also treats the exclusionary rules and remedies which enforce the aforementioned constitutional guarantees.

**91:623 Critical Race Theory (Wing, Onwaunchi-Willig) 3 s.h.**

This course will examine race relations and racial discrimination in America through the perspectives of proponents of the Critical Race Theory movement (CRT), a collection of legal scholars who challenge both conservative and liberal political orthodoxies. CRT is part of an evolving critical jurisprudential tradition that originated with Critical Legal Studies, a movement of radical academics that sprang up in the 1970s. The premises embraced by CLS and CRT has several guiding themes including: racism as an ordinary and perhaps permanent part of society, racial progress when it suits white self-interest; storytelling or narrative analysis to explore alternative social realities; and skepticism toward dominant legal theories supporting hierarchy, objectivity, color blindness, and a historicism. A primary method of analysis for critical scholars is deconstruction, which entails analyzing supposedly neutral concepts to show the true nature of the contingent power relationships they mask and conceal.

Subjects to be covered include affirmative action, hate speech, queer theory, voting rights, postmodernism, liberalism, Asian-crit theory, Lat-crit theory, federal Indian law, and Critical white studies. This latter concept focuses on the way whiteness functions as a organizing principle in society. Authors featured include Derrick Bell, Richard Delgado, Gerald Torres, and Robert Williams. A special emphasis will be placed on critical race feminism, which looks at the intersectionality of race and gender. Topics within this theme include essentialism, motherhood, lawbreaking, employment law, sexual harassment, and global issues. Authors featured include Kimberle Crenshaw, Mari Matsuda, Lani Guinier, Anita Hill and Kathleen Cleaver.

**91:215 Debt Transactions (Bauer, Porter)**

**4 s.h.**

This course equips students with a rich understanding of the laws and practices of modern lending. The course begins with a study of the procedures for the collection of unsecured debts, including the enforcement of judgments, exemptions, prejudgment remedies, fraudulent conveyances, and statutory liens. Building on this foundation, the class examines secured transactions that involved both real property (mortgages) and personal property (security interests governed by Article 9 of the uniform Commercial Code). Equal weight is given to consumer and commercial transactions. Throughout the course, an emphasis is placed on counseling hypothetical creditor or debtor clients and on understanding the realities that shape the enforcement of credit agreements. This course satisfies the prerequisite requirement for Bankruptcy (91:214).

**(NOTE ON OVERLAP):** Students who have previously taken Commercial Transactions (91:222) may not take Debt Transactions. The two courses are alternatives to each other; no student may enroll in both.

**91:248 Deposition Practice (Whiston)**

**2 s.h.**

An introduction to the actual practice of depositions. We will focus on the law of deposition practice and the procedural prerequisites to a deposition, including the drafting of the necessary documents, e.g. subpoenas duces tecum. This will serve as an introduction to the actual structure and strategies of taking and defending a deposition. This course will require students to conduct depositions in a variety of circumstances, e.g., discovery deposition of a party, perpetuation deposition of an expert. Prerequisite: 91:370 Trial Advocacy

**91:501 Directed Research & Writing (Staff)**

**arr.**

Directed Research & Writing involves a faculty member's supervision of an individual student's research and writing project unrelated to any substantive course; it is somewhat like Independent Research, but it differs in various respects as noted in the following description: Each Faculty Member proposing to teach Directed Research & Writing will list the general subject area and/or specific topics s/he will supervise. The faculty member may specify other details about the way the writing supervision would be structured (such as topic selection, submission dates, required outlines, preliminary submissions).

**91:245 Domestic Abuse Law (McGuire)**

**2-3 s.h.**

This course focuses on the law's response to domestic abuse, i.e., the pattern of violent and coercive control used in adult intimate relationships. Issues to be covered include the cultural contexts of domestic violence, the legal and social reform efforts of the past decade and their impact on the administration of justice, the use of common law and statutory injunctions, the criminal justice systems response, constitutional and interspousal torts, mediation, and federal legislation. No prerequisite.

**91:253 Employment Discrimination (Onwauchi-Willig)**

**2-3 s.h.**

An overview of legal prohibitions against discrimination in employment on the basis of race, sex, national origin and age. The major portion of the course is devoted to the study of Title VII of the Civil Rights Act of 1964. The course also considers selected procedural and remedial problems, as well as elementary issues of proof.

**91:250 Employment Law (Smith, VanderVelde)**

**3 s.h.**

A course dealing with the rights of employers and employees in unorganized workplaces. This course deals with legal issues that arise between employers and employees in the non-unionized setting. This course covers issues of hiring, discipline, termination, minimum wage, covenants not to compete and employment related intellectual property issues, occupational safety and health, and unemployment. This course is not intended to require Labor Law as a prerequisite. A student interested in a career in employment related legal issues should plan on taking both Employment Law and Labor Law.

**91:255 Environmental Law (Stensvaag) 3 s.h.**  
Role of the legal system in addressing problems of environmental disruption, with special emphasis on air, water, hazardous waste pollution.

**91:266 European Union Law (Reitz, Somek) 3 s.h.**  
Introduces the law of the European Union (EU). Coverage will include, though not be limited to, such topics as the legal and institutional structure of the EU, including especially the treaties which collectively form the “constitution” of the EU; the role of the European Court of Justice (ECJ) in elaborating constitutional and administrative law for the EU on the basis of the EU treaties and relevant EU legislation; the principle of free movement; and the progress of European integration.

**91:265 Evidence (Pettys, Stensvaag, Tomkovicz, Whiston) 3 s.h.**  
Studies rules of evidence developed in common-law courts and under statutes; judicial notice; examination of witnesses; privilege and competence; remote and prejudicial evidence; hearsay; burden of proof and presumptions; and the roles of judge and jury.

**91:512 Evidence Service Tutorial: The Skylark Project (McGuire) 1 s.h.**  
During the fall term, students will work with three inmates serving long term or life sentences at the women’s prison in Mitchellville whose cases have been selected as suitable for the project through prior screening by the Iowa Coalition against Domestic Violence. After attending a one-day training program conducted by ICADV staff, students will work in pairs under the supervision of ICADV legal staff and pro bono attorneys to conduct two or three-in-depth, in-person interviews with the assigned inmate. They will assist the inmates with their commutation or parole applications by developing facts and gathering documents from court files and elsewhere, including statements or letters from defense attorneys, law enforcement, prosecutors, judges, victims or victims’ families, victim advocates, clergy, community members and others; medial accounts; hospital records, etc. Time permitting, the students will also prepare a report for the Project’s Review Board.

**91:252 Family, Gender & Constitutional History (Estin, Kerber) 3 s.h.**  
The U.S. Constitution promises that all persons are entitled to due process and equal protection of the laws. How has the social and legal shape of families been influenced by these principles? What difference has being male or female, heterosexual or gay, married or single made in experience of equality and family life by inhabitants of different classes, races, and ethnic groups? Students explore the ways in which consideration of gender have shaped the development of constitutional law and argument from the era of the American Revolution to the present. Students read cases and historical essays, pay attention to marriage as public policy, examine civil rights of gays and lesbians, and explore gender implications in the development of policies governing birth control & abortion, illegitimacy, and family violence. Requirements include a short research paper and a take-home final exam. The course is intended for juniors, seniors, and graduate students in the College of Liberal Arts and Sciences as well as law students. Law students may also enroll for Supplementary Writing credit

**91:268 Family Law (Estin, Onwauchi-Willig) 3-4 s.h.**  
Examines issues involved in family formation, the ongoing family, and family breakup. We also consider various themes in family law, including the problems of family autonomy in the modern United States. For various topics, this course attempts to combine a lawyer’s practical approach in dealing with family law problems with a broader view of how the law might treat family law problems in the light of findings from the social and behavioral sciences.

**91:275 Federal Courts: The Structure and Jurisdiction of the Federal Judiciary (Staff) 3 s.h.**

This course provides a detailed overview of federal courts' federal-question, diversity, supplemental, and appellate jurisdiction, as well as of the law relating to federal habeas corpus petitions. Remaining class time will be devoted to an analysis of one or more additional issues relating to the powers of the federal judiciary. Topics to be covered may vary from year to year, but may include one or more of the following, among others: Congress's power to alter the structure and jurisdiction of the federal courts; claim and issue preclusion; the powers of legislative courts; venue; removal of cases from state to federal courts; transfer of cases within the federal judiciary; and the doctrine of forum non conveniens.

**91:256 Federal Criminal Practice (Williams, Berry) 2 s.h.**

This course will introduce students to federal criminal practice, giving them exposure to each step in the criminal process while teaching them the advocacy skills required for the effective practice of law. Federal criminal law is an explosive area of growth; over 3,000 federal crimes currently exist and each new congress enacts more. Twenty or even ten years ago, federal criminal law was a minor blip on the legal landscape. Today federal criminal cases dominate the caseload of every federal judge. The legal bar requires greater training and education in the area of federal criminal practice to ensure both effective enforcement of the law and meaningful protection of defendants' rights. This course is designed to address this growing need by providing students with some basic education about the federal criminal process, while simultaneously enhancing their skills as advocates. This course will follow the chronology of a typical federal criminal case, starting with the grand jury investigation and ending with post-trial motions, encompassing in between each step of the process. The students will be provided with written materials for each section of the course, including copies of reported cases pertinent to the legal issues encountered at each step. Each section of the course will include an advocacy component, whereby the students will engage in mock proceedings. The instructors will emphasize not only the practical skills of effective advocacy, but will also stress the importance of strategic thinking.

Prerequisite: This course is intended as an upper-level course. Students should have completed the basic criminal law and criminal procedure courses before taking this course. Trial advocacy and federal criminal law would be recommended prerequisites for the course, but are not considered essential

**91:259 Federal Government Contracting: Law, Policy and Litigation (Holmes) 1sh**

The federal government is the world's largest contracting party-negotiating and awarding over \$400 billion of contracts each year for goods, services and construction. It has created its own specialized litigation forums to remedy the thousands of contract disputes that arise each year from its contracts.

How does this legal system differ from the common law of contracts and UCC Article 2 law; where do the systems coincide? Do the litigation forums and policy goals work? These subjects are examined intensively in this course.

In addition, current federal procurement policy events reported in the press are reviewed to determine where law, business, and politics overlap and skew expected legal results.

The sweep of federal contracts is so broad that all attorneys will likely encounter some of these issues at the prime or subcontract levels during their practice. In addition, the topics reviewed give grounding in the kind of policy and legal issues that will be encountered in state and local procurements as well. In many instances, as federal money is involved at least in part, state and local agencies follow to some degree the federal procurement practices.

This course examines the legal structure under which the federal government places contracts and attempts to advance public policy goals through them.

**91:303 Federal Indian Law (Estin) 3 s.h.**

Surveys the specialized body of law allocating power and authority in Indian country which has grown up around native American peoples and their reservations. Subjects covered in the course include sovereignty arrangements, jurisdiction, federal Indian policy, and tribal self-government.

**91:262 Federal Regulation of Health Care Industry: Fraud and Abuse (Gittler) 2-3 s.h.**

This course provides an introduction to the impact of governmental regulation on business planning and transactions in the context of the application of federal fraud and abuse laws to organizational entities and individuals in the health care industry. Health care expenditures account for nearly 15% of the gross domestic product, and the financing, and delivery of health care services is subject to extensive governmental regulation. A primary focus of governmental regulation is to combat health care fraud and abuse. Health care fraud and abuse has been defined so as to encompass not only improper billing for health care services but also many types of financial relationships and arrangements involving health care providers. Health law has become a major practice area, and health care fraud and abuse is a major component of this practice area. The coverage of this course will include an examination of federal laws used to combat health care fraud and abuse, such as the False Claims Act and the Stark law, corporate compliance programs and federal health care fraud and abuse enforcement efforts, such as criminal investigations and prosecutions. This course will be of value to students with an interest in business law and to students interested in criminal law and procedure as well as health law. Prerequisite is Corporations I or its equivalent recommended.

**91:218 Federal White Collar Criminal Law (Williams, Berry) 1-3 s.h.**

How corporations and their officers, directors, employees, and agents can violate criminal law; liability imposed under state and federal laws in the U.S., criminal liability under laws of other countries; fundamentals of U.S. law; case studies of recent prosecutions involving American corporations.

**91:285 Foreign, Comparative and International Legal Research (Library Staff) 1 s.h.**

This course will familiarize students with treaty research, locating and identifying documents from international organizations and tribunals, and legal research in selected jurisdictions outside the United States. A variety of print and electronic sources and research methods in foreign and international law will be presented during class periods, some of which will be held in the library. Each student will be required to complete a pathfinder on a foreign or international law topic: selecting and evaluating relevant sources, developing a research strategy, and explaining the research process to someone unfamiliar with the topic or jurisdiction. No prerequisites. Offered Pass/Fail

**91:260 Foreign Relations Law (Carlson, Domrin) 3 s.h.**

This course is designed to introduce law students to the law of foreign relations in the United States. In general terms, it examines the impact of the constitutional distribution of powers on the conduct of U.S. foreign relations. In particular, it addresses the influence of separation of powers doctrines on the conduct of foreign relations, the status of international law in the U.S. legal system, the role of the courts in adjudicating issues affecting foreign relations, and the controversy over the distribution of war powers between the President and Congress.

**91:380 The Global Financial Crisis (Carrasco) 1-3 s.h.**

The course will explore selected topics relating to the global financial crisis. We will study: the roots of the crisis; how the crisis spread from the U.S. & Europe via the process of securitization; the key actors in the crisis; domestic & international regulatory aspects of the crisis; the impact of the crisis on emerging/developing countries; and measures that have been taken to tackle the crisis. The goal of the course will be to give students a basic understanding of what has turned out to be the worst financial/economic crisis since the Great Depression.

**91:261 Health Law (Gittler, Kurtz) 3 s.h.**

This course explores a number of major areas of present concern in the area of health law most of which involve some analysis of the tension between quality, access and costs. Topics covered might

include: malpractice, quality control, health care financing, access (insurance, Medicare and Medicaid), licensing, and bioethics (end-of-life decision making, informed consent, surrogacy and organ transplantation). There are no prerequisites for this course.

**91:193 Human Rights in the World Community (Weston) 3 s.h.**

This course will introduce the student to the established and developing legal rules, procedures, and enforcement mechanisms governing the protection of international human rights. It will address both liberal western and developing world notions of human rights as well as highlight recent examples of human rights controversies in all the regions of the world. Special emphasis will be placed on the international human rights of women.

**91:280 Immigration Law (Schwartz) 1-3 s.h.**

This course covers the legal, historical, social, philosophical, and policy foundations of immigration control; the modern debate over immigration; the substantive criteria and procedures that govern the admission of non-U.S. citizens to the United States for both permanent residence and temporary visits; deportation criteria and processes; the national security and civil liberties implications of immigration policy; refugees and political asylum; undocumented migrants; and the acquisition, loss, and significance of United States citizenship. The focus will be on the law of the United States, but both comparative law and international law perspectives will also be introduced. Students will analyze a wide variety of fact problems requiring strategic decision making and interpretation of complex statutory provisions. Students also will participate in simulation exercises, including possibly an attorney-client asylum interview. There are no prerequisites or co-requisites. Regular attendance and rigorous preparation will be required. Grades will be based on a timed final examination.

**91:203 Income Taxation of Estates and Trusts (Ward) 1-3 s.h.**

When offered for 1 or 2 semester hours, this course examines chiefly the federal income taxation of estates, trusts and beneficiaries. Specific topics include the income-tax basis of property acquired by gift or devise, part-gift-part-sale transactions, income and deductions in respect of a decedent, the allocation of receipts and expenditures between income and principal, the income taxation of trusts and estates, the treatment of distributions of cash and property to beneficiaries, and the administration of marital-deduction formula clauses. Prerequisite: 91:272 Basic Federal Income Tax. Recommended: 91:378 Trusts and Estates.

**91:500 Independent Research Project 1-3 s.h.**

**(Paper Option)** After securing an authorization by a faculty member who agrees to supervise a project, a student may sign up for 1 to 3 academic credit hours of independent research. The work must include research and the submission of at least one draft to the faculty member for comments. A second draft is generally required and additional drafts may be required by the faculty member. One academic credit and one writing unit will be awarded for papers that are at least 20 pages in length, double-spaced, exclusive of footnotes. Students may be awarded additional credits for longer papers. In general, for each academic credit, there must be an additional 20 pages of double-spaced text, exclusive of footnotes. However, exceptions may be made with projects involving substantial empirical work. No student may sign up for more than 3 hours for any single research project.

**(Drafting Documents Option)** After securing an authorization by a faculty member who agrees to supervise a project, a student may sign up for 1 to 3 academic credit hours of independent research. When independent research involves the drafting of legal documents, the work must include research and the submission of at least one draft to the faculty member for comments. Additional drafts may be required by the faculty member. One academic credit and one writing unit will be awarded for original drafting of documents (e.g., a will or trust) that are 4 to 10 pages in length, accompanied by one or more explanatory documents (e.g., a cover letter to the client) that are 4 to 10 pages in length. No student may

sign up for more than 3 credit hours for any single drafting project.

**(No academic credit)** Students may satisfy writing unit requirements by completing an ungraded independent research project. To receive writing unit, the project must comply with the rules outlined above for graded independent research projects. Ungraded research projects receive no academic credit. No student may sign up for more than 3 credit hours for any single writing project. To sign up for independent writing credit, please use the special forms available from the registrar.

**91:504 Independent Tutorial**

**1-3 s.h.**

After securing an authorization of a faculty member who agrees to supervise a project, a student may sign up for 1-3 academic credits for work undertaken as an independent tutorial. Tutorials may involve different types of pedagogical techniques, such as discussion sessions, assignments of problems, or short papers. In all tutorials, the student and faculty member must meet for at least 5 hours for each hour of academic credit that is awarded. No writing unit will be awarded for tutorials. Forms, available from the registrar, must be used for confirming the arrangement with a faculty member and for registering for the course.

**91:284 Insurance**

**2-4 s.h.**

This course is primarily concerned with legal principles of general application to insurance transactions. Attention is also given to the distinctive rules which have been developed for particular types of coverage.

The course examines (1) marketing arrangements; (2) the applicability of general principles of contract formation; (3) the principles involved in determining the persons and interests protected, the risks transferred, and when rights will be at variance with insurance policy provisions; (4) the claims process and the disposition of disputed claims (with attention to distinctive problems arising under liability insurance coverage); and (5) governmental regulation of the insurance business.

The points of view from which problems are considered include those of the advisor, the advocate, and one appraising the effectiveness of insurance arrangements and doctrines in achieving business as well as public policy objectives.

**91:281 Interest-Based Negotiation for Lawyers (Gittler)**

**2-3 s.h.**

This course will deal with the theory and practice of an approach to negotiation, known as interest-based or problem-solving negotiation. The focus of this negotiation model is not the positions of disputants but the interests that underlie these positions. Interest-based negotiators attempt to generate options that satisfy, at least minimally, the interest of all parties and that can lead agreements from which all parties realize some gains. For this reason the term “win-win” negotiation is often applied to this negotiation approach.

The emphasis of this course will be the acquisition and enhancement of the skills necessary to apply this negotiation approach. Negotiation exercises in which class members participate will be a major feature of the class. Materials as well as tools and exercises developed by the Harvard Program on Negotiation for lawyers and businesspersons will be used to assist class members to acquire and enhance interest-based negotiation skills.

**91:282 International Business Transactions (Carrasco)**

**3 s.h.**

An introduction to legal and practical issues in international trade and investment, focusing on typical private transactions such as the sale of goods (including the documentary sales transaction, INCOTERMS, letters of credit, agency and distribution); transfer of technology (including franchising and licensing); and direct investment across national borders. The course focuses on the manner in which private international sales, investment and licensing transactions are structured to permit private businesses to minimize and plan for the risks associated with conducting business on a global scale.

**91:295 International Commercial Arbitration (Burton)**

**3 s.h.**

Most international business disputes are not settled by litigation in the courts of one or another country. Rather, they are settled by international commercial arbitration. Arbitration allows the parties to the dispute to select their own "judges" and to proceed informally, avoiding the imposition of a foreign country's laws or legal traditions on either party. This course will examine the formation and enforcement of agreements to arbitrate, the recognition and enforcement of arbitral awards, and the process of arbitrating an international business dispute. It will include extensive role-playing exercises through which the students may hone their advocacy and decision-making skills.

**91:291 International Environmental Law (Carlson)**

**3 s.h.**

This course introduces students to the international legal system by considering the laws and institutions that have been developed by the international community to deal with international environmental problems, including problems relating to the atmosphere (acid rain, ozone depletion, radioactive fallout, climate change); the hydrosphere (land-based sea pollution, sea-based vessel pollution, transboundary groundwater diversion); the lithosphere (hazardous waste disposal, toxic pollutants, decertification); and the biosphere (driftnet fishing, endangered elephants, loss of tropical rainforests).

**91:287 International Trade Law: Basic Norms and Regulation (Carlson, Carrasco, Rossi) 3 s.h.**

This course introduces the basic norms and legal framework of international trade as expressed in the GATT/WTO regime and US trade laws. It also looks at several issues raised by regional trade blocs such as NAFTA. Among the controversies examined will be the economic and philosophical justifications for, and objections to, free trade from a variety of perspectives.

The course surveys the basic provisions of the GATT and WTO Agreements, including Most Favored Nation, National Treatment, Technical Barriers, and provisions on quantitative restrictions, government procurement, and exemption and limitation clauses. It also looks at GATS (General Agreement on Trade in Services) and TRIPS (Trade-Related Aspects of Intellectual Property Rights).

The course considers the remedies available at both the national and international levels. Among these it focuses on the WTO Appellate Body, and unilateral trade remedies such as anti-dumping, countervailing, and safeguard measures, including ' 301 and Super 301 in US domestic trade law. The course ends with a robust examination of many of the issues raised by contemporary international trade policies. Within the basic theme of globalization, these include the relationship between the international trade regime and third world or developing states, the nexus between trade and the environment, and the tensions among trade, labor, and human rights.

**91:251 Introduction to Employee Benefits Law (Howell)**

**1 s.h.**

The law of the regulation of employee benefit plans (often called "ERISA law," though ERISA is not the only relevant statute), has grown rapidly in the last decade. Employee benefits law addresses fundamental questions, such as "will I be able to retire?" or "can I go to the hospital if I am sick?" but those questions are answered in the context of a large body of statutory, administrative and case law that governs the maintenance of plans by employers and the rights and benefits of employees under those plans.

This course will be a survey of some, but certainly not all, of the major topics in employee benefits law. We will begin with the concept of a "plan," and how plans are subject to the Internal Revenue Code, ERISA or both. We will then spend time with the tax-qualification rules for retirement plans, focusing on "401(k)" plans, which have become the main type of employer-sponsored retirement plan. We will then move to "welfare benefit" (e.g., health insurance, life insurance) plans and executive compensation arrangements. We will conclude by considering some of the topics that are being hotly litigated in the federal courts, including ERISA preemption of state law, the relief available to plan participants for breaches of ERISA, and the use of employer stock as an investment in retirement plans. The goal of the

course is to acquaint you with the types of issues faced in employee benefits law practice, the sources of the law, and how to use those sources to address such issues.

**Federal Income Tax is a recommended prerequisite, but not required.** Materials studied will include provisions of ERISA and the Internal Revenue Code, regulations and interpretations under both statutes, and judicial decisions

**91:286 Introduction to Intellectual Property Law (Bohannon, Hovenkamp) 3-4 s.h.**

This course is designed for students who are seeking either a general overview of intellectual property law, or a starting point for courses in particular disciplines within intellectual property law. The course will introduce the concept of intellectual property, survey decisions in patents, trademark & unfair competition, copyright, trade secret and related areas, and will examine issues involving the intersections between those areas. No technical background is expected. Students who plan to take Patent Law (91:324), Trademark and Unfair Competition Law (91:369), Copyrights (91:283), International Intellectual Property Law (91:229), or any intellectual property seminar are strongly urged to take this course prior to or concurrently with any of those courses or seminars.

**91:195 Introduction to Public International Law (David) 3 s.h.**

This course introduces students to the fundamentals of international law, focusing on aspects of international law particularly concerning interests in the United States. Included is a survey of the sources, methodology, and major doctrines of international law, within the framework of an understanding of diverse jurisprudential approaches. Students will become familiar with international law's relation to United States domestic law and institutions, as well as with procedural aspects of international law involving international institutions, including the International Court of Justice.

**91:288 Jurisprudence (Burton, Somek) 2-3 s.h.**

Why does the law have authority? Can there be law without the threat of coercion? Is legal obligation merely the result of such a threat? In which respect is legal argument different from moral reasoning?

These and other questions are central questions of jurisprudence. The class will explore them by looking at positions that have been adopted by legal positivist, natural law theory and sociological models of jurisprudence. The class will also have a certain comparative dimension in that some of the readings have their background in the civil law tradition.

**91:292 Labor Law (Linder) 3-4 s.h.**

The regulation of labor relations in the private sector by national labor law. Considers the law relating to unionized employees and firms; the right of employees to organize into unions; the limits of concerted activities by employees; the scope and process of collective bargaining; the enforcement of the collective bargaining agreement; rights of the individual employee within a collective unit and within a labor organization. Stress is placed upon the role of the lawyer in dealing with various judicial, administrative, and arbitral tribunals involved in enforcing labor law in the private sector and with the complex interrelationships between policy, statute, judicial, and administrative decision. This course is not intended to require Employment Relations Law as a prerequisite.

**91:300 Land Use Control (VanderVelde) 2-3 s.h.**

This course investigates zoning, comprehensive planning, provision of services and subdivision development ordinances as well as the role that they play in construction of local community. The mechanics of various procedural devices will be considered, including procedures for changing zoning restrictions through variances, rezonings, contract and conditional zonings, initiative and referendum

process, and agreements entered into by cities and developers pursuant to platting processes. Coordination of control efforts will be examined critically. Theory and doctrinal investigations are contrasted with actual problems and results.

The first basic concepts introduced in the Property II course (that is, nuisance, eminent domain, and takings law) are considered here in much greater depth. In addition, the course will examine issues of residential segregation through zoning ordinances: segregation of apartment dwellers from single family residences, segregation of group homes, and segregation of residents by government imposed or privately imposed age restrictions; issues of commercial and industrial use limitations and the surfacing issues of antitrust violations and the contemporary issue of the free-speech implications of sign restrictions.

To accomplish this course's goals of both theory and practice, the course will take as a text a reader on the theory of property and land use controls. Students will be required to submit 8 short 3-page papers on the readings, roughly one every other week. This course also offers a practical segment on bringing a request for >variance before a zoning board of adjustment. One evening session will be devoted to a zoning board of adjustment session. Prerequisite: Property II.

**91:307 Law in the Muslim World (Wing) 2-3 s.h.**

This course will be an introduction to selected international and comparative law issues relating to the various countries in the Muslim world. The legal cultures, institutions, rules, actors, and processes of a number of jurisdictions will be explored, including but not limited to Afghanistan, Saudi Arabia, Iran, Iraq, Algeria, Nigeria, Palestine, and Pakistan. Topics will include: Islamic "sharia" law as practiced in a range of both Sunni and Shiite countries; the role of church vs. state and fundamentalism vs. secularism as manifested in the legal system; the tension between communitarianism vs. individualism in modern constitutionalism; intertwining of customary and religious legal practices; first, second, and third generations of human rights; and international law on such issues as terrorism and self-determination. Another major topic will be women's rights, including a discussion of polygamy, divorce, child custody and inheritance.

It will be a course open to juniors, seniors, and grad students, as well as law students. Course evaluation will include class participation, and a final exam that will consist of the student's responses to a simulation involving a topical legal problem in the Muslim world. Writing unit will be available to law students desiring to do research papers.

**91:306 The Law of Electronic Media (Johnson) 2-3 s.h.**

One-half our GNP and work force are involved in the "information sector" of our economy (as distinguished from agriculture or manufacturing). Like the essay exam question, "describe the universe and give two examples," the Law of Electronic Media class could cover almost any aspect of future life and law in the Information Age. Given the three semester hour limit, it emphasizes an understanding of the foundations on which lawyers, judges and legislators struggle to build law and public policy for the new age and technologies: principles evolved for the radio, television, and cable TV industries, some "journalism law" (e.g., defamation, privacy, First Amendment), and some reference to telephone and Internet issues (the latter, however, the primary focus of the "Cyberspace Law Seminar"). There are no formal prerequisites nor program of specialization, and non-law students often enroll.

**91:460 Law Study Abroad at Bucerius (Reitz) arr.**

The College of Law is part of an exchange program with the Bucerius Law School in Hamburg, Germany. Each fall two students from Iowa have the opportunity to earn up to 15 credits, choosing from a variety of one- or two-credit courses taught in English. The courses emphasize the international aspects of law and interdisciplinary approaches to those subjects.

**91:267 Legal Externship (Staff)**

**arr.**

Under certain circumstances, students may arrange to receive academic credit for unpaid externships with nonprofit organizations and government agencies. Such externships usually occur during the summer and are, except under unusual circumstances, limited to six semester hours of credit.

**660:824 London Law Consortium (Wing)**

**arr.**

This study abroad program meets each spring semester in London. The London Law Consortium comprises students from six U.S. law schools University of Iowa College of Law (program administrator), Indiana University at Bloomington, University of Kansas, University of Missouri-Columbia, University of Utah, and Chicago-Kent. Professor Adrien Wing of the University of Iowa College of Law is the on-site director. Students are taught by Consortium faculty members resident in London, as well as instructors from British law schools. Course offerings include the British Legal Externship program. Program information and application forms are available from the Registrar and are due by the first week of September for study during the spring semester.

**91:341 Managing National Security (Baker)**

**1-3 s.h.**

This course is designed to introduce students to the substance, process, and practice of national security law. In an age of terrorism, what must every national security lawyer know on the first day of work? What should every lawyer and citizen know? How should we structure government to provide for our physical security and at the same time honor our principles of constitutional democracy and liberty?

In addressing these questions, students will be asked to consider the meaning of national security and the legal and policy implications flowing from its invocation. We will then consider the constitutional structure of separate and shared powers over national security and the process of decision-making in each branch government, drawing from specific lessons learned during the past twenty years. We will then consider the national tools available to the decision-maker and the domestic and international legal framework applicable to each, e.g., the use of force, intelligence, law enforcement, diplomacy, information projection and control, public health, and economic instruments.

The course culminates in a series of tabletop exercises with students playing the role of National Security Council Principals addressing real world security problems (a national security moot court). The exercises are intended to test each student's knowledge of the law, but as importantly, to offer insight into the pressures incumbent on national security lawyers and policymakers as well as an opportunity to practice modulating one's own legal voice in a manner relevant to the forum presented.

Requirements: (1) A Principals Committee Briefing Paper; (2) Participation as a national level decision-maker in a class scenario; and, (3) a memorandum to the President. There are no prerequisites for this course.

**91:315 Mediation: Theory and Practice (Gittler)**

**3-4 s.h.**

This course offers a comprehensive introduction to mediation as a process for resolving disputes. It will provide a conceptual framework within which to compare the essential characteristics of mediation with litigation as well as other alternative dispute resolution processes that are increasingly gaining acceptance in the context of the alternative dispute resolution movement. The stages of the mediation process, the confidentiality of the process, and the enforceability of the mediated agreement and ethical problems, particularly those of the lawyer-mediator, will be examined. The use of videotapes, demonstrations and role play exercises will be utilized to develop an understanding of mediation skills and the roles of the mediator, lawyers and clients in the mediation process.

**91:342 Negotiations (Wetlaufer)**

**2-3 s.h.**

This course offers a broadly based introduction to the theory and practice of negotiations. Major topics include the various sets of speech acts through which negotiations are conducted (e.g., formal argument, haggling, selling, and threatening); the possibility of "win-win" bargaining; the "presentation of

self" in negotiations; the problems of bargaining across differences of culture and gender; the role of emotions; the nature and role of apologies; and the ethics of strategic behavior. These subjects will be approached through various perspectives including game theory, social psychology, anthropology, linguistics, and rhetoric. Extensive use will be made of material excerpted from such films as Twelve Angry Men, Tin Men, Law & Order, Lawrence of Arabia, Henry V, and the propaganda films of World War II. Simulations and classroom exercises will be an important part of the class and as a result, class attendance will be mandatory.

**91:320 Nonprofit Organizational Effectiveness I (Boyd, Koontz) 3 s.h.**

The course focuses on the operational and financing aspects of nonprofit management, including mission of the organization and its governance. The strategic planning necessary for effective management is emphasized, including finance, budget, income generation and fund-raising. Open to graduates and advanced undergraduates, as well as law students.

**91:322 Nonprofit Organizational Effectiveness II (Boyd, Koontz) 3 s.h.**

This course has two primary thrusts. First it focuses on qualities needed for leaders of nonprofit organizations, including relationship with staff and volunteers. Secondly, the course covers the relationship of a nonprofit with the external world—the nonprofit’s community constituencies, governmental entities, professional associations and collaboration with other organizations. Marketing, public relations, and advocacy strategies for nonprofits are addressed.

Prerequisite: 91:320 Non Profit Organizational Effectiveness I or the consent of the instructor.

**91:324 Patent Law (Staff) 2-4 s.h.**

This course covers all aspects of U.S. patent law, including patent claims, adequacy of disclosure, statutory subject matter, validity, inequitable conduct, infringement, remedies, and a variety of other specialized doctrines. The course focuses heavily on recent pronouncements from the Court of Appeals for the Federal Circuit. Although the course does deal with advanced technologies to some extent, no scientific or engineering background is required.

**91:325 Philanthropy and the Law (Sidel) arr.**

Private, family, corporate and community foundations and other philanthropic institutions are rapidly growing contributors to social change, social service, law, arts, environmental protection, scholarship and other activities in American life. The law governing this sector has become increasingly complex as well. This course will provide an overview of the law applicable to the American philanthropic sector, will treat recent and controversial issues in the interface between philanthropy and the law, and will discuss comparative and international aspects of the regulation of philanthropy and the nonprofit sector. In specific terms, the course begins with an overview of the regulatory and tax treatment of philanthropy in the United States (federal and state), and then covers timely and important issues in the field. These include the impact of the recent financial crisis on philanthropy; proposals to amend the tax treatment of philanthropic organizations and donors; the debate on what proportion of assets philanthropic institutions should be required to dispense as grants to retain their favorable tax treatment (the “payout” debate); proxy voting by philanthropies on shareholder proposals on social issues; the new and strengthened disclosure rules applicable to private foundations; controversies over pooled donor advised fund (such as the Fidelity Charitable Gift Fund); and recent case law on the enforceability of charitable pledges. The course will also cover comparative and international elements of the law of philanthropy, including U.S. regulatory treatment of philanthropic giving abroad and “diaspora philanthropy”; the legal treatment of philanthropy in other jurisdictions (such as the U.K., Australia, India, and China); the role of international non-governmental organizations and domestic and international legal aspects of their operations; the drafting of statutes governing philanthropy in developing countries; and other international and comparative elements of the law of philanthropy.

Students will write research papers for 1 or 2 writing credits.

**91:276 Private International Finance (Carrasco) 3 s.h.**

The course will focus on international banking and securities transactions. The major national markets of the United States, Europe, and Japan, as well as offshore markets, will be examined. We will also study major areas of international regulation and policy, such as capital adequacy and clearance and settlement.

The course will be designed for students interested in an introductory exposure to the work of international finance. There are no prerequisites. Please keep in mind that the course is not a substitute for the courses offered in international economic relations or international business transactions, both of which are very important courses that cover different subject matter.

**91:308 Professional Responsibility (McGuire, Osiel, Raymond, Schantz) 1-3 s.h.**

Inquires into the public and private professional responsibility of lawyers, the organization of the profession, and its economics, ethics, and sociology.

**660:823 Program in Comparative Law / Bordeaux, France arr.**

Five-week program of courses on international and comparative law taught in English by American and French professors; co-sponsored by the University of Bordeaux I; housing in Arcachon. Offered May-June. Application deadline: March 1.

**91:136 Property II (Hines, Hovenkamp, Matsumoto, VanderVelde) 3 s.h.**

Course continues examination of the concepts introduced in Property, but shifts the focus to the limitations imposed on land owners use of their property by private agreements, judicial actions and various forms of public regulation. Problem areas studied include servitudes, nuisance, eminent domain, constitutional limitations on governmental activities adversely affecting private property, ("Takings"), community planning, zoning and other forms of local land use control, and discrimination as it relates to land development and housing. Inquiry is addressed to the relative effectiveness of private ordering, judicial decisions, legislative enactments and administrative processes for resolving conflicts over the use of land resources. Also explored are the relationships between law and other disciplines, particularly economics, in forging solutions to land use issues, and the utility of law generally as an instrument for achieving specific societal objectives that impact private owners use and enjoyment of their property.

**91:340 Remedies (Osiel) 3 s.h.**

This course examines the remedies by which the law corrects injustice and redresses legal wrongs. We will consider both legal and equitable remedies. The first part of the course will focus on the remedies of tortious wrongs, including damages and injunctive relief. The second part of the course will examine the remedies for breaches of contract, including damages, specific performance, rescission, and reformation. The final part of the course will review the law of restitution, with an emphasis on restitutionary remedies (quasi-contract, constructive trust and equitable lien).

**91:355 Securities Regulation (Staff) 4-5 s.h.**

This course examines the regulation and sale of securities to the public under the Securities Act of 1933 and state blue-sky laws. The course also examines remedies provided through the Securities Act. In addition, the course examines regulation and litigation under the Securities Exchange Act of 1934, which focuses on companies with publicly traded securities.

Prerequisite: 91:241 Corporations I.

**91:354 State and Local Government (Matsumoto) 3 s.h.**

The primary emphasis of this course is the study of the allocation of decision-making authority in

our society. This includes the allocation between public and private decision makers, the allocation among governmental units (federal, state, and local) and the allocation among public institutions (courts, legislatures, and agencies).

While this is an introductory course, no attempt will be made to survey broadly the general law of state and local government. Instead the course will concentrate on a relatively small number of doctrinal areas. The emphasis will be on the development of an understanding of the principles and policies which underlie those legal doctrines and the relationship of those principles and policies to the allocation themes noted above.

**91:502 Supplementary Writing (Staff) arr.**

Supplementary Writing involves a faculty member's supervision of one or more students in connection with a substantive course taught by the faculty member and for which the student has registered. Although the writing project builds on or proceeds from the materials covered in the related substantive course, the Supplementary Writing entails work going beyond the content of the substantive course. At the faculty member's discretion, the Supplementary Writing may be available in the same semester as the substantive course or in the semester following it. A Supplementary Writing project is graded separately from the course to which it is related.

**91:243 Taxation of Business Enterprise (Ward) 3-4 s.h.**

This course will cover the taxation of partnerships, limited-liability companies, and corporations. The emphasis is on closely held firms and their owners. Topics include choice of entity, the life cycle of the entity (organization, operation, and sale or liquidation), corporate mergers and acquisitions.

The course is appropriate for students interested in general practice, or tax- or business-law specialties. Prerequisite: 91:272 Basic Federal Income Tax. Recommended: 91:241 Corporations I.

**91:369 Trademark & Unfair Competition Law (Staff) 3-4 s.h.**

This course examines an important branch of intellectual property law. Trademark law protects words and symbols that identify the source of goods and services, thus securing commercial identity and preventing consumer confusion. The course covers the acquisition and retention of trademark rights, registration, infringement, and remedies. It examines the application of Sec. 43(a) of the Lanham Act to protect creative, as well as commercial, products.

**91:370 Trial Advocacy (Allen, Lindahl, Jarvey, Nagle, Semelroth, Spies, Whiston) 2 s.h.**

This course will train students in the basic skills of trial advocacy. The focus will first be on particular aspects of trial technique--direct examination, cross-examination, handling documents, making objections, expert witnesses, jury selection, opening statements, and closing arguments. Late in the year each student will participate in a full trial. The pedagogical emphasis will be on learning by doing with immediate feedback by classmates, faculty, and outside attorneys or judges with subsequent videotape critiques. The course has a limited enrollment for both the semester-long and intersession programs with preference to third-year students and, among second-year students, to those who express an interest in the trial advocacy board in their third year. Prerequisite: 91:265 Evidence.

**91:374 Adv Trial Ad- Stephenson Competition (Whiston) 1 s.h.**

The annual Roy L. Stephenson Competition is the intramural competition by which the law school selects the trial team which competes in the National Trial Competition, the finals of which are held every March in Texas. The Competition takes the form of two preliminary trials rounds in which the student try a mock civil jury trial before local judges and lawyers. This year those preliminaries will occur during the week of November 1. The twelve best performers in those rounds then go on to the Finals and try the case again before a group of federal judges. Those finalists also received cash awards of up to \$600 from the Iowa Academy of Trial Lawyers. This year the final round will be held on Saturday, November 14.

The six best advocates out of the final round become the Trial Team which competes in regionals of the National Competition which this year will be held in Iowa City in mid-February. The trial team prepares for this event by working intensively with Professor Whiston and a group of lawyers and judges. One academic credit is awarded for participating on the trial team, although an additional credit can be earned if the team goes to the finals in Texas.

This year, for the first time, students will earn one academic credit for participating in the Stephenson Competition itself, rather than the co-curricular credit awarded in past. Participation however will now require attending a five-session advanced trial advocacy class component in addition completing the trials. The Pass/Fail class is now scheduled to be held on Tuesday evenings to be selected at a later date and to last 1.5 hours. The topics to be covered include, for instance, how to handle hearsay, effective openings and closings and how to use exhibits. Some minimal reading and preparation will be required.

There is a third year preference, but generally somewhere from 6-10 2Ls are chosen. Among those students, there is a preference for prior trial advocacy experience, Evidence, and mock trial experience.

**91:371 Trial Advocacy Board (Whiston) 1-2 s.h.**

Members of the Trial Advocacy Board may earn hour of credit for each semester of participation in the work of the board, which includes administration of the Trial Advocacy Program and Stephenson Competition, research and writing in connection with the trial problems and readings used in the program, and critiquing performances of trial problems. Recommended: 91:370 Trial Advocacy and 91:265 Evidence.

**91:379 Advanced Trusts and Estates (Gallanis) 2 s.h.**

This course involves a study of the substantive provisions of wills and trust instruments, with concentrated attention being given to recurring construction problems and pitfalls in drafting, powers of appointment, future interests and how they operate in complex trusts, and the impact of rules of policy restricting the disposition of property, including the rule against perpetuities.

**91:378 Trusts and Estates (Hines, Gallanis, Kurtz) 3-4 s.h.**

This course surveys the transmittal of wealth within the family. The objective of the course is to provide students with a conceptual background that will provide a foundation for those who are interested in more detailed study of estate planning and an analytical model for others who are more interested in the implication of the creation of property rights and powers to other areas of the law, such as family law, civil procedure, or bankruptcy. The course investigates the policy of donative freedom by looking to the doctrines and rules establishing its restraints and preserving its integrity. The primary focus of the investigation is property law, including intestate succession, wills, lifetime transfers in trust or otherwise, powers of appointment, and future interests.

The four hour version will be the same as the three hour course plus 14 class hours exploring the federal estate, gift and generation skipping transfer taxes as they affect the wealth transfer process. When Trusts and Estates is taught by an instructor as a 4 hour course, students may elect to enroll for either 3 or 4 hours. Those students who elect to enroll for only 3 hours will not have to attend classes after the 42nd class hour; those students who enroll for the entire 4 hours will continue with the class until the end of the semester. Students enrolled for either 3 or 4 hours will take the appropriate final exam at the regularly scheduled time at the end of the semester. Students who have enrolled in another section of Trusts and Estates but who wish to join the 4 hour course in progress to pick up the transfer tax material can do so with special permission of the instructor. Students who enroll in the 4 hour Trusts and Estates course may take the 3 hour Taxation of Gratuitous Transfers course with special permission of the instructor.

**91:504 Tutorial (Staff) 1-3 s.h.**

After securing an authorization of a faculty member who agrees to supervise a project, a student may sign up for 1 to 3 academic credits for work undertaken as an independent tutorial. Tutorials may

involve different types of pedagogical techniques, such as discussion sessions, assignments of problems, or short papers. In all tutorials, the student and faculty member must meet for at least 5 hours for each hour of academic credit that is awarded. No writing credit will be awarded for tutorials. Forms, available from the registrar, must be used for confirming the arrangement with a faculty member and for registering for the course.

**91:503 Writing Tutorial (Staff) arr.**

A Writing Tutorial is a hybrid arrangement combining features of Independent Tutorials and Directed Research & Writing. Like Directed Research & Writing, a faculty member offering writing credits for a Writing Tutorial lists the subject matter or topical area of study. Like an Independent Tutorial, it offers the writing supervision in a group setting (and, in contrast to an Independent Tutorial, writing credits will be available). The faculty member specifies the subject and the general approach for group meetings and the interaction of the group members in connection with their writing project. The faculty member may arrange the Writing Tutorial so that the group members were working on separate parts of a single project or separate but related projects.

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## **MOOT COURT PROGRAMS**

**91:210 Appellate Advocacy I 1 s.h. (1W)**

The Appellate Advocacy program is designed to give second-year students a chance to prepare and argue an interrelated question of law and fact in an adversarial setting. In September, advocates begin a ten-week process of researching and brief writing that culminates in oral presentations of their arguments. The records and bench memos used in Appellate Advocacy 1 are generated by the Moot Court Executive Board of the previous academic year in conjunction with a member of the faculty. Each advocate will receive a case record of the lower court's proceedings and will work in two-person teams representing either the appellants or appellees. Each student will be assigned one issue to brief and argue. Briefs are typically 14 pages long (of which, each advocate must write 7 pages). Oral arguments consist of arguing in front of a panel of 3-4 judges. The panel is typically comprised of two student judges, one faculty judge, and one visiting judge (a practicing attorney or judge). Those advocates with the highest total scores will have the opportunity to participate in the Spring Competitions (Van Oosterhout-Baskerville and Jessup Competitions) the following semester.

**91:430 Jessup International Moot Court Competition 1 s.h. (1W)**

The spring intramural Jessup competition is modeled after the ILSA Jessup International Competition so as to prepare students for participation on the International Jessup team (if they so desire and are chosen) the following year. Working as pairs, each student writes approximately 12 pages advocating his/her position. Oral arguments consist of an approximately 15 minute presentation before a bench. The competition gives students the opportunity to develop and improve their memorial (brief) writing skills, gain experience in oral advocacy, learn about the substance and procedure of international law, and discover how the International Court of Justice operates. The Jessup problem features current and exciting issues of international law.

The top five students with the highest combined memorial and oral argument scores from the Jessup intramural competition will comprise the college's International Jessup Team for the following academic year. The Best Advocate (scoring the highest combined memorial and oral argument score) from the Jessup Competition receives the honor of serving as Captain of the Jessup International Team the

following academic year.

The prestigious Jessup Competition is held in memory of the late Judge Phillip C. Jessup, an American judge who sat on the International Court of Justice in The Hague. It is directed and administered by the American Society of International Law through the International Law Students Association and the Moot Court Office. This international competition provides students with an opportunity to compete not only with teams from over one hundred American law schools, but also with teams from Africa, Asia, Central America, Europe, and South America.

**91:402 Moot Court Board**

**1-2 s.h.**

The Moot Court Board consists of approximately 16 Student Judges (depending on class size) and an Executive Board consisting of approximately 7 members. The Moot Court Board operates under the guidance of a faculty advisor.

All advocates successfully completing AA1 and any spring appellate advocacy program (i.e. Domestic or Jessup Competition) are eligible for election to the Moot Court Executive Board (i.e. including position of: Chairperson, Vice-Chair positions, Domestic Competition Coordinator, AA1 Coordinator, Supreme Court Day Coordinator and Jessup Coordinator). Students who have successfully completed AA1 are eligible to become student judges. Student judges are responsible for advising student advocates on their brief writing and oral argument preparation in AA1 and the Spring Semester Competitions. Student Judges also judge and score student advocates' oral arguments and briefs in these programs. Selection to all positions is made by the current Moot Court Executive Board based on the student's participation in Moot Court programs, personal interviews and an editing sample.

**91:408 National Moot Court Competition**

**1 s.h.**

Open to six finalists from Van Oosterhout-Baskerville Moot Court Competition. Students participate as law school's representatives in the Regional Moot Court Competition in the fall of their third year. Prerequisites: 91:210 Appellate Advocacy 1 and 91:404 Van Oosterhout-Baskerville Competition.

**91:404 Van Oosterhout-Baskerville Domestic Moot Court Competition**

**1 s.h. (1W)**

The Van Oosterhout-Baskerville Domestic Competition was established in honor of Richard Baskerville, a 1959 UI Law graduate, and Martin Van Oosterhout, a 1924 graduate from the Iowa College of Law and former Chief Justice of the Eighth Circuit Court of Appeals. Participation in the competition is restricted to the top 32 advocates of AA1 who express a desire to compete in a domestic law competition.

The Domestic Competition is designed to sharpen the skills of the student advocate. Each advocate will write 14 pages for their portion of the brief and will participate in at least 2 preliminary rounds of oral arguments. In the first round, advocates argue the side and issue that they briefed. On the second night, however, advocates will argue the same issue, but from their opponent's side. After the advocates have finished the second night of oral arguments, the Moot Court Board will calculate the advocates' scores to determine who moves on to subsequent rounds.

The top six advocates of the domestic competition will form the National Moot Court Team in the fall semester of the following academic year. In addition, the two top advocates and the two top oralists (those with the highest oral argument scores) will have the opportunity to perform oral arguments before the Iowa Supreme Court during the College of Law's annual Iowa Supreme Court Day in the fall semester.

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## CLINICS, JOURNALS & PUBLICATIONS

**91:406 Clinical Law Program-Internship (Acton, Allen, Cox, Noblett-Feld, Sandler, Schwartz, Whiston) arr.**

Students work directly with faculty members in an in-house program on cases involving civil rights and liberties, statutory entitlements, criminal defense, and general representation in civil matters. The Clinic offers special programs relating to employment law, farm bankruptcy and the representation of persons with the HIV virus. Interns participate fully in interviewing, fact investigation, negotiation, and courtroom proceedings.

**91:407 Clinical Law Program-Externship (Acton, Allen, Cox, Noblett-Feld, Sandler, Schwartz, Whiston) arr.**

Under the supervision of faculty members and staff attorneys, students represent clients through legal assistance offices in eastern Iowa. In most instances, students have primary responsibility for interviewing, negotiation, fact investigation, drafting, briefing, and representing the client in court appearances. Cases include consumer problems, landlord-tenant, administrative law, family law, juvenile law, torts, and a wide range of other civil problems. In some offices, there also are opportunities to do criminal-defense work.

**91:399 Judicial Externship (Neuman) arr.**

Judicial externships give students the opportunity to work closely with a federal district court judge or state appellate judge for nine credit hours per semester. (Fifteen credit hours, with an independent writing component, may be arranged.) Under the supervision of the judge and the judge's staff, the student will research and draft a wide variety of legal memoranda, orders and opinions. Students assist in hearings and perform other duties generally associated with a judicial clerkship. Each judicial extern also meets weekly with a faculty supervisor to discuss the student's work in chambers and takes part in bi-weekly classroom discussions with other externs.

Because of the demanding and often time-sensitive nature of the work, judicial externs must have strong research and writing skills. They must be able to produce acceptable work under sometimes tight deadlines. Much of the student's work will be conducted independently. The experience will be highly rewarding, but students who are not capable of meeting these requirements should not apply for these externships.

**91:415 Journal of Corporation Law (Hovenkamp) 2 s.h. (2W)**

Students write one journal piece during their second year and perform various office duties

**91:416 Student Journal Editor – Journal of Corporation Law (Hovenkamp) arr.**

Members of the Journal of Corporation Law Editorial Staff may earn up to three academic credits. Work includes managing production, overseeing business operations, administering the student writing program, selecting and editing articles for publication, supervising student research and writing. Members of the editorial staff are selected based on their performance as writers on the Journal of Corporation Law.

**91:425 Journal of Gender, Race and Justice (Bezanson)**

**2 s.h. (2W)**

Students write two journal pieces throughout the year, including a Recent Development and a Note or Comment, and perform various office duties.

**91:426 Student Journal Editor - Journal of Gender, Race and Justice (Bezanson)**

**arr.**

Members of the Editorial Staff may earn up to three academic credits. Work includes managing the student writing program, overseeing business operations and production, selecting the symposium topic and participants, and selecting and editing all publications pieces. The Editorial Board is selected based on writing and editing experience, as well as, commitment to the Journal.

**91:400 Law Review (Pettys)**

**2 s.h. (2W)**

Students write one journal piece each semester and perform various office duties.

**91:401 Student Journal Editor - Law Review (Pettys)**

**arr.**

Members of the Iowa Law Review Editorial Staff may earn up to three academic credits. Work includes managing production, overseeing business operations, administering the student writing program, selecting and editing articles for publication, supervising student research and writing. Members of the editorial staff are selected based on their performance as writers on the Iowa Law Review.

**91:420-421 Transnational Law and Contemporary Problems Journal (Reitz)**

**arr.**

Transnational Law and Contemporary Problems provides second- and third-year students a unique opportunity to engage in researching, writing and editing international and comparative law issues. Student writers are required to write only one article for the year. Writers and members of the board of editors may earn up to 5 hours of academic and writing credit for their work on the journal.

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## SECOND & THIRD YEAR SEMINARS

**91:600 Abused/Neglected and Dependent Children (Bandstra) arr.**

The purpose of this course is to introduce students to laws relating to abused, neglected and dependent children, that is, children who are not receiving proper parental care and protection as defined by statutes and case law. The course will deal with the history of child abuse, neglect, and dependency laws, the jurisdiction of juvenile and family courts over these children, abuse, neglect, and dependency proceedings, and termination of parental rights in abuse, neglect, and dependency cases.

**91:605 Adv. Problems in Int'l Environmental Law: Trade & the Environment (Carlson) arr.**

This is a two-semester research seminar. During the fall we will meet approximately once a week for two hours to discuss readings. During the spring we will meet for a number of sessions in the middle of the semester to discuss first drafts of student papers, but we will not have weekly class meetings. Students will receive a total of two units of academic credit for the fall semester and two or three units for the spring, depending on the length of the research paper (2 units for a 40-page paper; 3 units for a 60-page paper). Paper length is exclusive of endnotes/footnotes and assumes double spacing, standard 1-inch margins and 12 pt. font. In addition, two or three writing credits will be awarded, depending on the length of the paper. Because of the seminar's focus on student research, all students should plan on writing at least a 2 unit, 40-page paper, although I may permit 1-unit papers to be written.

The seminar will focus on the so-called "trade and environment debate." There will be a heavy emphasis on understanding the policies and legal norms of the GATT/WTO international trade regime, and the ways in which that regime does (does not) constrain the ability of nations to pursue environmental protection policies. However, the seminar is concerned with all areas where trade policies and environmental protection policies intersect, and I will be very flexible about paper topics as long as they related in some way to this general focus of the seminar.

Much of the course will be structured around students' research, with the goal of ensuring that, by the end of the fall semester, you are ready to engage in a substantial research project focusing on international trade and/or international environmental law.

**91:601 Advanced Topics in Corporate Law (Staff) arr.**

This research and writing seminar is designed to permit students to explore a wide range of corporate law topics. The topics will vary from year to year, and will include, but will not be limited to, the theory of the firm, fiduciary duties, corporate counseling issues, and the history of corporate law.

Students in this seminar will be required to develop and write papers in consultation with the instructor and present them to the class. Participants will receive two academic credits for seminar participation, plus two or three units of academic and writing unit for preparing papers.

Prerequisites: one law school or business school class in corporate law or consent of instructor

**91:663 Advanced Topics in International Law (Rossi, Weston) arr.**

This seminar examines issues arising out of contemporary problems of public international law and policy. Topics include, but are not limited to, issues arising out of: armed conflict, the use of force, and the pacific settlement of disputes; human rights law and policy (concerning individual civil, political, economic, social, and cultural rights, and such group rights as the right to self-determination, development, environment, and peace); trade and development; environmental law and policy (climate change, species extinction, pollution, etc. ). Students will prepare an analytical research paper on a topic of their own

choosing and make a presentations of their topic in class. While previous international law learning and/or experience is helpful, no specialized knowledge of public international law is presupposed or required

**91:603 Capital Punishment Seminar (Baldus) arr.**

The seminar presents an overview of the death penalty as presently applied in America. We first consider the moral issues raised by the institution. We then consider the long term trends limiting the use of the death penalty here and abroad. The focus next shifts to legal issues and the Eighth Amendment jurisprudence that has developed since the 1960's on such topics as, limits on the exercise of juror discretion, jury selection, proportionality, the execution of minors, racial discrimination, means rea requirements, capital appeals and collateral attacks, and death penalty lawyering. Throughout, we will critique the death penalty bills that have been proposed for Iowa in recent years.

Reading assignments consist of cases, statutes, law review articles, and empirical studies provided to students in a reader. In addition, each reading assignment will be accompanied by a list of "thought questions" for students to consider while reading the materials

**91:613 Constitutional Interpretation Seminar (Somek) arr.**

The seminar will first analyze US Supreme Court decisions in order to make our different approaches to matters of constitutional interpretation. One core issue to be addressed concerns the question in which respects modern constitutional law is "common law". The seminar will then explore the puzzling fact that outside the United States questions of constitutional interpretation appear to be far less salient. Finally, the seminar will study one of the most remarkable exemplars of constitutional interpretation: Carl Schmitt's *Legality and Legitimacy* of 1932, which has been recently translated into English.

**91:450 Corporate Law Practicum (Holland) arr.**

One student is selected for an externship with Justice Holland of the Delaware Supreme Court. Students are eligible for nine credits for a part-time externship and fifteen for a full-time externship. Students who elect the full-time externship must complete a two-credit paper. Students must also complete a class consistent with the goals of the externship. In some circumstances, externs may earn extra credits by enrolling in a Delaware Law School taught by Justice Holland. Prerequisite: 91:241 Corporations I.

**91:612 Criminal Law in Context: Legal & Social Images of Victims & Perpetrators (Gruber) arr.**

This course seeks to contextualize criminal law by engaging in an in depth study of the legal and social characterizations of victims and perpetrators in U.S. law, politics, and popular culture. The seminar will be divided roughly into three interrelated parts. First, the seminar will provide an overview of the law's treatment of victims and perpetrators and its relationship to political and social dynamics over the past century. Specifically, this section of the course will trace the role of the victim in criminal prosecutions from the era of private prosecution through the advent of the modern victims' rights movement. It will also follow the legal and theoretical treatment of the defendant from the height of the asylum to the "war on crime." The second part of the course will examine the legal and social characterizations of victims and perpetrators in select areas of criminal law, including rape, domestic violence, and child sexual abuse. The final part of the seminar will examine victim-precipitated crimes, specifically crimes involving claims of provocation and self-defense, and their relationship to the current victim-perpetrator discourse.

**91:618 Cultural Property/Heritage (Boyd, Koontz) arr.**

This seminar will explore the concept of cultural property, measures for its protection, and the impact of these measures on the transfer of cultural items. In addition to traditional art and architecture,

protection of such items as biological and fossil material, and human remains will be considered. We will review the contexts in which these issues have arisen, such as stolen cultural property; property acquired during armed conflict and in colonial settings; and property collected in the field or excavated. Among the international, national and state law we will look at are the UNESCO convention on illicit transfer of cultural property, The U.S. Archaeological Resources Protection Act, and the Native American Graves Protection and Repatriation Act. We will also review how developing professional ethics codes affect this area.

The class will meet once a week for two hours. There is no exam, a research paper will be required for two hours of credit. Students who elect to do a longer paper and rewrite may earn an additional hour of academic and writing credit.

**91:624 Cyberspace Law Seminar (Johnson)**

**arr.**

This seminar will focus on student research, writing, presentations and discussion of the wide range of legal and public policy issues created by the newly-emerging electronic technologies. Students are encouraged actively to participate in the selection of topics of personal interest, in consultation with the instructor. Thus, although there will likely be an emphasis on the new issues involving the Internet and World Wide Web (such as privacy, crime, censorship, and global regulation), the old electronic media (radio, television and cable), and every conceivable electronic device (cellular phones, geo-positioning satellite receivers, bank ATMs, pagers, virtual reality) are also open to inquiry. The semester will begin with two or three sessions of background reading and discussion, during which students' topics are being selected and formulated. This will be followed by a three-week recess, during which individuals' research and writing will begin and consultative conferences will be scheduled with the instructor. There will then be nine class sessions (one of two hours, six of three hours, and two of two hours) during which results of student research and writing will be presented and discussed. Additional, accompanying, class reading assignments will be prepared by each student in consultation with the instructor. Although there is no limit on class size, as a courtesy to class members drops will not be permitted after topics have been selected and presentations scheduled. Students who take this seminar may not take the Cyberspace Law class. There are no prerequisites..

**91:622 Elder Law (Gittler)**

**arr.**

The population of Americans 65 years of age and older is increasing dramatically. As people age, they encounter a host of issues with a legal and public policy component. As a result elder law is a growing area of law practice. Moreover, public policy makers at the federal, state and local levels are being called upon to formulate and implement public policies and laws in response to problems associated with an aging population.

Topics covered in class sessions will include, but are not limited to, age discrimination, pensions, elder abuse and neglect, guardianship, long term care, Medicaid and Medicare and end of life decision making.

Students may write papers on any issues related to elder law and policy with the approval of the instructor.

**91:616 Family Law in the World Community (Estin)**

**arr.**

This seminar will explore various family law topics from an international and comparative law perspective. Students will compare the treatment of family law problems in various legal systems, and will explore the application of international treaties and conventions to issues such as child custody, adoption, reproductive freedom and domestic violence. Each student will select a topic for a research paper during the fall semester. The seminar will meet to discuss student papers in several sessions during the spring semester.

Prerequisite: 91:268 Family Law or 91:195 International Law preferred.

**91:658 The First Amendment: Religion Guarantees (Bezanson, Buss) arr.**

This seminar will focus on a variety of issues decided in the course of the Supreme Court's still-unfolding jurisprudence under the First Amendment Religion Guarantees. The issues will include conduct as free exercise of religion; strict separation of church and state in the context of education, public funding, and use of public space; claims of religion for exemption from general law (e.g. Yoder, Smith); school prayer and its legacy (pledge of allegiance, Ten Commandments in schools and public spaces, etc.); evolution, creationism, and intelligent design in public school curricula; the relationship between free speech and free exercise of religion; and vouchers, public funding of private religious schools, and need- and merit-based scholarship funding. Text materials will focus on carefully selected cases and draw strongly on historical sources and religious and philosophical views.

The seminar will last for one semester only. Seminar meeting will be held each of the first seven or eight weeks of the semester, lasting about 2 hours and usually with a meal. In addition, each student will be required to complete a 2-hour research paper on a topic selected in consultation with the professor, including an outline, a first draft, and a final draft. Each student will receive a total of three academic credits, one of which will be based on participation in the seminar discussions and two of which will be for the research paper (approx. 40 pages in length). There is no prerequisite.

**91:632 Higher Education and the Law (Pelzer) arr.**

This seminar is intended to introduce students to the practice of law in and for a complex institution. Selected problems confronting attorneys in such an environment and to address doctrinal issues prevalent in a university setting. We will focus class time in substantial measure upon real or hypothetical problems to be considered in light of background reading rather than upon doctrinal analysis. The last two or three class sessions would be devoted to student presentations of assigned papers. Substantial class participation would be expected and a significant portion of a student's grade would be based on it.

**91:625 The History of Free Labor (VanderVelde) arr.**

The nineteenth-century law of master-servant has been used as a default setting in many American cases involving employer's and employee's rights. Since the mid-1980s, major changes in the common law of employment have awakened a scholarly interest in what the rights, obligations, and protections of individuals on the job actually were in the past. Moreover, nineteenth-century master-servant law was far from static. The nineteenth century witnessed the end of slavery, apprenticeship, indentured labor, and imprisonment for debt as well as the emergence of the "Wheel of Servitude," the Jim Crow era, the employment-at-will doctrine, progressive reforms such as anti-scrip legislation, and expansions of other common law actions such as enticement, seduction, specific performance, and habeas corpus. Readings will include both original sources on free and unfree labor, such as slavery laws, the Thirteenth Amendment, supreme court cases dealing with the subject of free labor, treatises, and significant court cases, as well as modern legal and historical writings interpreting the history of free labor in American Law. Research paper required.

**91:629 History of Regulation of Smoking and Tobacco (Linder) arr.**

This seminar will cover the history of regulation of smoking and use of tobacco. The course will begin with materials from the nineteenth and early twentieth centuries. It will look at state statutes and case law, as well as OSHA, EPA and FDA regulations. Special topics will include class action litigation, the involvement of law firms in formulating tobacco company strategies, the use of medical studies, and the economic history of the tobacco industry.

**91:640 Human Trafficking (Sidel) arr.**

The seminar will cover the dimensions and scope of the international human trafficking; the framework of international law in the area; the American law governing trafficking, involuntary servitude

and related offenses from the 13<sup>th</sup> Amendment to the present, including recent statutory developments such as the Trafficking Act of 2000 and the amended Act of 2003; prosecution strategies employed by the departments of Justice, Labor and other executive agencies; the combined prosecution/prevention/protection model employed in the U.S.; civil litigation by trafficking victims against their traffickers; the potential and limits of state anti-trafficking legislation; the relationship between trafficking law and labor law; the role of the Congressionally-mandated annual State Department Trafficking in Persons report in U.S. foreign policy and the annual report's international law implications; and other legal issues involving trafficking and involuntary servitude.

**91:642 Innovation, Business and Law (Hovenkamp, Bohannon) arr.**

This seminar covers topics in antitrust, intellectual property, corporate and securities law, or the interfaces between those disciplines. Instructors will choose a topic from among those areas and will assign appropriate readings. Seminar meetings will center around discussions of the readings.

The instructors may choose to offer students a variety of options for earning writing credits. For example, instructors might allow students to prepare a 5-7 page analysis of each of the major readings. Alternatively, instructors may choose to offer students the opportunity to write more traditional seminar papers.

Because the seminar topic (and instructor or instructors) will vary from year to year, students may be allowed to enroll for the seminar more than once, with the consent of the instructors.

Prerequisites: Will vary depending upon the substantive theme chosen in a give semester. Where the substantive theme concerns intellectual property or antitrust, student should expect that Introduction to Intellectual Property Law or the basic antitrust course will be prerequisites. Where the substantive theme concerns corporate governance or securities regulation, students should expect that Corporations and/or Securities Regulation will be prerequisites.

**91:633 International Criminal Law (Osiel) arr.**

Crime increasingly spills across national borders, requiring states to cooperate in its prosecution. A single crime may occur in, or ham, more than one nation. Which courts have jurisdiction? Whose law governs? When may countries apply their criminal law (and its procedural protections) extraterritorially? To what extent have countries harmonized their criminal law, facilitating collaborative enforcement? When may the new International Criminal Court intercede? We examine such substantive offenses as genocide, war crimes, crimes against humanity, terrorism, torture, bribery, narcotics trafficking, sex trafficking, and money laundering, in addition to such procedural issues as extradition, deportation, abduction, mutual legal assistance, and recognition of foreign convictions. We examine how recent international tribunals for the former Yugoslavia and Rwanda are developing the law in several of these areas.

**91:637 Islamic Law & Government Seminar (Reitz, Souaiaia) arr.**

Designed for professional and graduate students with interest in the study of Islamic law and institutions. Course readings will cover various theories explaining classical and modern Islamic law, examine key areas including contract law, homicide, procedure, personal status (marriage, divorce, inheritance...), banking and financial, oversight, public trust, and bequests. The course will also cover principles of Islamic jurisprudence, legal and jurisprudential schools of thought including Sunnism, Shi'ism, and Ibadism and the sub-groups thereof. Finally, the course will consider secular and Islamic law-based legal codes in key Muslim countries (Iran, Saudi Arabia, Turkey, Morocco, and Pakistan), and the impact of political trends and social movements on Islamic law.

**91:641 Journalism and Freedom of the Press (Bezanson) 3-5 s.h.**

The course will broadly cover areas of constitutional theory and doctrine under the First Amendment, with specific focus on the free press guarantee and protection for news and journalism. Areas covered will include: prior restraints and injunctions against publication; libel; privacy; other

communicative torts; commercial speech and news publications; public forum and time, place and manner restrictions visited on the press and publishers; ownership, control, copyright and related intellectual property interests of the press; the meaning of journalism, news, and news organizations; government control or sponsorship of news organizations; subsidies for the press; taxation of the press; access to the press; newsgathering; privileges for the press; equality and press freedom; special problems in the financial and regulated sectors, such as regulation of business news periodicals; control of advertising by news organizations; “advertorial” practices and first amendment freedoms; the limits of “press” speech and journalism.

Pre- or Co-requisite: 91:232 Constitutional Law II

**91:656 Labor-Standards Legislation: History, Theory and Structure (Linder) arr.**

This seminar will focus on two federal statutes designed to intervene into the “free play” of market forces in certain segments of the labor market: the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act. Materials will emphasize the legislative history and socioeconomic purposes of these statutes and the extent to which the State can protect workers who have neither the market power nor the organization to protect themselves. In addition to case law, we will examine some historical material relating to similar state and British statutes. No specialized knowledge of economics or prior course in labor law is presupposed, although either would be helpful. Students shall write a research paper in lieu of an exam.

**91:620 Law and Technology Seminar (Bezanson, Kurtz) 6sh**

This year-long seminar, limited to 16 students, will explore the existing law and literature relating to ethical issues surrounding medical research. The goal of the seminar is to produce a model statute, hopefully to be published, addressing the range of issues in this area with suggested solutions.

During the fall semester the class will define the scope of the statute. Students will then undertake substantial research projects in order to identify existing law, policies, and practices and develop competing ideas and approaches for addressing the identified issues. These projects (in the form of extensive research papers and reports) will form the basis upon which the seminar students, functioning as a drafting committee modeled after the Uniform Law Commission, will further define and vote upon the scope and policies to be addressed in the comprehensive statute. Further research memoranda on specific topics will be undertaken through the year as the statute takes specific shape.

No later than the end of the first semester, students will be assigned portions of the proposed statute to draft. Once drafting begins the seminar will meet at least weekly, often in long evening sessions, to review, revise, and refine the statutory language in the Act. The completed model act, with explanatory and analytical commentary, may be distributed to various groups and organizations for comment. The ultimate goal is to have the model statute published.

The seminar will meet in the evenings throughout the academic year on an as needed basis. In the early part of the fall semester, two or more classes in a row will be held to define the scope of the project. Normal class sessions will resume in October on Wednesday evenings, beginning as early as 4:30 pm and often lasting for 4 to 6 hours. Meetings also will be held, on occasion, on other evenings or on the weekends (particularly late in the final drafting stages when extended time is needed for debate and negotiations among the drafting group). Because of this students should avoid class conflicts on Mondays and Tuesdays after 5:30pm.

A substantial time commitment is demanded for this seminar. Because each student’s work and commitment affects everyone else, strict expectations about effort, deadlines, and commitment to the task will be enforced.

Examples of statutes drafted and published in prior seminars are: *Model Human Reproductive Technologies and Surrogate Act*, 72 Iowa L. Rev. 943 (1987); *Model Aid-in-Dying Act*, 75 Iowa L. Rev. 125 (1989); *Cadaveric Organ Donor Act*, 18 J. Corp. Law 523 (1993); *Living Organ Donor Act*, 18 J. Corp. Law 561 (1993), *Model Health Information Disclosure Act*, 25 Journal of Corporation Law 119

(1999), *Model Act for Genetic Privacy and Control*, 88 Iowa L. Rev. 121 (2002), and the *Model Assisted Reproductive Technologies Act*, 9 Journal of Race, Gender, & Justice 55 (2005).

In light of the substantial commitment expected of each student, the seminar is credited as follows: Academic credits: three credits per semester; writing units: 4. Enrollment is limited to 16 students. Because a few students in the seminar may come from graduate programs other than law, students who wish to register for the seminar are required to provide the following information to the instructors: name, class, undergraduate major, work experience, and other interests or information they believe would be relevant to the project. Professors Bezanson and Kurtz will consider this information in selecting the students for the seminar in the event of an over-subscription.

**91:651 Law in Asia (Sidel)**

**arr.**

Focuses on the development and reform of law and legal institutions in selected Asian countries, including Vietnam, China and India. Topics of discussion will include the changing role of socialist constitutions; law and the regulation of civil society nonprofit organizations, philanthropy, grassroots organizations and the state; the reform of courts, prosecutorial institutions and legal process; the transformation of the legal profession; the struggle for the authority of law and against corruption in socialist transitional states; law in the service of globalization and the case of export labor; and foreign models and foreign donor support in Asian legal reform. Students will write a research paper due in December.

**91:653 Law and Popular Culture (Schantz)**

**arr**

This seminar is intended to deepen students understanding of both law and popular culture and the many respects in which they influence each other. The seminar will be organized around 12 films (incl. one TV series) involving different aspects of the law and legal institutions. Students will be asked to view the film in advance and digest readings that raise a variety of cultural studies, legal and film theory issues related to that film.

Each student will be asked to initiate the discussion for one film.

There are rich possibilities for paper topics and expect students to prepare a prospectus with bibliography, a detailed outline, a rough draft and a final draft. Would hope to have a rough draft completed before spring semester begins, then the seminar will reconvene for 1 or 2 sessions in the spring devoted to short presentations on their paper topics.

Films may include: *Anatomy of a Murder* (1959); *To Kill a Mockingbird* (1962); *The Verdict* (1982); *Counsellor at Law* (1933); *The Paper Chase* (1973); *L.A. Law* (1986); *Indictment* (1995); *12 Angry Men* (1957); *The Star Chamber* (1983); *Dead Man Walking* (1996); *Class Action* (1990); *Philadelphia* (1993); *Kramer vs. Kramer* (1979).

**91:647 Law of the Frontier: U.S. 1820-1870 (VanderVelde)**

**arr.**

The Frontier is a modern metaphor for freedom as well as imperialism. Despite this metaphor, little is known about how law really functioned on the ground at the edges of the nation's jurisdictional limits, how law reproduced earlier patterns of power, and how law applied in new settings needed to be adjusted to new environmental circumstances. A major thematic focus of the course will be the difference between the concepts of law and justice. Attention will be paid to the developments of the Fur trade and fur trading companies, Indian sovereignty, Land and water rights, dealing with violence, methods of punishment, uprisings and mob actions.

**91:659 Law & Lawyers in Literature (Burton)**

**1-3 s.h.**

This seminar examines various literary works for the perspectives they may offer on our understandings of law and lawyers. Students are normally expected to research and write papers based on literary works but incorporating the perspectives of law and lawyers as well. The assigned works vary

from year to year. They may include such works as *To Kill a Mockingbird* by Harper Lee, *The Lord of the Flies* by William Golding, *A Man for All Seasons* by Robert Bolt, *The Merchant of Venice* by William Shakespeare, *Billy Budd, Sailor* by Herman Melville, *Antigone* by Sophocles, *Waiting for the Barbarians* by J.M. Coetzee, *The Remains of the Day* by Kazuo Ishiguro, and certain classic American films. The seminar meets for an entire academic year.

**91:655 Law of War, Peace, and Military Affairs (Osiel) arr.**

This course examines law's efforts to restrain use of force in armed conflict. When may states lawfully take up arms? What methods may they legally employ once conflict begins? When does international law presume to regulate hostilities confined within a single, sovereign state? In a legal universe spawned by such states, what status and rights are enjoyed by non-state fighters, such as resistance partisans, national liberation movements, mercenaries, private contractors providing war-related services, terror networks? After Sept. 11, 2001, does the geostrategic predicament require major reassessment of law's longstanding answers to all such questions?

How can law function effectively when soldiers must make life-or-death decisions under the emotional stress of war? When are commanders liable for subordinates' crimes not specifically ordered from above? How should "rules of engagement," drafted by military lawyers for tactical operations, balance the competing concerns of efficacy and moral restraint? Is ratification of international conventions in this area merely a costless, symbolic gesture, readily endorsed by the very states most often abusive of them, in practice? In fact, isn't any effort to limit war through law necessarily a quixotic delusion, at odds with the sober, inalterable reality of power politics?

Other questions may include: How may weapons nonproliferation agreements be made more effective? What are the duties of military occupiers toward those whose country they temporarily inhabit and govern? When may former P.O.W.s recover tort damages from states violating their rights under humanitarian law? When do non-judicial alternatives, such as truth commissions, official apologies, or vetting from high office, offer compelling alternatives to prosecution of war criminals in post-conflict societies? How are peace agreements between belligerents negotiated and formulated into legally enforceable terms? When should claims of conscientious objection to military service be honored? What are the rights of individual soldiers as employees, e.g., regarding claims of discrimination by gender, sexual orientation, and disability? With instructor's permission, students may write seminar papers on any topic relating to legal regulation of military affairs, i.e., beyond the few enumerated above.

**91:661 Legal Issues in Intercollegiate Athletics (Rhodes) arr.**

This seminar presents an overview of the various legal issues which affect college and university athletics and athletes. Included will be topics such as drug testing, recruitment, gender equity (Title IX), NCAA regulations, endorsement contracts, coaching contracts, trademark licensing, and broadcasting rights. Class discussions on assigned readings will meet once a week. Guest speakers are scheduled.

Students will be required to write and present a paper at the close of the seminar on an approved topic of their choice.

**91:657 LL.M. Seminar (Reitz) arr.**

Course required of all LL.M. candidates; provides instruction in basic research and analytical methodologies for the international and comparative law fields and serves as discussion group for workshopping project proposals and drafts.

**91:660 Medical Tutorial for Law Students (Kurtz) 2 s.h. (1W)**

The Colleges of Law and Medicine at the University of Iowa are co-sponsoring a Medical Seminar for Law Students.

Enrollment in the seminar is limited to 8 students. On each day of the program, students will spend (1) up to 2-3 hours on medical and/or surgical rounds under the supervision of an attending

physician (2) up to 2-3 hours in didactic sessions discussing legal, medical and ethical issues arising from the clinical experience, as well as targeted discussions on issues of perennial interest to the legal profession, such as peer review, credentialization, quality assurance, cost containment, AIDS, reproductive technology, etc. and (3) up to 2 hours exploring recent developments in medical technologies.

Students will earn 2 academic credits for this Seminar and will be required to prepare a 20 page paper on an arranged topic. Students who wish to write longer papers and earn writing units must negotiate this with the instructor. Drafts of the paper will be due in early April and will be presented and discussed by the entire group at two evening sessions to be scheduled for that purpose. Final drafts will be due at the end of the semester. Prerequisite: 91:261 Health Law or the equivalent.

**91:646 Nonprofit & Philanthropic Organizations Seminar (Andersen, Boyd, Koontz, Sidel) arr.**

This seminar will focus on selected issues in law and policy relating to philanthropic and nonprofit institutions. Areas of focus may include the creation of nonprofit entities; the role, nature and history of such institutions; tax exemption and tax treatment (including property tax and donor tax treatment issues); their political and legislative activities; the roles of members, directors and officers; problems of external regulation, accreditation and ethics; special issues relating to religious organizations, community foundations, private foundations, or universities; and development of philanthropic and nonprofit activity in selected foreign jurisdictions

**91:666 Notable American Trials of the 20<sup>th</sup> Century: A course in Trial Skills (Cox) arr.**

In this course, students will explore trial skills and trial strategy. They will read trial transcripts contemporary accounts of the selected trials, and secondary literature evaluating what actually happened in the courtroom as well as relevant history. Trials to be analyzed include Rosenberg vs. U.S., Commonwealth vs. Sacco and Vanzetti, U.S. vs. Hiss (2 trials), and New Jersey vs. Hauptmann. Others may be added later. Class discussion will focus on skills of opening and closing argument, voir dire, direct and cross examination, witness selection, and use of exhibits. A side benefit of working with these particular trials is that students will learn something of 20<sup>th</sup> century American legal history. Evaluation will be based on class participation and writing assignments.

**91:604 Patent Prosecution (Hansing, Hodgson) 4 s.h. (2W)**

This drafting seminar focuses on patent application preparation and prosecution. Students will complete a series of graded drafting exercises and deliver presentations on advanced patent law topics. The seminar emphasizes the administrative rules and procedures governing practice before the U.S. Patent and Trademark Office, and is especially designed for students who plan to practice patent law. Patent law is a prerequisite.

**91:674 Poverty Law Seminar (Allen, Cox) arr.**

In this seminar, we consider governmental responses to the problem of poverty in the United States. Topics include federal, state, and local social welfare programs aimed at low-income persons. Class discussions focus on policy issues and the history of "welfare" provision, rather than details of individual programs. In recent years, particular attention has been paid to state responses to federal welfare devolution, women and welfare, and immigration. Readings include articles, and book chapters as well as cases. The seminar carries two academic credits; students write seminar papers for an additional one to three academic and writing credits. Grades are assigned based on writing and class participation.

**91:685 Religion and Law (Rhodes) arr.**

This seminar examines the role of law in the ongoing conflicts over the relationship between religion, morality, and society in the United States. Specifically, it will address two main questions: 1) how has the recent history of religion clause jurisprudence articulated a changing vision of the place of religion in American culture; and 2) is the legal enforcement of religion-based morality legitimate within a liberal

democracy? Taking a lead from the philosopher Charles Taylor's claim that "the legal code and its practices provide a window into broader movements of culture," the first section of the course will examine how the Supreme Court's religion clause jurisprudence imagines the place of religion in a liberal democracy. While this section will be concerned to address issues of both free exercise and nonestablishment, the dominant focus will be on the dynamics of nonestablishment. The second section of the seminar will focus on debates over the legal enforcement of public morality. It will be concerned primarily with determining whether arguments for the enforcement of religion-based morality can be squared with conceptions of liberty, autonomy, equality, fairness, and conscience.

**91:683 Rethinking Public International Law (Somek)**

**arr.**

This is meant to be a seminar on the major transformations of Public International Law. The emphasis would lie on the following topics: how to integrate human rights into a system that has been designed to secure world peace; the transformation of the law of "war"; the emergence of new "sites" of authority (supranational, in particular, but also international); the increasing blurring of the line between public international law and constitutional law; conflicts of interpretation in the relation between major players (United States, Europe, and Asian countries).

**91:672 Selected Issues in Family Law (Staff)**

**arr.**

This seminar will provide an in-depth look at a particular issue, or set of related issues, in family law. The seminar will include: (i) a study and discussion of relevant cases, statutes, and scholarships (ii) a series of exchanges with persons in the community who play important roles in the family law process in question, either by inviting them to visit with the class, or by having students accompany and observe them in their work, or both; and (iii) the preparation of a paper dealing with some aspect of the relevant subject area.

**91:677 Selected Topics in Consumer Law (Porter)**

**arr.**

This seminar will explore one to three selected topics in consumer law. At a broad level, the course focuses on evaluating the effects of deregulating the consumer credit industry, the rapid growth of consumer borrowing in other nations, and the merits of proposed policy reforms in consumer law. Specific topics may include credit cards, usury regulation, disclosure requirements for consumer transactions, unfair and deceptive practices lawmaking, or expansive uses of credit reporting. Our focus will be on the intersection of the economic, social, and political consequences of the law's current approach to consumer law. Readings will be drawn primarily from relevant statutes and regulations, books, Law reviews, government reports, and empirical studies and will include interdisciplinary perspectives.

No required prerequisites, but strong preferences to students who have taken either consumer Law, Debt Transactions or Bankruptcy as each of these courses introduce underlying concepts in consumer credit or consumer law generally

**91:680 Supreme Court Seminar (Pettys, Raymond)**

**3 s.h. (2W)**

This course will expose students to Supreme Court practice and procedure and the art of opinion writing. After some preliminary study of Court jurisdiction and procedure (including the process of discretionary review), the group will select for in-depth analysis a number of cases on the Courts pending docket. Students will study briefs and conduct additional research as appropriate, conference the cases sitting as a mock Supreme Court, assign and prepare opinions and solicit the votes of their colleagues. Each student will be responsible for the preparation of two opinions.

The course will meet once weekly. The course will be limited to nine students. Because of the unique nature of the course, students must commit to staying with the course after the first class session; no dropping or adding will be permitted after that time

**91:357 A Survey of Gender, Work and the Law (Smith)**

**arr.**

This course explores the impact of law and legal norms on the economic status of women as workers. Emphasizing historical as well as contemporary concerns, the course integrates theoretical analyses, doctrinal developments, and practical applications. Course materials are drawn from a variety of sources, both legal and nonlegal, and incorporate the use of films. Throughout the course, consideration will be given to the intersections of race, class, ethnicity, gender, and sexual orientation. Substantive topics include, but are not limited to, work-family conflict, inequality in employment opportunities, migration and immigration, problems confronting older workers, sweatshop labor, homework and paid household labor, strategies to mobilize low-income women, affirmative action, and comparable worth. Various themes will be addressed from an international as well as national perspective. Some short reflection pieces of 2-4 pages may be assigned during the course of the class.

**91:635 UI Center for International Finance & Development (Carrasco)**

The University of Iowa Center for International Finance & Development (UICIFD) is a Center dedicated to the study of problems and issues in the complex world of international finance and development. Currently, the principal activity of the UICIFD is to maintain a globally-read website ([www.uiowa.edu/ifdebook](http://www.uiowa.edu/ifdebook)), which hosts the innovative E-Book on International Finance & Development as well as other research products, such as the News & Development blog, Briefing Papers, FAQs.

The year-long UICIFD seminar is open to highly motivated students with excellent research and writing skills. Seminar participants will be the Center's "staff," and as such will study various aspects of international finance while producing various research products for the Center's website.

Students wanting to know more about the type of research and writing involved in the seminar should visit and browse the site itself. They are also highly encouraged to speak to Professor Carrasco before they sign up for the course.

Students in this seminar will receive 4 hours of academic credit, two of which will be writing credits. Accordingly, students will be required to produce written product for the Center (e.g., Briefing Papers, FAQs) that is equivalent to a 40-page paper.