

## SCHOOL OF LAW

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### Overview

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Tulane Law School is the nation's 12th oldest law school. From its founding in 1847, Tulane has always prided itself as a place of intense creativity and innovation in the study of law.

Its location in Louisiana, the country's sole civil-law jurisdiction, gives Tulane a distinctive understanding of the interaction of different legal systems and is the foundation for Tulane's world-renowned strength in international and comparative law. The unique exposure our students gain to both the common law of the Anglo-American tradition and the civil-law systems that dominate the rest of the globe is an increasingly powerful advantage in a world in which business, governance, and law practice are increasingly transnational.

The distinctively global perspective of Tulane Law is enlivened by a student body drawn from approximately 25 countries, by Tulane-led academic programs in a half-dozen countries abroad, and by an international faculty whose scholarly distinction ranges from advising on constitutional design in Iraq, Egypt, and Tunisia, and legal barriers to Russian gas pipelines to Europe, to intercultural negotiation of legal and political conflicts.

Yet, Tulane Law pairs that global perspective with a deep commitment to its own community and to equipping students with the practical skills and judgment they need to make a difference in their careers. The first law school in the nation to require pro bono service of all students, Tulane is a leader in preparing students for practice through service to others.

An early leader in clinical legal education, Tulane Law continues to offer five live-client clinics and now offers students a growing array of creative experiential-learning opportunities – including an intensive, one-week simulation of law practice through a Lawyering Skills Boot Camp, a Business Literacy Boot Camp for 1L students, and externships across the globe.

This distinctive approach to legal education, both global in outlook and grounded through professional skills training in service to our own community, prepares Tulane Law alumni for leadership in their careers wherever their passions take them.

### Academic Policies

### Graduate School Policies

A full description of academic policies for all students in Graduate Programs (<https://catalog.tulane.edu/graduate-degrees-professional-programs/graduate-postdoctoral-studies/policies/>) can be found in the Office of Graduate and Postdoctoral Studies section of this catalog. Students should review these policies thoroughly.

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## School of Law Policies

### Academic Standards

#### Basis for Dismissal Because of an Unsatisfactory Academic Record

The following rules establish the standards for dismissal of a JD student because of an unsatisfactory academic record at the Law School:

1. No student may remain in school who has a cumulative grade point average of less than 2.0 at the end of the first year or at the end of any subsequent semester.
2. No student may remain in school who has received more than three grades below C- during the student's first year.
3. No student may remain in school who has received more than six grades below C- during his or her first two years in residence.
4. No student may remain in school who has failed more than 10 semester hours in any school year.
5. No student may remain in school who has failed more than 15 semester hours at any time.
6. No student may graduate with a cumulative grade point average of less than 2.0.

The following rules establish the standards for dismissal of a graduate student because of an unsatisfactory academic record:

1. A graduate student will be dismissed from the graduate studies program if his or her grade point average at the end of any semester is less than 2.00.
2. A graduate student must have a cumulative grade point average of no less than 2.00 to graduate.

In addition, graduate students in specialty LLM programs (Environmental and Energy, International and Comparative, and Admiralty) also must receive passing grades in all courses listed in program materials as required for the degree.

#### Determination of Credit Hours Awarded for Coursework

A "credit-hour" is an amount of work that reasonably approximates not less than 750 minutes of classroom or direct faculty instruction and 30 hours of out-of-class student work. The 750 minutes of classroom or direct faculty instruction may include up to 50 minutes per credit hour of time scheduled for a final examination.

For other academic activities, including simulation, field placement, clinical, co-curricular, and other academic work leading to the award of credit hours, a "credit-hour" is an amount of work that reasonably approximates at least an equivalent amount of work as required by the preceding paragraph.

Students seeking academic credit for participation in journals, moot court and other co-curricular activities shall ensure that a record of the work required to earn the number of credits sought is submitted in accordance with the approved policy of the co-curricular activity to the Office of Academic Services no later than the close of business on the last day of classes for the semester in which credit is sought. Upon request, students shall submit any additional evidence of such work required to justify the number of credit hours sought.

Students enrolled in clinics and field placements shall maintain a log of hours worked and submit time keeping records in accordance with clinic and externship policies administered by the Office of Experiential Learning and Public Interest Programs.

**Double Credit**

No student shall receive academic credit for any paper, comment, note or other written work which is the same or substantially the same as a paper, comment, note or other written work for which the student has previously received academic credit or will in the future receive academic credit in the law school.

**Eligibility for Degrees  
Academic Honors**

JD candidates are eligible to graduate with honors under the following conditions:

1. Students whose class ranks place them within the top 10% of the graduating class may be elected by the faculty to the Order of the Coif.
2. Students who graduate in the top 33% of their class may graduate cum laude. The top 33% is determined by the number of May JD graduates each year. Cum laude is not determined by graduation rank.
3. Students who graduate in the top 12% of their class may graduate magna cum laude. The top 12% is determined by the number of May JD graduates each year.
4. Students who graduate in the top 2% of their class may graduate summa cum laude. The top 2% is determined by the number of May JD graduates each year.

LLM candidates may be eligible to receive the degree "with distinction" if they have maintained a cumulative grade point average of 3.5 or higher.

**Degree Requirements for the SJD Program**

In order to obtain the SJD degree, a student must fulfill the following requirements, depending on the student's particular circumstances upon admission to the program:

1. Coursework:
  - a. Students admitted to the SJD program with a Tulane Law School Master's degree awarded five or fewer years prior to admission to the SJD program are exempt from any further coursework requirement.
  - b. Students admitted to the SJD program with a Tulane Master's degree awarded more than five years prior to admission to the SJD program must complete an additional 10 hours of coursework with a grade of B or better in each course.
  - c. Students admitted to the SJD program with a Master's degree from a law school in the United States (other than Tulane) or from an approved foreign law school in all cases must complete an additional 12 hours of coursework at Tulane.
2. All SJD students, including those exempt from some or all further coursework requirements, must be in residence for at least one year but are only required to pay full-time tuition and fees for at least one semester, typically the first semester of enrollment in the program. Students wishing to enroll in courses outside that one semester may do so on the understanding that they must pay tuition for each additional course they take.
3. Every SJD candidate must write and defend successfully a dissertation which makes an original and significant contribution to legal scholarship. Unless specifically exempted from this requirement for very exceptional circumstances by the Graduate Programs Committee, the dissertation must be complete and the defense must take place within four years from the initial enrollment in the SJD program.
4. Dissertation Committee: The committee will consist of three members one of whom is the supervisor who acts as the chair of the committee. The chair of the committee shall be a tenured member of the faculty. At least one of the other two members of the committee shall be a tenured or tenure-track member of Tulane Law School. Under normal circumstances, all members of the committee will be Tulane Law School faculty members, but there may be cases where it becomes necessary to ask a faculty member from another department of the University or a faculty member at another institution, foreign or domestic, to join the committee. The outside member must, however, be a tenured member of the faculty at his or her home institution. The selection of the dissertation committee will be decided by the student in consultation with the chair of the committee. The committee shall be empaneled at the earliest time after the candidate has taken residence but no later than the end of the first semester of residence. As soon as the committee has been established, the chair of the committee shall notify the Graduate Affairs Committee of the names of the members of the committee. The Graduate Affairs Committee shall transmit the information to the Assistant Dean for Academic Services for record keeping.
5. Lengths of dissertations vary depending on the subject matter and the writing style of the authors, but as a general matter the length of a dissertation ranges between 200-300 pages, including appendix and bibliography. After the dissertation committee has approved the dissertation, the supervisor shall set up a meeting at which the candidate

shall present an oral defense of the doctoral thesis. The dissertation committee will conduct the oral examination. The meeting for the oral defense is open to members of the Law School faculty.

6. Clinical programs, the Trial Advocacy course and externships are not open to SJD students.

\*The reasons for inviting an outside member to join the committee may vary. One reason may be that there may not be the required expertise on the faculty. Alternatively, the invited member may be such a distinguished scholar in the area of the student's research that the chair and the other member of the committee may decide that inviting him or her to join the committee will considerably strengthen the committee and improve the prospect of a first rate product.

\* There may be exceptional circumstances where the chair of the committee and the second member believe that there are no suitable academics to help in the specialized area and that there was an outstanding practitioner who is an expert in the particular field of research. In those circumstances, the chair of the committee and the second member of the committee may invite the practitioner to join the committee.

### Experiential Learning Requirement

Professional skills are necessary for effective and responsible participation in the legal profession. Therefore, starting with students matriculating in Fall 2016, JD candidates must successfully complete (pass) courses providing a minimum of six experiential learning credits. In order to qualify for experiential credits, an approved course must be designated as an "experiential course" as provided in Section V.H of the Student Handbook. The courses that fulfill this requirement are designated and separately listed in the registration materials.

### General Degree Requirements for the JD Program

To be eligible for graduation, a JD student must have maintained a satisfactory record as defined at Section V.A., above, have completed 88 semester hours of acceptable work and have spent 6 full-time semesters in academic residence. Transfer students must earn at least 59 of the 88 semester hours at Tulane and must have spent at least 4 full-time semesters in academic residence at Tulane to receive the JD degree. The credit-hour and residency requirements for students enrolled in approved joint degree programs are set forth in Section II.B. A full-time semester is one in which a student has registered for a minimum of 10 law credits and satisfactorily completed 9 credits. Attendance and accumulation of credits at a summer school in law will not reduce the number of full-time semesters for which a student must be in academic residence.

A student who has earned 88 credits toward the JD degree may not enroll in any more courses that will appear on the student's transcript or average into the student's GPA. Thus, a student may not register for any courses after 88 credits have been earned for the purpose of increasing his/her GPA. A student who has not yet earned 88 credits toward the JD degree may register in a semester or summer school session for up to the maximum number of credits allowed during that semester or session. In such case, all of the courses taken during that semester or session will be reflected on the student's transcript and the grades earned in all of the courses averaged into the student's GPA.

To receive any degree from the Law School, a student must receive the approval of the faculty and must have satisfied all financial obligations to the University. Students must also have completed all course requirements (i.e., paper, exam) in courses for which they have received an Incomplete as any "I" converts to "F" upon application for graduation.

To graduate, all JD students must successfully complete (pass) all of the courses in Tulane's first year curriculum and the Legal Profession course. The Professional Responsibility Seminar does not substitute for Legal Profession. Transfer students who completed their first year at another law school must take and successfully complete (pass) any Tulane first year course for which they did not take and complete a comparable course in their first year. These required first year courses and the Legal Profession course must be taken for a letter grade and may not be taken on a Pass/D/Fail basis. If, however, a student transfers from an ABA-Accredited law school that requires a two-hour rather than three-hour Legal Profession course, successful completion of the two-hour course at the student's home institution will satisfy the Legal

Profession requirement under this Section. Further, all students must successfully complete one rigorous writing project after the first year of law school, the experiential learning requirement and the pro bono service requirement. See V.D.2-4.

### General Degree Requirements for the Master's Program

Candidates for all Master's degrees must satisfy the following requirements in addition to any special course requirements:

1. Satisfactory completion of 24 hours of coursework, at least 21 of which must be at the Law School, and up to three of which may be earned in a summer term. "Satisfactory completion" is defined under Academic Standards. No transfer credit can be granted. A student who has earned 24 credits towards the Master's degree may not enroll in any more courses that will appear on the student's transcript or average into the student's GPA.
2. Full-time students must complete between 10 and 12 hours of coursework in each of two consecutive fall and spring semesters, except with special permission. Part-time students must complete between 4 and 7 hours of coursework each semester and complete the degree in four consecutive semesters, with the option of attending one summer session for up to 3 hours of coursework.

3. Students must satisfy the specific requirements of the degree program in which they are enrolled (e.g., General, Admiralty, Energy & Environment, or International & Comparative Law).
4. Students are required to write papers for at least three, but not more than nine, hours of coursework, in courses requiring or permitting completion of a paper in lieu of an exam. Directed research credit falls in this category and may be used to satisfy up to three hours of the writing requirement. Students may not receive credit for Directed Research beyond the nine-hour writing credit maximum. The course Legal Research and Writing for International Graduate Students may not be counted toward the writing requirement.<sup>1</sup>
5. All master's degree candidates who have received the first law degree from a school outside the United States must successfully complete Introduction to American Law (2 credits) and Legal Research & Writing for International Graduate Students (1 or 2 credits), in addition to any specific degree requirements.
6. Clinical programs, Trial Advocacy course and externships are not open to graduate students subject to the following exception. Students who received a JD from a U.S. law school and who are candidates for a Tulane Law School Master's degree may apply to participate in the Environmental Law Clinic for a maximum of one semester. This is the only clinic open to graduate students, and the limitation of one semester participation is not subject to modification.
7. Students in the full-time graduate studies programs must be enrolled as full-time students at the Law School for one academic year (i.e., two full-time semesters). A full-time semester is defined as enrollment in ten more hours of coursework. Students may not pursue degrees in absentia.
8. Students must meet all financial obligations to the University.
9. Each student must, after fulfilling all other degree requirements, be recommended for the degree by the law faculty.

\*Certain state bars will not award credit to international graduate students for non-classroom courses. Graduate students are advised to consult with the bar to which they plan to apply for additional guidance before registering for a Directed Research or other non-classroom credit course.

#### Academic Standards for Graduate Students

Graduate students are not permitted to take any course on a Pass/D/Fail basis. The work of graduate students is graded on a letter-grade scale, with quality points assigned as follows:

Grade	Description
A+	4.00
A	4.00
A-	3.667
B+	3.333
B	3.000
B-	2.667
C+	2.333
C	2.000
C-	1.667
D	1.000
F	0.000

"Satisfactory completion" requires a cumulative grade point average at Tulane of C (2.00) or higher. This grade point average must be maintained as of the end of each semester of enrollment.

#### Pro Bono Requirement

In addition to the academic requirements set forth above, in order to be eligible for the JD degree, each student must complete a total of 50 hours of *approved uncompensated, supervised, law-related public interest service*. It is recommended that the required 50 hours be performed at a single placement during one semester or during the summer when feasible. Students are also encouraged to do more than one pro bono placement once their first assigned placement is satisfactorily completed.

Summary: For students to receive credit towards the Pro Bono requirement, the student cannot receive remuneration or academic credit. Students may choose to contribute any number of hours in excess of the minimum required and should report all pro bono hours via the electronic time reporting mechanism provided by the Office of Experiential Learning and Public Interest Programs. All pro bono hours will be reflected on the student's transcript. In order to earn credit towards the Pro Bono requirement, time records and the Supervisory Form must be received by the Office of Experiential Learning and Public Interest Programs on or before the relevant deadlines, which typically occur at the end of each semester in which pro bono work was completed. Students who contribute exemplary pro bono service are recognized annually at the Pro Bono Luncheon.

Additionally, each Spring, qualifying 3Ls are eligible for induction into the Pro Bono Krewe, an honorary community/society of distinguished pro bono volunteers.

**Qualifying Pro Bono Service:** Because the Tulane pro bono requirement is designed to instill in each student a sense of responsibility to the community when each becomes a member of the bar, a student's work should address the needs of underserved individuals or the community-at-large. Qualifying pro bono service covers a wide spectrum of activities and locales:

1. Students may work under the supervision of private practitioners or firms where the work is performed at no cost on behalf of persons of limited means or otherwise underrepresented groups.
2. The work may be performed in the public sector on behalf of a local, state or federal government entity (e.g., the district attorney's office, the indigent defender program, the Department of Justice, the courts, EPA).
3. Work may be performed on behalf of public-interest non-profit organizations (excluding trade organizations) qualifying under IRS sections 501c (3) and (4), which endeavor to protect rights of underrepresented persons and groups.
4. Students may contribute to a qualifying student-led organization serving public interest goals, such as VITA (tax assistance for low-income individuals through Tulane Law School), or a community legal education program benefitting low-income individuals.

Qualifying pro bono work must be law-related. Qualifying tasks include client interviewing, document drafting and review, case planning and preparation, legal research and writing, drafting of legislation or regulations, formulation of legal policy, and participation in legal education programs in the public schools. Training time (up to 5 hours in a 50-hour placement) and limited administrative tasks, pertinent to the legal assignment, are viewed as law-related work counting toward the fulfillment of the requirement.

Students may opt for one of many placements advertised and coordinated through the Office of Experiential Learning and Public Interest Programs. Placements during the academic year are generally located in the New Orleans metro area. In addition to pre-approved placements scheduled through the Office of Experiential Learning, students may also submit an Independent Placement proposal for pro bono credit before beginning proposed volunteer work. Once determined to satisfy the law school requirement, the work may be performed in any location around the globe.

**Registration holds:** Third year students who have not completed their 50-hour requirement by October of the year in which they intend to graduate must be registered for a placement and submit a schedule for completing their pro bono hours before they will be permitted to register for spring classes.

**Submission requirements for graduation:** To be eligible to graduate, all JD students must complete the requisite number of pro bono hours on or before April 15 of the third year of law school. Completion of this requirement shall be demonstrated by appropriate submission of electronic time records reflecting the requisite minimum hours (or more) and the "services performed" in an approved placement. The Time Sheet is to be certified by the electronic signature of the student's supervising attorney. The Office must also receive the completed Pro Bono Supervisory Report form submitted by the supervising attorney and the Pro Bono Student Survey form. All forms are subject to the approval of the Associate Dean for Experiential Learning and Public Interest Programs.

Third-year students failing to complete the Pro Bono requirement by the April 15 deadline are subject to an administrative assessment of \$75.00. In addition to payment of the fee, the late student must then complete the Pro Bono requirement by April 25 to be eligible for graduation at the end of the spring semester. As there is ample opportunity to complete the Pro Bono requirement any time between matriculation and April 15 of the third year, there will be **no extension of this deadline**, absent truly extraordinary circumstances approved by the Assistant Dean of Students. Students not completing the requirement within that period will have the opportunity to complete it thereafter and then be eligible to graduate at the end of a subsequent term (provided all other graduation requirements are also met).

### Upper-Class Writing Requirement

In order to promote the further development of effective legal writing skills, emphasize the intellectual rigor required for complex legal analysis, reasoning, and argumentation, and expose students to advanced legal scholarship, each JD student must, as a requirement for graduation, successfully complete one rigorous writing project after his or her first year of law school. Successful completion is defined as earning a grade of "C" or better in a course graded on the normal grading scale or earning a "Pass" in a course that is graded Pass/D/Fail. If a grade of "C" or better is not earned in a course graded on the normal grading scale, the project does not satisfy the upper class writing requirement, even if the student has exercised the Pass/D/Fail option in the course.

The upper class writing requirement may be satisfied by successfully completing an approved seminar, course, or a directed research project approved and supervised by a faculty member. Students may also fulfill the writing requirement through production under faculty supervision of a publishable Case Note or Comment in any of the law school's journals.



In all cases, to satisfy this requirement, the student must do all of the following:

1. develop a topic, individualized research plan, and written proposal in consultation with the supervising faculty member;
2. present at least one draft of the paper to the supervising faculty member for the faculty member's critique;
3. complete at least one revision of the paper taking into account the comments and critique provided by the supervising faculty member.

The final paper must consist of no fewer than 25 double-spaced pages. The supervising faculty member must certify at the end of the project that it has been completed successfully. A copy of the final draft and certification shall be submitted to the Academic Services Office. For papers completed as a Directed Research, a copy of the written proposal and plan of research must be submitted with the final draft and certification.

### Experiential Courses

All clinical courses, externship field placements, practicums and labs under the administration of the Associate Dean of Experiential Learning and Public Interest Programs are designated as "experiential courses."

A simulation course may be designated an "experiential course" by the Associate Dean for Experiential Learning and the Vice Dean if the course:

1. is primarily experiential in nature;
2. provides a substantial experience not involving an actual client that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a set of facts and circumstances devised or adopted by a faculty member;
3. integrates doctrine, theory, skills, and legal ethics, and engages students in performance of one or more of the professional skills identified in paragraph (c);
4. develops the concepts underlying the professional skills being taught;
5. provides multiple opportunities for performance;
6. provides opportunities for self-evaluation;
7. includes a classroom instructional component; and
8. provides direct supervision of the student's performance and opportunities for feedback by the faculty member.

The professional skills that may be developed in a simulation course include, without limitation, interviewing, counseling, negotiation, fact development and analysis, trial and

appellate practice, document and legislative drafting, conflict resolution, organization and management of legal work, collaboration, cultural competency, and self-evaluation.

### Limitation on Non-Classroom Credits

No more than 18 credits of non-classroom work may be offered in satisfaction of the 88 hour requirement for graduation or the credit requirement for any joint degree student (see Section II.B). The following produce non-classroom credits:

1. Law Review
2. Moot Court
3. Maritime Law Journal
4. Environmental Law Journal
5. Journal of Law and Sexuality
6. Journal of International and Comparative Law
7. Tulane Journal of Technology and Intellectual Property
8. Sports Lawyers Journal
9. Senior Fellow
10. Externships (3-credit fieldwork course)
11. Directed Research
12. In 3-credit seminars, 1 credit hour is allocated to non-classroom credit.

Note—Trial Advocacy, Negotiation and Mediation Advocacy, Intersession classes and Clinic credits are not considered non-classroom hours.

**Readmission**

Students who have been dismissed because of an unsatisfactory academic record, as defined in Sec. V.A. may petition for readmission. Petitions from JD students will be considered by the Readmission Committee, and petitions from graduate students will be considered by the Graduate Affairs Committee. To the extent practicable, the Graduate Affairs Committee will follow the procedures listed below.

Although there is no specific format for the petition, the student should provide the committee with a detailed written account of his or her academic performance and the factors which may have contributed to it. Students who request that the Committee consider physical illness or

personal or family situations that affected their ability to concentrate on academics must submit appropriate documentation, either with their petitions or at their readmission hearings. Letters of recommendation from law professors or other persons who may have direct knowledge of the student's legal ability may be helpful but are not required. Finally, the student should relate to the Committee specific details which he or she believes will lead to the improvement of his or her academic record if readmitted.

In addition to filing a written petition, the student has the right to appear before the Readmission Committee in person so that the appeal can be discussed in greater depth. The student may raise in the hearing only those issues discussed by the student in his or her petition. No student will be denied readmission without having the opportunity to present personally his or her petition before the Committee.

While the Committee may consider grades in summer school courses recorded subsequent to the student's academic dismissal, the fact that such grades raise a student's cumulative average to 2.0 or above does not require the Committee to readmit the student.

The faculty has adopted the following guidelines for students who have been dismissed for academic deficiencies. With respect to first year students, these guidelines are applicable to dismissals that occur at the end of the first year.

1. In reviewing petitions for readmission, serious consideration for readmission will be given to those with an average between 1.8 and 2.0.
2. Below 1.8, only extraordinary circumstances would justify consideration for readmission.
3. Below 1.6, only the most extraordinary circumstances would justify consideration for readmission.

If, after consideration of a petition, the student's request for readmission is granted, the Readmission Committee may impose on the student certain academic conditions that must be met in order for the student to regain and remain in good standing. If these conditions are not met, the student is again subject to dismissal. If a student readmitted for the third time is again dismissed, he or she cannot petition for readmission.

If a petition is denied by the committee, the petitioner may appeal to the Dean by submitting a written appeal within ten business days of the Committee's decision, provided the decision has been communicated by telephone or certified mail at the address provided by the student. Review by the Dean shall be limited to matters raised in the petition or that are part of the hearing record. The Dean has the authority to affirm the denial or to refer the matter to the faculty as a whole. If a student desires a personal conference with the Dean, a written appeal must be submitted prior to scheduling a conference.

If a petition is denied by the Committee or the Committee's decision is affirmed by the Dean, the student may again petition for readmission in a subsequent semester, provided the student can show that his or her graduation can occur within the five calendar year limit specified in Section II.A.

Notation of a student's dismissal from the Law School is printed on the student's transcript and is maintained as a permanent part of the record even if the student is readmitted.

**Classes and Registration  
Adding and Dropping Courses**

Subject to the general rules regarding registration, upper-class students may add or drop a course without permission during the first two weeks of the fall and spring semesters (one week in the summer). During the third and fourth weeks of the fall and spring semesters, students must obtain permission from the Assistant Dean of Students to drop a course. After that, students will be permitted to drop only in exceptional and compelling circumstances, in which case they will receive a "W" on their transcript indicating that they withdrew. The compelling circumstances exception does not apply to classes taken in the first year. First year students cannot drop any courses while classes are in session and remain in school. Students must drop mini-courses before the 4<sup>th</sup> class meeting. A course that is dropped in the first two weeks of classes, or before the 4<sup>th</sup> class meeting for mini-courses, will be removed from the student's transcript.

Students in simulation courses (Negotiation and Dispute Resolution, etc.), seminars, and Trial Advocacy may only drop those courses after the first two weeks of the semester if extraordinary circumstances exist.

Students who accept a clinic, externship, lab, practicum, or senior fellow position cannot drop those courses after acceptance.

Students who accept clinic (with the exception of the Environmental Law Clinic) or senior fellow positions or year-long externships must complete the entire year to earn any credit.

Courses may be added after the initial two week add period only in extraordinary circumstances and with the permission of the professor who is teaching the course.

Rules and procedures regarding adding and dropping courses will be enforced strictly. The deadlines for making changes may vary slightly from year to year, but the exact dates always will be published in the registration materials and in the Student Handbook (see Appendix B: Academic Calendar).

### **Certificate of Concentration Programs**

There are currently six areas in which Tulane JD students can earn a certificate of concentration upon graduation if they complete a prescribed curriculum of upperclass courses. These areas are Civil Law, Environmental Law, European Legal Studies, International & Comparative Law, Maritime Law, and Sports Law. To avoid having students overspecialize in their JD studies, no student will be awarded more than one certificate of concentration. Students may register for a certificate program by submitting the JD Certificate Selection Form before their last semester (the form is located under the Forms link of the Academic Services page on the TLS Intranet, or may be picked up from the Academic Services Office). The specific requirements for each certificate are listed in the registration materials.

### **Class Size Limitations**

All courses are limited in the number of students who may enroll. In most courses, this limit is determined by the seating capacity of the classroom. In seminars, experiential courses, or other courses where a small class size is appropriate, the limit will be determined administratively. Registration through the GIBSON system is on a first-come first-served basis for most classes subject only to the relevant limit. In some courses with administratively imposed limits, the professor will select the students allowed to enroll from among those who have applied for a place in the class. Students generally apply for a seminar or Directed Research by submitting a statement of interest to the Academic Services Office by a date specified in the registration materials. Students generally apply for clinics, externships, labs, and practicums by participating in the ONEAPP process during the prior spring semester.

### **Course Books and Photocopied Class Materials**

All textbooks and course packet materials are sold through the University Bookstore located in the Lavin-Bernick Center. In addition, a faculty member may arrange to have handouts copied and distributed prior to a class meeting. Shorter handouts distributed in class are free of charge; lengthier materials will be sold to students through the University Bookstore.

### **Course Conflicts**

In making course selections, students should consider, among other things, the times at which a course regularly meets and the scheduling of its final examination. Students are permitted to enroll in courses that have their exams scheduled on the same day. However, students are not allowed to register for courses whose meeting times overlap in any way.

### **Course Load and Enrollment Status**

The JD program at Tulane is offered only on a full-time basis. Although students generally register for 15 credits per semester, they can take a minimum of 10 and a maximum of 17 credits. Ten hours is the minimum required to reach full-time status, and 17 credits is the absolute maximum allowable per semester. The 17 credit maximum includes course work in other departments of the University, if any. Intersession courses are included in the spring transcript, but credits received for completing an Intersession course are not included for purposes of the 17-credit maximum.

Except as provided in Part II.B, a JD student must spend 6 full-time, non-summer semesters in residence at the law school in order to receive a degree from Tulane Law School (4 semesters for transfer students). A full-time semester is defined as a semester in which a student registers for at least 10 law credits and satisfactorily completes at least 9 credits. (See also V. D and VII.) Except as provided in Part II.B, a JD student must earn 88 credit hours to graduate; transfer students must earn at least 59 of their credit hours at Tulane. An LLM student must earn 24 credits to graduate.

JD candidates must earn all of the credits they apply toward their degree within a five calendar year period (including summer sessions contained during that period). For joint degree students, the period is extended to six calendar years. For example, a JD student enrolling in the fall of 2016 must receive the degree no later than the end of the summer session in 2021.

A student cannot receive any academic credit toward the JD or a graduate degree for courses taken at Tulane Law School or elsewhere until he or she has become a matriculating full-time law student at Tulane or at another law school.

Most graduate students pursue their graduate degrees on a full-time basis. However, local practicing attorneys may be admitted to certain graduate programs on a part-time basis. Part-time graduate students are expected to enroll each semester for between 4 and 7 credits and must complete their degree requirements in two years.

### **Course Work in Other Departments Not Associated With Joint Degree Program Requirements**

Full-time law students may register in other schools or colleges of the University for one course per semester (summers excluded) without paying additional tuition. The Law School tuition payment will not cover any courses in any department outside of the law school that are audited, rather than taken for a regular letter grade. If a student withdraws from a course, the cost of which would normally be covered

by the Law School tuition, the student will be obligated to reimburse the Law School for any tuition the Law School is charged by the other school or college. All courses taken in any school or college of the University and the grades received will appear on the student's official transcript but neither the courses nor the grades will be counted in the student's law school GPA or toward law school graduation requirements unless the courses fulfill requirements of the student's approved joint-degree program.

Courses taken in another school or college of the University as requirements of a joint-degree program count toward law school graduation but are not averaged into the student's law school GPA.

Credit hours of courses taken in other departments of the University are included in and apply toward the 17 credit maximum per semester rule. See II.A. herein.

### **Directed Research**

Students wishing to do independent research may sign up for "Directed Research." Directed Research is intended for students who have a strong research interest in a topic and wish to write an original research paper under the guidance and supervision of a faculty member.

A student may not earn additional credit for directed research in connection with any paper, comment, note or other written work submitted for academic credit (See Section V.D.: Double Credit).

The standards are as follows. Please note that the following rules apply whether the Directed Research is completed during a regular term or for a summer internship as described in Section VII.D:

1. The student must locate a full-time faculty member who will agree to supervise the research. Directed research papers may be supervised by a member of the tenured or tenured-track faculty, a professor of clinical law, a faculty member visiting for at least one semester, or (after consultation with the Vice Dean) a Professor of the Practice. Legal research and writing instructors, clinical instructors, and adjunct faculty members are not eligible to supervise directed research, except in exceptional circumstances and with the approval of the Vice Dean.
2. A maximum of 3 credits will be granted for Directed Research. Students may do more than one research project (e.g., 3 one-credit projects; 1 one-credit and 1 two-credit project) but the maximum credit available for the entire law program is 3.
3. Directed Research credit may be awarded and received only for production of a written substantive research paper. Although the scope and length of the paper will be determined by the supervising professor, the following are minimum requirements to receive credit for Directed Research:
  - a. A student must submit a written proposal and a plan of research that provides sufficient justification for the number of credits to be awarded under Section V.G of the Handbook;
  - b. A student must submit at least one draft of the paper to the supervising professor for the professor's critique. The final paper must take into account the comments and critique provided by the professor on the earlier draft; and
  - c. 1-credit projects should consist of no fewer than 15 double-spaced pages; 2-credit projects should consist of no fewer than 25 double-spaced pages; and 3-credit projects should consist of no fewer than 35 double-spaced pages.
4. The Directed Research must be completed in the term for which it is registered. However, an extension may be granted for one additional semester by the supervising professor.
5. A copy of the written proposal, plan of research, and final draft shall be submitted to the Academic Services Office.

Students wishing to register for Directed Research should pick up the application form in the Academic Services Office. The form must be completed by the student, and returned to the Academic Services Office. The application will be reviewed by the professor who will notify Academic Services of those students approved for Directed Research. Those selected for Directed Research will be registered by Academic Services. Students cannot use GIBSON to register for Directed Research. Students must complete the application by the deadline as indicated in the registration materials.

### **Employment While a Full-time Law Student**

A full-time law student may not be employed during the academic year for more than twenty

(20) hours per week. Students who work in the Law School as research assistants or in other capacities are limited to twenty (20) hours per week during the academic year. The Law School will not offer paid employment to first-year law students and strongly discourages first-year law students from seeking outside paid employment during the academic year in light of the rigorous challenge of the first-year curriculum.

Before a student may begin to work in the Law School on a per hour basis, the student must go to the Administrative Services Office to be added to the payroll, have time reporting procedures explained, and satisfy immigration law requirements (including presentation of original I-9 documents in person and, for international students, completion of tax forms). The student must also be registered for classes to be eligible for student employment.

Students are not permitted to work, and will not be paid for hours worked, before the University completes the hiring process. Students should allow a couple of days for the hiring process to be completed before billing hours.

### **Joint Degree Programs**

The Law School participates in joint degree programs with Tulane's Freeman School of Business (MBA and MACCT); School of Social Work (MSW); Center for Latin American Studies (MA in Latin American Studies); and Department of Global Health Systems and Development of the School of Public Health & Tropical Medicine (MHA). Other joint degree programs may be proposed by students and considered by the Law School on an ad hoc basis. Joint degree programs enable students to complete two degrees in less time than it would take to complete them sequentially, because each school accepts some work completed at the other toward degree requirements.

Students must apply to and be admitted to each program separately, and must inform each program of the application to the other. Once admitted to both programs, students must petition the Joint Degree Programs Committee of the Law School, through the Assistant Dean for Admission, in order to be admitted to the joint degree program. Only after the joint program petition has been approved are students considered to be enrolled in a joint degree program. Transfer students are not eligible to participate in joint degree programs.

A JD candidate enrolled in an approved joint degree program must spend 5 full-time, non-summer semesters primarily in residence at the law school (4 semesters for students in the accelerated joint JD/MBA program). A JD student enrolled in an approved joint degree program must earn between 76 and 82 hours at the Law School in order to graduate, depending upon the program. In the case of all joint degree programs other than the JD/MACCT and the accelerated JD/MBA, the Law School agrees to count 9 semester hours of courses from the core curriculum of the other degree-granting division towards its requirements. In the case of the JD/MACCT, the Law School counts 6 hours of accounting curriculum towards the law degree. In the case of the accelerated JD/MBA, the Law School counts up to 12 additional hours of electives from the business school toward the law degree.

Information about specific credit-hour and sequence requirements can be obtained from the Assistant Dean for Admission.

### **Leave of Absence/Withdrawal**

Any student considering a leave of absence from the Law School for one semester or longer should submit a written petition to the Assistant Dean of Students. Generally a student who leaves the school in good standing without any conditions placed on the student's return to school is likely to be granted automatic readmission within a period of one year. To reenter, the student should notify the Assistant Dean of Students at least one month prior to the start of the semester in which the student wishes to return of the intent to re-enroll and should complete an informational form. After one year but before the expiration of two years, a student seeking to return to school will be required to go through a readmission process through the Assistant Dean of Students' Office. Students returning from a leave of absence should be mindful that all of the coursework for a JD degree must be earned within five consecutive years of the student's initial enrollment.

Students wishing to withdraw from school after the start of a semester must notify the Assistant Dean of Students and complete the necessary withdrawal and/or drop forms at the Academic Services Office. Tuition will be refunded only in accordance with the refund schedule listed in the academic calendar. If a student withdraws from school for medical reasons or otherwise immediately before or during the exam period, the student must remain on leave for one semester (summer or regular) before returning to school. Students withdrawing for medical reasons at any point during the semester may also be subject to Tulane University's Medical Withdrawal Policy.

Students who take a leave of absence after completion of the fall semester and before the completion of the spring semester of their first year will be required to return in a spring semester. They may be allowed to complete the second half of the Legal Research & Writing course in the spring semester in which they return, depending on the circumstances of their particular situation.

Students will not be granted credit for courses taken during a period of leave unless they satisfy the requirements set forth in Section VII (Credits Accumulated Away from Tulane).

### **Multiple Sections of Courses**

All first year courses are taught in multiple sections. First year students are assigned to their sections by the Assistant Dean of Academic Services, and they are not allowed to change to a different section of any course for any reason. Likewise, some upperclass courses may have more than one section. Upperclass students are generally allowed to select which section of a sectioned course they will take. Also, if and only if two sections of the same course are taught at exactly the same time, students may be assigned to one or the other section to balance the enrollments.

### **Non-law Students Taking Law School Courses**

Undergraduate students at Tulane or any other university are not allowed to enroll in law school courses. Graduate students in other divisions of the university may be allowed to enroll in a law school course if the student's division of matriculation certifies that the credits will be accepted by that division and the Professor determines that the student has an adequate background to take the course(s) desired.

### **Prerequisites**

Some upperclass courses have prerequisites, which must be met before students are eligible to enroll. The prerequisite list in the Law School registration materials prepared each semester states which courses have prerequisites. The advanced admiralty courses illustrate

this registration restriction: JD students are not allowed to enroll in any advanced admiralty courses until they have completed both Admiralty I and Admiralty II.

Conversely, a small number of courses are limited to students who have not completed certain courses. These courses generally involve the survey of a discipline other than law and students who have been previously exposed to that area of study are ineligible. For example, the course in Accounting and Auditing is open only to students who do not have a substantial background in accounting.

Additionally, a very few upper-class courses have significant overlap such that a student may be precluded from taking both. For example, students who have taken Civil Litigation: Strategy & Practical Skills cannot take the Civil Litigation Intersession and vice versa. All of these restrictions are listed in the registration materials.

### Records and Transcripts

All official records of registration and grades are kept by the University Registrar's Office located at 110 Gibson Hall. Each student is responsible for ensuring that he or she is properly registered and for complying with deadlines for adding and dropping courses. A student will receive credit only for courses for which he or she is officially registered. Conversely, a grade of "F" will be assigned to any student who has not officially dropped a course, even though the student has not attended class and has not taken the exam. In general, most registration matters can be handled through the Law School Academic Services Office. However, all transcript requests must be directed to the University Registrar. For information on transcript requests, see the website <https://registrar.tulane.edu/transcript> (<https://registrar.tulane.edu/transcript/>).

### Registration

Currently enrolled law students can register for the next academic semester or the New Orleans summer session at a designated time during the immediately preceding semester if their financial obligations to the University have been met. Third year students registering for their final spring semester also must have completed and submitted electronic time records for mandatory pro bono service. Except for application-based courses, all registration by upperclass students (and first year students registering for courses in summer or second year fall) is done by the student through GIBSON (web system). Instructions for using GIBSON are enclosed with the registration materials each semester. Students use their assigned Tulane username and password to access GIBSON. First year students are registered for both first year semesters by the Assistant Dean of Academic Services.

If a student attempts to register and is blocked, the student is responsible for correcting the cause of the block. If it is a financial block, the student should contact the Accounts Receivable Office to resolve the difficulty and have the block removed. If it is a pro bono block, the student should contact the Office of Experiential Learning and Public Interest Programs to complete the steps necessary to have the block removed. If it is a Health Center block, the student must provide the proper immunization records to The Health Center to have the block removed. If it is a Student Affairs' block, the student should contact the Assistant Dean of Students.

### Services for Students with Disabilities

Tulane University is committed to providing equal access to all members of the Tulane community. Students with questions about the accommodations process at Tulane Law School may consult with the Law School's Assistant Dean of Students or the Goldman Office for (<https://accessibility.tulane.edu/>) Student Accessibility. (<https://accessibility.tulane.edu/>) See also Examinations, Procedures herein at III.A.2.

### Summer School and Summer Externships

JD students may apply only a maximum of 12 credits earned during summer schools and summer externships toward their JD degree, of which a maximum of 6 credits may be earned in non-Tulane ABA-approved summer school programs or externships. A maximum of 9 credits may be earned in a single summer semester, including courses offered in New Orleans, abroad or elsewhere. Any credits earned in summer externships count towards the non-classroom credit hour limit (see Section V.F.). Credit for courses taken in a non-Tulane summer school will be noted on the student's transcript if the student earns a grade of "C" or higher (a "C-" does not qualify), but the grades earned in a non-Tulane summer school will not be listed on the student's transcript, and those grades will not be averaged into the student's GPA. The titles of all courses taken in any Tulane summer school program and being applied toward the JD degree, as well as the grades earned in those courses, will be listed on the student's transcript, and those grades will be averaged into the student's GPA.

A student who enrolls in any summer school program or externship having already earned 12 summer credits: (a) will not be allowed to apply credit from any of the courses or externships taken in that program toward his/her JD degree; and (b) the grades earned (even in a Tulane program) will not be averaged into the student's GPA. A student who enrolls in any Tulane summer school program or externship session at a time when he/she has not yet earned 12 summer credits may enroll in up to the maximum number of courses allowed for that session, even if the credits for the courses would result in the student having taken a total of more than 12 summer program credits; in such case, the student still may not apply more than 12 summer credits toward the JD degree, but the titles of all of the courses taken during that session will be listed on the student's transcript and the grades from all of the courses taken during that session will be averaged into the student's GPA.

Credits earned in summer externships count toward satisfaction of the experiential learning requirement (see Section V.D.3, *infra*).

Some courses taught in Tulane or non-Tulane summer school programs abroad may overlap in content with courses taught in the regular curriculum or in other summer programs abroad. In such cases, students may not receive full credit for both courses. Students wishing to enroll in foreign summer school courses with titles and/or descriptions similar to another course they have taken or intend to take, particularly courses in the general areas of Admiralty, European Union law or International Business Transactions, should consult with the Assistant Dean of Students before enrolling to ascertain what credits they will receive and whether these courses overlap with Tulane Law School courses.

Students considering enrollment in summer school programs that do not overlap in content with courses taught in the regular curriculum must consult the Assistant Dean of Students before enrolling to ascertain what credits they will receive.

### Student Evaluations of Faculty

Each course at the Law School is evaluated by students at the end of the semester (at the end of the year for year-long courses) through the distribution of a form to their email accounts. Faculty may set aside class time for students to complete their evaluations. Student evaluations are anonymous. Course evaluations from previous terms are available through the link for Course Evaluations via Gibson online.

### Use of Personal Electronic Resources in Classrooms

The use of personal computers, tablets, cellular phones, smart watches, and similar personal electronic resources in classrooms should be limited to activity directly related to course content and note-taking as directed or permitted by the professor. Use of electronic resources for other purposes (e.g., browsing the Internet, playing games, using e-mail services, watching or listening to DVDs, etc.) is inappropriate to the classroom and may provide a significant and unwanted distraction to those near the student using these devices. Individual faculty members also may adopt policies limiting access to electronic resources. If violation of the policy carries a penalty, such policy must be approved by the Vice Dean. If a faculty member plans to have a policy, students must be notified in writing by the first day of classes, and, in any event, no later than the first two weeks of class. If a student's grade is to be affected by the policy, the student must be notified in writing with a copy to the Office of Academic Services. Students who receive accommodations allowing the use of personal electronic resources in the classroom should consult with Dean Gaunt to discuss the implementation of this accommodation in classes with policies limiting electronic resources.

If a student wishes to record classes, he or she must ask permission of the professor first unless the student has received an accommodation for a disability from the Goldman Center for Student Accessibility allowing for the recording of classes. Students who have received such an accommodation should consult with the Assistant Dean of Students or the Goldman Center for Student Accessibility regarding the implementation of this accommodation.

### Credits Accumulated Away From Tulane Coursework

During the normal academic year, a student may take one course over the period of his/her law school career at another institution's law school for academic credit, provided that: (1) the course does not count toward the 10 credits needed to be a full time in resident student at Tulane; (2) the student pays all tuition and fees at the other institution without any diminishment in the amount of tuition paid to Tulane; and (3) the content of the course is not largely duplicated by any course offered at Tulane for which the student could register. Students must receive permission before completing any coursework away from Tulane and should consult with the Assistant Dean of Students. (See also II. A and VII. E).

### Externships

The Law School offers a variety of externship programs, each of which has been specifically approved as a course offering by the faculty and is supervised by Law School Faculty members. Students earn academic credit upon successful completion.

1. During the summer, rising 2L and 3L students may enroll in the Summer Externship. In this externship, students earn 3 units of academic credit in judicial, government, non-profit, and corporate counsel settings both in the local area and in sites around the globe, upon pre-approval and timely application to the Office of Experiential Learning and Public Interest Programs during the spring term preceding the proposed externship.
2. During the academic year, rising 2L and 3L students are eligible to apply for the yearlong Judicial Externship, the yearlong Public Service Externship, or the Spring Public Interest Externship. Students generally apply for academic year externships by participating in the ONEAPP process during the prior spring semester. Students are placed in pre-approved judicial chambers and public service sites within the New Orleans area, such as Federal District Court, state courts, Federal Public Defenders, the U.S. Attorney's office, the National Labor Relations Board (NLRB), the Equal Employment Opportunity Commission (EEOC), the Advocacy Center, the Fair Housing Action Center (GNOFHAC), Orleans Public Defender, and Southeast Louisiana Legal Services (SLLS). Students generally may not enroll in the year-long externship while enrolled in a year-long clinic. However, simultaneous enrollment may be permitted in certain semester-long clinics with prior permission.
3. During either the fall or spring semesters, rising 2L and 3L students are eligible to apply for the Corporate Counsel Externship. Students generally apply for academic year externships by participating in the ONEAPP process during the prior spring semester. This externship permits students to earn credit for work performed in the legal departments of certain pre-approved and pre-screened in-house counsel offices of non-profit or for-profit businesses. Students will experience how law is practiced in a corporate legal department when functioning as a lawyer for a business client and as part of a business. Students will develop

skills and learn substantive legal issues encountered in an in-house legal department and the ethical responsibilities of general counsel.

### Generally

Graduate law students (LLM/SJD) are prohibited from earning credits at another school for the Tulane graduate degree.

**In all instances in which JD students accumulate credits away from Tulane, students must receive a grade of "C" or higher for the credits to be accepted at Tulane Law School. Only the credits will be recorded on the transcript, not the grades received.** A student cannot receive any academic credit toward the JD degree for courses taken at Tulane Law School or elsewhere until he or she has become a matriculating full-time law student at Tulane or at another law school.

### Semester Abroad Programs

A limited number of well-qualified students may be given permission by the Vice Dean, upon the recommendation of the Executive Director of International Programs, to spend up to one semester in the law (or related) department of a foreign university, and transfer up to 14 credits earned there to the Tulane law degree. In considering any particular case, the Executive Director and the Vice-Dean shall take into account the following:

1. Whether the program at the foreign university in which the student wishes to participate has been approved by the faculty or by the ABA, and if not, whether the Executive Director of International Programs is prepared to vouch for its content and its supervisory arrangements;
2. Whether satisfactory supervisory arrangements can be made at Tulane;
3. The extent to which the student is qualified to undertake the proposed program, as indicated by such factors as his or her academic performance, past and prospective course choices at Tulane, linguistic capabilities, and reasons for wishing to study abroad; and
4. The number of applications to study abroad. (See also VII. A.)

### Students Visiting Away

Students who present compelling personal circumstances may, in rare instances, be permitted to spend one or both semesters of their third year visiting at another law school and transfer the credit to the Tulane law degree. Second year students are permitted to visit away only in critical situations. Examples of compelling personal circumstances that would justify visiting away are the necessity of caring for a critically ill parent when the student is the only caregiver, a spouse's unanticipated employment in another city, or a student's ill health requires medical treatment that can be obtained only in another city. The desire to be closer to a boyfriend or girlfriend, to pay less tuition, or to be in or closer to a location where the student wishes to work and settle after law school are not compelling personal circumstances. Students should consult the Assistant Dean of Students about visiting at another law school. (See also VII. A.)

Students who visit at another law school are required to consult the Assistant Dean of Students or the Vice Dean of Tulane Law School to gain approval of the courses that they wish to take at the visiting law school. This approval must be given prior to the courses being taken.

### Summer Unpaid Internships: Directed Research or Pro bono

As set forth below, students may seek academic credit for directed research and writing arising out of work initially undertaken at an unpaid internship.

#### OPTION I – DIRECTED RESEARCH

Students may complete a Directed Research paper (for which they can receive 1 – 3 units of academic credit) if they obtain the consent of a full-time faculty member to supervise the research before beginning summer work and select a suitable topic related to the summer work. (A form is available in the Academic Services office.) Please refer to requirements for Directed Research in Section II.M. The research paper can be completed during the summer or, by permission, during the fall term. A letter can be sent to the summer employer/supervisor, explaining that the student has obtained approval for Directed Research in conjunction with the summer internship; normally, this is sufficient for those positions requiring that the student receive credit in order to pursue the opportunity.

#### OPTION II – PRO BONO CREDIT

If the work is uncompensated and satisfies the Law School definition for pro bono service (see Section V.D.4), the student may seek pro bono credit by submitting an Independent Placement request electronically to the Office of Experiential Learning and Public Interest Programs before beginning the summer internship. The student will need to record the hours using the method indicated by the Office of Experiential Learning. If approved for pro bono credit in advance, all pro bono hours earned and verified will be reflected on the transcript. Time records must be submitted by the deadline for summer pro bono, which falls on Friday of the first week of the following fall term.



## Examinations

### Procedures

#### Absences from Examinations; Excuses; Rescheduling

Law students must take final examinations in all courses for which they are registered at the time the exams are scheduled. Absence from an examination without a satisfactory excuse, as determined by the Assistant Dean of Students based upon independent investigation, will automatically result in a grade of "F" for the course involved.

Normally a student who cannot be present at an exam should submit his or her request for an excuse to the Assistant Dean of Students before the time the exam is scheduled to begin, unless physical disability or sudden emergency precludes such early submission. In no event should the instructor for the involved course entertain such a request, and in no event should the student discuss such a request with the instructor.

Any student who believes he or she needs to be excused from an examination because of illness should speak to the Assistant Dean of Students as soon as possible before the examination, explain the nature of the illness and its effect on the ability of the student to take the exam, and indicate what medical treatment the student has sought or will seek and from whom. The student must go to the Health Center for Student Care or see another physician on or before the scheduled exam date and provide documentation of that medical visit to the Assistant Dean of Students. Based on the information provided, the Assistant Dean of Students shall make an independent judgment as to whether the excuse given is satisfactory. Any student excused from an exam who is believed to have requested an excuse improperly will be referred to the Honor Board.

A student who is overcome by illness in the course of an examination and is unable to complete the examination should inform the Assistant Dean of Students and the Law School Academic Services Office immediately and then promptly (on the same day) go to the University's Health Center or to a physician of the student's choice. In no event shall the student breach the anonymity of the grading process by contacting the instructor prior to the announcement of grades or indicating to the instructor that the student did not take or complete the examination. The student may elect to receive a "W" in the course in lieu of submitting a partially completed exam. Under no circumstances will the student be allowed to resume the exam on a later date.

If a student's request for an excuse is based upon a non-medical emergency, such as a death in the immediate family or an automobile accident on the day of the exam, the student shall submit his or her request for a non-medical excuse to the Assistant Dean of Students at least 24 hours prior to the precise time scheduled for the exam, unless the suddenness of the emergency precludes it. The student shall submit to the Assistant Dean of Students, along with the request for an excuse, appropriate supportive documentation—e.g., a copy of the death certificate, the police accident report. The Assistant Dean of Students shall assess the non-medical excuse and the supportive documentation and make an independent judgment as to whether the excuse is satisfactory. If a student proceeds to take an exam(s) despite the presence of a satisfactory medical or non-medical excuse, then the grade(s) received shall remain final. The Assistant Dean of Students shall not consider excuses presented by a student after the taking of an examination.

A student who is excused from taking an examination at the scheduled time because of illness or non-medical emergency must take the exam on the earliest possible day he or she is able to do so, but in no event later than one day after the last day of the exam period. The exact day that the student will make up the exam will be determined by the Assistant Dean of Students. A student who cannot make up an exam during this period shall receive a "W" in the course.

A professor has the right to write a new examination for a rescheduled examination but is not required to do so.

A student who arrives late for an examination will normally be required to hand in his or her paper at the same time as the rest of the class; however, the Assistant Dean of Students may allow a student additional time if the Assistant Dean of Students finds that the student's lateness is justified by extraordinary circumstances. Faculty members may not grant additional time. Neither faculty nor staff is obligated to discover the whereabouts of an absent or tardy student or to summon the student to the examination.

If a student forgets that he/she has an exam on a certain day or oversleeps and misses the exam but becomes aware of the missed exam within one day, the student is allowed to take the exam, but the student's grade is lowered by one full letter.

#### Anonymity

All examinations shall be given and graded anonymously. Every student and faculty member has a duty to ensure that the anonymity of the examination grading process is not breached. Faculty members are not allowed to see student exam numbers until after they have submitted their final grades to Gibson online. Students with exam scheduling problems must discuss them with the Assistant Dean of Students, not with their professors. Prior to the posting of grades, no student shall disclose to any instructor information about himself or herself or about any other student which might compromise anonymity.

#### Exam Numbers

Each semester, Academic Services shall compile for each student an exam number for the term. To access the exam number students will select the Blind Grading ID option under the Law School Services heading on GIBSON, then choose the appropriate semester when prompted for the term. Students will have only one anonymous number to use for all exams. This number will change

each semester. The student must retain this number in order to enter the appropriate exam number for each course on the cover of the bluebook and on the instructor's printed exam. **Students should keep their exam number after the exam period in order to check grades that are posted at the Law School or to review their graded exam papers.** The registry of exam numbers will be maintained by Academic Services. The instructors will not have access to it until after their grades have been submitted to the Assistant Dean of Academic Services.

### Exam Practices for International Graduate and International Exchange Students Only

International graduate and international exchange students are issued exam numbers and are graded anonymously.

International graduate and international exchange students who have not previously received a degree from a U.S. institution and whose native language is not English are allowed extra time to complete their examinations because of the language difficulty. Generally an extra hour will be granted in a three hour exam. In examinations of shorter or longer duration, international graduate students should consult Academic Services before the test begins to verify the exact amount of extra time to be given. This rule does not apply to JD students.

International graduate and international exchange students whose native language is not English may use a paperback or an electronic English language translation dictionary in exams. The rule permits **only** single-purpose, self-contained, paperback or electronic English language translation dictionaries (i.e. electronic devices that perform only the same limited function as a hard copy English language translation dictionary (e.g. English to Spanish; Spanish to English)). Permission does **not** extend to computer programs, cell phones, personal digital assistants, etc. Similarly, permission does **not** extend to electronic devices that translate legal terms or phrases or that provide legal or other definitions (e.g. a regular language dictionary or a Black's Law dictionary). This rule does not apply to JD students. JD students are not allowed to use a dictionary.

### Exam Protocol

Prior to the start of the exam period, schedules are posted listing the room assignments for all exams. Students report to the exam room where they are furnished a copy of the examination and, when applicable, bluebook(s). Students are **not** allowed to take their examination in a place other than the designated exam room. Students who receive exam accommodations pursuant to the American With Disabilities Act report for exams as instructed by the Assistant Dean of Students and/or the Sr. Administrative Program Coordinator for Academic Affairs.

Students taking examinations on laptops must begin their exam electronically using the designated exam software at the time designated by the proctor. The exam software will conclude the examination when the time allotted for the examination has expired, which will coincide with an instruction from the proctor that the examination has concluded.

When the time allotted for the examination has expired, all students must turn in the instructor's printed exam at the completion of the exam. Students taking their examinations by bluebook must turn in the bluebook(s) containing their answers with the instructor's printed exam. As students turn in their tests, they are asked their names which are then marked off the official class roster. If students finish the exam early it is their responsibility to turn in their test to only the designated test collector. This check-in process acknowledges the receipt of each student's exam.

Failure to turn in an examination on time, if detected immediately by the test collector, will result in a penalty in the course involved determined by the professor, up to and including a grade of "F" for the course. The failure to turn an examination in on time not immediately detected by the test collector will constitute an Honor Code violation and be processed in accordance with the Honor Code. (See Appendix A: Honor Code).

All electronic devices and equipment, including but **not** limited to cell phones, smart watches, beepers, radios, iPads, tablets, and e-readers, are strictly prohibited in exam rooms unless specifically permitted by the rules governing exams taken on computers, permitted by the professor giving the exam, or granted as a reasonable accommodation as determined by the Goldman Center for Student Accessibility.

### Rescheduling Exam Times

Exams for all regular semester courses are scheduled Monday through Saturday during the two-week exam period and are given on the day and at the time scheduled. Deviations from the schedule are allowed only under extraordinary circumstances and then only with the approval of the Vice Dean. In the absence of such approval, no instructor is authorized to give an examination at a different time, even though all the students in the class consent to the change.

**If a 24-hour take-home exam is given in an upperclass course, the exam must be available for pick-up by students at 9:00 a.m. on the day preceding the scheduled exam day and returned by students no later than 9:00 a.m. on the scheduled exam date.** Therefore, an exam conflict would be considered for the day in which the take-home exam is distributed.

Students may have exams rescheduled for these reasons only:

1. Two exams scheduled on the same day.
2. Four exams scheduled on five consecutive calendar days.
3. Five exams scheduled on six consecutive calendar days.

If these conditions exist, the conflicting exam can be rescheduled (within the exam period) to the first or second available date within a six-day period following the date of the original exam. Students must contact the Academic Services Office (room 204) before the examination period begins to have the exam rescheduled.

Students who have received permission to reschedule an exam should report to the Academic Services Office on the rescheduled exam day approximately 15 minutes prior to the arranged starting time of the test (i.e., for a 9:30 a.m. exam, students should report at 9:15 a.m.). At the Academic Services Office, students will be asked to sign a statement that they have not seen or heard any information relating to the test. They then will be given the appropriate examination and told where to take the test. Rescheduled exams are bound by the same time constraints, instructions and allowable materials as the original exam. Students must return their bluebooks and test questions to the Academic Services Office when the examination time has expired. The completed exam will then be delivered to the appropriate instructor without revealing any particulars about the student or the reason for the rescheduling of the test.

### Services for Students with Disabilities

Tulane recognizes that a growing number of individuals with disabilities are joining the University community as students, faculty, and staff. The University welcomes these individuals and seeks to support their needs, advocate for their rights, and ensure that they have an equal opportunity to participate in all academic and co-curricular programming. To accomplish these objectives, the University makes available reasonable accommodations in accordance with Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA) of 1990, as amended.

The Goldman Center for Student Accessibility serves as the central campus resource for Tulane students with documented disabilities or with disability-related concerns. Students who believe that they require reasonable course or examination accommodations should connect with the Goldman Center for Student Accessibility as early as possible, as the review process can take 2-3 weeks to complete. During the disability registration process, Goldman Center staff members can help students articulate their support needs, engage with students in an interactive discussion about possible accommodations, and assist students in communicating any approved accommodations to the appropriate administrators at the Law School - Dean Abigail Gaunt, Assistant Dean of Students, and/or Christina Roux, Sr. Administrative Program Coordinator for Academic Affairs. Faculty will not be informed that a student receives accommodations by the Goldman Center or Tulane Law School staff unless the nature of the accommodation requires the faculty member to receive notice for its implementation; in such cases, the student will be consulted before the faculty member is notified by these offices. Accommodations approved within 14 days of the final exam period may not be implemented until the next semester. Accommodations do not apply retroactively.

Students with specific questions about the Goldman Center for Student Accessibility policies and procedures may contact the Center by telephone at (504) 862-8433, or request to schedule an appointment with a staff member. Additional information can be found at the Goldman Center website: <https://accessibility.tulane.edu/>.

### Grades

#### Appeal of Grades

Once a faculty member has turned in his or her grades, whether they are based on an anonymous system of grading or not, the faculty member may not change any of them on representations or complaints of students unless the original grade was the result of a mechanical error—e.g. a mathematical error in computation or an error in transcription. If that is the case, the faculty member will certify the fact to the Vice Dean, who will then authorize the change.

Any student who wishes to appeal an assigned grade must first discuss the grade with the faculty member concerned. However, except for correcting a mathematical or transcription error in grading, as noted above, the faculty member is not authorized to change the grade assigned. Thereafter, the student may appeal his or her grade by written petition to the Vice Dean. An appeal of a Spring or Summer semester grade must be filed no later than the Friday of the tenth (10<sup>th</sup>) week of the following Fall semester. An appeal of a Fall semester grade must be filed no later than the Friday of the tenth week of the following Spring semester. This date is to coincide with the last day for students to elect to take a course P/D/F.

The petition must recite with particularity the specific grounds for the appeal. Grade appeals can be based only on actions by the faculty member in the grading process. Events that happen during the teaching of the course and administration of exams cannot constitute grounds for a grade appeal. In a course that was not graded solely on the basis of an anonymous examination, an appeal will lie from a grade that is affected by prejudice or discrimination on the part of the faculty member against the appealing student or for actions on the part of the faculty member that were arbitrary and capricious. In a course graded solely on the basis of an anonymous examination, an appeal will lie for actions on the part of the faculty member that were arbitrary and capricious. The burden of establishing the grounds

alleged is on the appealing student. In the absence of substantial independent evidence of discrimination, review on appeal shall be limited to the examination or paper of the appealing student and the grade assigned to it, without consideration of any other examination or paper.

The Vice Dean may dismiss any appeal which, after consideration of the petition, is determined to be unfounded. If the Vice Dean finds that the petition states a ground for appeal, the Vice Dean shall first discuss the matter with the faculty member involved. Thereafter, the Vice Dean may refer the appeal to a faculty committee of the Vice Dean's choosing, refer the appeal to the faculty as a whole, or take whatever other action the Vice Dean deems appropriate. The Vice Dean shall consult with the faculty member involved after considering the petition and

prior to rendering a final decision. The Vice Dean shall also notify the faculty member involved, as well as the appealing student, of the final decision in writing. If a student remains dissatisfied with the outcome after having followed the procedures set forth here, he or she may file a written appeal with the Senate Committee on Academic Freedom and Responsibility of Students within five days of receiving the decision of the Vice Dean, faculty committee, or faculty, whichever is the ultimate decision maker.

Based on the petition, the Senate Committee will decide whether or not to hear the appeal. In deciding the appeal, the committee should follow the Law School's grade appeal standards set forth above. If the committee decides that there are not sufficient grounds for review, the Chair of the committee will notify the student by letter, with copies to the principals involved in the case and to the Provost. If the committee decides that there are sufficient grounds for review, it will interview both the student and the teacher. A quorum of three committee members, at least one of whom must be a representative of the administration, one of whom must be a faculty member, and one of whom must be a student, is necessary for all committee hearings.

If the committee interviews both the student and the teacher (or other principals involved) at a hearing, then the Chairman will send the results of the committee's findings in the form of a letter of recommendation to the President of the University, with copies to the student and other principals involved and to the Provost.

If, in accordance with faculty rights as specified in the Faculty Handbook and in the Constitution and Bylaws of the University Senate and the various divisions, the teacher believes that his or her academic freedom or academic responsibilities have been affected by any administrative ruling, the teacher may appeal to the appropriate committee of peers at the divisional level (the Law School). The teacher's appeal must be made within ten days of the action provoking the appeal. If the teacher is dissatisfied with the committee of peers' decision regarding his or her academic freedom or responsibilities, the teacher may appeal to the Senate Committee on Faculty Tenure, Freedom, and Responsibility. That appeal also must be made within ten days of the action provoking it. No grade may be changed until the teacher's appeal process has been completed.

If the student is dissatisfied with any decision made in the appellate process initiated by the teacher, the student may appeal to the Senate Committee on Academic Freedom and Responsibility of Students.

In cases of conflict regarding the decisions of the divisional peer committee and the Senate Committee on Academic Freedom and Responsibility of Students, the matter shall be referred to the Senate Committee on Faculty Tenure, Freedom and Responsibility. In cases of conflict regarding the decisions of the Senate Committee on Faculty Tenure, Freedom, and Responsibility and either of the other committees involved in teacher initiated appeals, the committees at odds shall meet jointly to discuss the issue. The ultimate findings of the two committees shall be forwarded to the President of the University within ten days.

### **Basis of Grades**

Grades for all courses in the Law School shall be based solely upon an anonymous in-class examination written by each student individually unless the faculty member has requested and the faculty or the Vice Dean has approved, for a particular course in a particular year, some other basis of grading. The Vice Dean has the authority to approve any departure from the standard grading system that has in the past been approved by the faculty (e.g., a paper in lieu of an exam) or that is substantially similar to any departure previously approved by the faculty without referring it to the faculty for approval, except as provided in Section D.1. If a requested departure does not meet these criteria, or a first-year course is in question, or if the request is denied by the Vice Dean for any other reason, the Vice Dean shall refer it to the faculty for approval.

In all classes subject to the curve, every JD student shall be graded using the same mode of evaluation. For example, a faculty member may not give individual JD students the option of writing a paper in lieu of sitting for an exam.

### **Class Participation Policies**

For courses in which an anonymous examination would not otherwise be the sole or predominant basis for the grade, the faculty member may propose a mode of evaluation that takes into account class participation in determining each student's final grade. A faculty member may, for example, propose to count an anonymous examination grade for 50% of the final grade, count a grade from a paper, not done anonymously, for 25% of the grade, and count class participation for the balance of the final grade. Any such mode of evaluation must be approved by the faculty or the Vice Dean, as described above.

For courses (other than first-year courses) in which an anonymous examination would otherwise be the sole or predominant basis for the grade, a faculty member has discretion to

adopt a reasonable policy that takes into account classroom participation in adjusting upward a student's final grade by not more than one step (e.g., from a B to a B+). Faculty who intend to adopt such a policy must clear the reasonableness of the policy with the Vice Dean before its adoption. It is not expected that more than a handful of grades in each class will be adjusted. The faculty member shall ensure that the average of the final grades, after factoring in all components of the grade, falls within the GPA range set forth in Part B of this section.

#### **Procedures for Notifying Students When Grades Will Be Based upon Work Other than an Anonymous Examination**

Within the first two weeks of class, each faculty member shall announce to his or her class and shall indicate on the Intranet and in the written course policies or syllabus provided to students whether, and to what extent, the final grade will be based on some work other than an anonymous in-class examination. The oral and written notice shall explain how the final grade is calculated and describe how any additional work is graded (including how and to what extent class participation will be considered). After the first two weeks of class, a faculty member may not change the grading system.

#### **Procedure for Modifying Grades in a Course in Which an Anonymous Examination Is Not the Sole Basis for the Grade**

For courses in which an anonymous examination is administered but is not the sole basis for the grade, a faculty member shall submit preliminary grades based on the anonymously graded examination to the Assistant Dean of Academic Services before factoring in any non-anonymous component of the grade. After receiving a list of the preliminary grades by student name, the faculty member shall factor in the non-anonymous component of the grade into each student's preliminary grade in order to produce a final grade. The faculty member shall ensure that the average of the final grades, after factoring in all components of the grade, falls within the GPA range set forth in Part B of this section.

#### **C, D and/or F grades: Incomplete Grades**

In all courses subject to the required mean GPA, two grades of D or below in a class of more than 50 JD students and one grade of D or below in a class of 50 or fewer JD students may be given without these grades counting toward the class GPA required mean. For example, in a class of 60 JD students, there could be a total of two grades of D or F given which would not be used in the calculation. In that case, if two such grades are given, the mean GPA of between

3.2 and 3.3 would be calculated based on 58 JD students rather than 60. Nothing in this provision is intended to limit the number of grades of D or F given. However, any additional grades of D or below beyond the number excluded above will be part of the calculation to determine if the course has met the required mean of between 3.20 and 3.30.

A grade of "Incomplete" ("I") may be given in a course in which an anonymous examination would not otherwise be the sole or predominant basis for a grade when, in the faculty member's view, special circumstances prevent a student from completing work assigned during a semester. A grade of "I" shall be resolved before the last date on which grades may be submitted for the following semester, but in no event after the grading deadline for a graduating student, as any "I" automatically converts to an "F" upon graduation. The notation of "I" will remain on the student's transcript, accompanied by the final course grade.

#### **Class Rank**

Following the completion of the first year and every fall and spring semester thereafter, class rankings are calculated for JD students. The following ranks are recorded on the transcript:

1. Term Rank—determined on the current semester's grade point average, each semester after the first year except for the spring semester of the third year.
2. Cumulative Rank—determined on the cumulative grade point average, each semester after the first year.
3. Year Rank—determined on the grade point average that combines the grades received in the fall and spring semester in the student's second or third year (after the first year, the 1L year rank is the same as the cumulative rank).
4. Graduation Rank—determined each May and includes the JD students who graduate during the academic year (fall graduates are included in the May graduation rank).

Note these exceptions to the ranking process:

1. First year students who have a W grade in any first year course are excluded.
2. Advanced standing and transfer students are excluded from the term and cumulative rankings during their first year at Tulane but are included in the year rank process. The first time a transfer student or advanced standing student is considered in a cumulative rank is after the fall semester of his or her third year.
3. LLM, SJD, and visiting or exchange students are not ranked.
4. Only the graduation rank and year rank are posted for the spring term of the 3L year.

#### **Deadlines for Submitting Grades**

Each semester Academic Services publishes a schedule listing the deadlines for the submission of grades for each course. Whenever an instructor anticipates failure to turn in grades within the time required, he or she shall so inform the Vice Dean and provide a statement of

the reasons for inability to comply. The Vice Dean shall consider the reasons and determine whether the delay is justified. Absent a finding by the Vice Dean that the delay is justified, an instructor who fails to turn in grades for a course on time will be subject to sanctions.

### Effect of Grade of "F"; Retaking Course

No credit is granted for courses in which a grade of "F" is received; however, the grade is averaged into the student's grade point average. In order to graduate, a JD student must take for a grade and successfully complete (pass) all the required courses in Tulane's first year curriculum and the 3 hour Legal Profession course. If a grade of "F" is received in any of those courses, the student must retake and pass the course. The student is permitted, but not required, to retake any other course in which they receive an F, with the exception of experiential clinics and externships, which cannot be retaken if a student receives a failing grade. The grade earned the second time does not erase the "F". Both grades are retained on the transcript in the semesters they are taken and both are averaged into the student's grade point average. Only courses in which a grade of "F" has been received may be retaken for credit.

Students who receive failing grades should check with the state bar where they intend to practice law to ascertain whether the state bar requires successful completion of particular courses, or merely enrollment (i.e., a minimum grade). The National Council of Bar Examiners' Comprehensive Guide to Bar Admission Requirements (<https://www.ncbex.org/publications/bar-admissions-guide/>) lists the requirements for each state and may be found online. Students are advised to consult the website of the state's bar association office in addition to the National Council of Bar Examiners' Guide and website (<http://www.ncbex.org/>).

### Grading Scales

The normal grading scale and quality point system is as follows:

Grade	Description
A+	4.00
A	4.00
A-	3.667
B+	3.333
B	3.000
B-	2.667
C+	2.333
C	2.000
C-	1.667
D	1.000
F	0.000

International graduate students follow the normal grading scale and quality point system.

### Grades in First Year Legal Research and Writing

The basis for the final grade in Legal Research and Writing is one or more assignments, as specified in the course syllabus. Assignments that count toward a student's final grade are graded on the normal law school grading scale. Assignments that do not count toward the final grade must be completed to pass the course. There is no set distribution of grades for any legal writing section.

An instructor may assess a penalty against a grade given on a writing assignment for failure to comply with the rules of the course as stated in the syllabus.

### Journal Credit

Journal credit is based on a two-year commitment.

### Journal Writing Requirement

Second or third-year students may receive credit, as set forth in this rule, for writing on the following journals:

- Tulane Law Review - 2 credit hours
- Maritime Law Journal - 1 credit hour
- Environmental Law Journal - 1 credit hour
- Journal of International and Comparative Law - 1 credit hour
- Tulane Journal of Law and Sexuality - 1 credit hour
- Tulane Journal of Technology and Intellectual Property - 1 credit hour
- Sports Lawyers Journal - 1 credit hour

To receive such credit the student must satisfy the writing requirements of the applicable journal to the satisfaction of the editorial board and be certified by the journal's faculty advisor.

Students must comply with the requirements set forth in Section V.D.2 to satisfy the Upper- Class Writing Requirement for written work submitted for journal credit.

### Editorial or Managerial Work

Third year students only who have already earned their journal's writing credit may, upon certification by the journal's faculty advisor, receive additional credit for editorial and managerial work on the above journals as follows:

#### Tulane Law Review

- Editor-in-Chief 2 credit hours
- Senior Managing Editor 2 credit hours
- Senior Articles Editor 2 credit hours
- Senior Members 1 credit hour

#### Maritime Law Journal

- Editor-in Chief 2 credit hours
- Senior Members 1 credit hour

#### Environmental Law Journal

- Editor-in-Chief 2 credit hours
- Senior Members 1 credit hour

#### Journal of International and Comparative Law

- Editor-in-Chief 2 credit hours
- Senior Members 1 credit hour

#### Tulane Journal of Technology and Intellectual Property

- Editor-in-Chief 2 credit hours
- Senior Members 1 credit hour

#### Tulane Journal of Law and Sexuality

- Editor-in-Chief 2 credit hours
- Senior Members 1 credit hour

#### Sports Lawyers Journal

- Editor-in-Chief 2 credit hours
- Senior Members 1 credit hour

Members of the European and Civil Law Forum receive no credit per se for journal work. However, a member who writes a publishable quality case note or comment through a faculty- approved Directed Research can obtain credit for that writing.

Students may not receive credit for work done on more than one journal in any given academic year.

Graduate students may receive credit for journal work but may not satisfy their writing requirement by work done on a journal.

Students seeking academic credit for participation in journals shall ensure that a record of the work required to earn the number of credits sought is submitted as provided in Section V.G below.

### Notification of Grades; Transcripts

Each semester professors submit final grades for law courses by exam number via Gibson online. Within 24 hours of the grade posting, students are able to view their grades via the Gibson website at <https://registrar.tulane.edu> (<http://www.registrar.tulane.edu/>).

When all grades for a semester have been recorded on the computer system, class rankings are determined and posted to each student's record.

If an official, certified transcript is needed, students may order electronic and/or mailed transcripts through the "Order a Transcript" link in Gibson online.

**Pass/D/Fail Grading Option**

A JD student who has completed the first year of law study may elect to take on a Pass/D/Fail basis one course prior to graduation. When making this election, a student may indicate a

target grade for the course. A student earning the targeted grade or above will receive the earned grade rather than a “pass” for the course. Regardless of whether a student receives a grade or a “pass,” the student may not take another normally graded course on a Pass/D/Fail basis. The election must be made in writing at the Academic Services Office (Room 204). The election must be made by the date listed in the academic calendar. Once the selection is made (when form is completed and turned in to Academic Services Office), the election and the selection of a target grade are irrevocable. Any course that is graded on a Pass/D/Fail (or Pass/C/Fail) basis for all students or in which a student was involuntarily required to take the grade on a Pass/D/Fail (or Pass/C/Fail) basis shall not be considered as the student’s one-time Pass/D/Fail election.

An upperclass student who is required to take a first year course because he or she has not previously successfully taken it or a comparable course at another law school may not take that course on a Pass/D/Fail basis. Further, neither the required Legal Profession course nor a clinic can be taken on a Pass/D/Fail basis.

A “Pass,” for purposes of this program, is a grade of “C-” or better. A grade of “Pass” will not be averaged into a student’s grade point average; however, a grade of “D+” or lower will be averaged into a student’s grade point average. (A “D+” may occur when a professor invokes a penalty for failure to be prepared or for failure to attend class. See Section IV. E.3.)

If an instructor in a course chooses to invoke a penalty, it will be applied in the normal fashion. Thus, a student’s grade will be reduced using the normal grade scale. If the application of a penalty causes a student’s grade to fall below a “C-” (C in a Pass/C/Fail course), the student will not receive a grade of Pass, but the grade obtained (D+, D, D-, or F). (See Section IV. E. 3.)

A faculty member will not be informed of a student’s Pass/D/ Fail election. The conversion of a grade of “C-” or better to a “Pass” will be performed administratively by the Assistant Dean of Academic Services.

**Penalties Relating to Papers**

All papers shall be turned in on the date fixed by the faculty member. The faculty member has the discretion to reduce the grade assigned to a paper which is turned in late; in an extreme case of lateness, the faculty member may refuse to accept the paper and may assign it a failing grade.

If all or a portion of a grade is based on a research paper and the faculty member discovers, after the grade is turned in to the Law School Academic Services Office and before the student graduates, that a portion of the paper represents the unattributed work of another, the faculty member may seek to lower the student’s grade down to and including an “F.” In making the grade reduction decision, the faculty member shall not take into account the student’s intent. The faculty member must present the evidence of the use of unattributed work of another and the justification for the level of grade reduction to the Vice Dean. The Vice Dean shall approve the grade reduction, after notice to the student and after giving the student an opportunity to be heard, unless the Vice Dean believes the faculty member has acted arbitrarily or capriciously. If the faculty member believes that the student may have acted intentionally, the faculty member shall report the student’s actions to the Honor Board. A finding by the Honor Board that the Honor Code has not been violated shall not affect the grade reduction for lack of original work.

**Penalties for Lack of Class Attendance or Preparation****Preamble**

The faculty believes that learning requires the active engagement of our students. Thus, the faculty expects students to attend class regularly and to be prepared to participate in the class discussion when called upon to do so. Although the faculty recognizes that a majority of students are highly motivated and would prepare for and would attend class without any requirement to do so, a small but significant number of students do not attend class with sufficient consistency and preparedness. That failure is detrimental to their education and is inconsistent with the professionalism that aspiring lawyers should exhibit. In addition, a student’s failure to prepare for class often adversely affects the class discussion and thus is also detrimental to the education of his or her fellow students.

This statement of policy by the faculty is consistent with the position of the American Bar Association. As an ABA-accredited institution, Tulane Law School must require that its students attend class regularly, as well as adopt and enforce policies relating to class attendance.

**The General Rule**

Tulane Law School requires regular attendance and preparation by law students in all law school classes.

**Announced Policies Penalizing Inadequate Attendance or Preparation**

A faculty member has discretion to adopt any reasonable policy penalizing a student for inadequate attendance and preparation for her or his class. Examples of such policies include, but are not limited to, reasonable policies that provide for grade reductions, a failing grade, or involuntary withdrawal from a course in cases where the instructor deems a student’s absence or lack of preparation to be excessive. The grades of D+ (1.33 quality points) and D- (0.67 quality points), although not part



of the normal grading scale, may be used by faculty to assess grade-step reductions as a penalty pursuant to an announced attendance and preparation policy.

Faculty who intend to adopt a policy on class attendance and preparation must clear the reasonableness of the policy with the Vice Dean before its adoption. Once the Vice Dean approves the reasonableness of a policy, the faculty member need not seek clearance of that policy in the future.

To enforce any announced policy penalizing a student for inadequate attendance and preparation, an instructor must:

1. hand out or announce the terms of that policy to the class,
2. post the policy on the Intranet within the first two weeks of class, and
3. maintain a record of attendance and/or performance in class.

The relevant faculty member shall notify in writing or by an electronic record any student affected by enforcement of a policy adopted under this section. A copy of the notice shall be sent to the Office of Academic Services.

### **Unannounced Attendance and Preparation Policies**

Whether or not an instructor has adopted a policy on class attendance, he or she may penalize a student who fails to attend class in accordance with the terms of this subsection.

If an instructor has supporting documentation, she or he may penalize a student who has missed at least 30% of the regularly scheduled class meetings for that course. In such a case, the available penalty is to withdraw the student from the course with the grade of "W" and a transcript notation that the student was "required to withdraw because of excessive absences." Before the final examination and before taking this action, the instructor must notify the student.

Whether or not an instructor has supporting documentation, he or she may refuse to allow a student who has rarely or never attended class to take the final examination. As soon as the problem is discovered, the instructor must notify the student in jeopardy to give the student the opportunity to improve his or her attendance sufficiently to avoid the penalty. However, if the student's attendance does not improve sufficiently, as defined reasonably by the instructor, the instructor may exercise one of the following options:

1. Assign a grade of "F" for the course; or
2. Allow the student to withdraw from the course with a grade of "W" and a transcript notation that the student was "required to withdraw because of excessive absences."

If the problem is discovered so late in the semester that the student has no opportunity to improve his or her attendance sufficiently to avoid a penalty, the instructor may still refuse to permit the student to take the examination, but may only exercise Option (2), above. After imposition of either penalty, the student may retake the course for a new grade, but the original grade and/or notation remains on the transcript.

### **Good Faith Requirement**

Instructors shall exercise good faith in applying penalties under this section.

### **Retention and Student Access to Examination Answers**

For one year after an examination, an instructor is obligated to make available a student's written examination upon request by the student. Students may not, however, photocopy their examination answers, nor may they remove their examination answers from the room in which they are stored without the instructor's approval. The instructor has an obligation to make available to students in the course a copy of a model answer or several copies of "good answers" written by other students in the course. Students may not make photocopies of such model answers or "good answers" unless these items are on reserve in the Tulane Law Library or the instructor approves.

### **Grievance Procedures for Alleged Discrimination**

All members of the Tulane Law School are subject to Tulane University's Equal (<https://equity.tulane.edu/sites/equity.tulane.edu/files/EO%20Policy.%20July%202017.pdf>) Opportunity/Anti-Discrimination Policy, (<https://equity.tulane.edu/sites/equity.tulane.edu/files/EO%20Policy.%20July%202017.pdf>) which includes Tulane's Anti-Harassment Policy. This policy provides that

Tulane University prohibits discrimination in its employment practices or educational programs/activities on the basis of race, color, sex, religion, national origin, age, disability, genetic information, sexual orientation, gender identity, gender expression, pregnancy, marital status, military status, veteran status, or any other status or classification protected by federal, state or local law. Tulane University complies with applicable federal and state laws addressing discrimination, harassment and retaliation. Discrimination or harassment on the basis of any protected classification will not be tolerated.

Any member of the Tulane Law School community who believes he or she has experienced discrimination or harassment on any of these grounds by any member of the Tulane community is encouraged to report this conduct to the Vice Dean, the Assistant Dean of Students, or

any of the individuals listed in the Equal Opportunity/Anti-Discrimination Policy. For additional information, please see the attached Equal Opportunity/Anti-Discrimination Policy.

A student who seeks to appeal a grade must comply with the procedures articulated in Section IV.I.

## Degree Requirements

### Degree Requirements

- General Graduate School Requirements
- Doctor of Juridical Science
  - Juris Doctor
  - Master of Jurisprudence
  - Master of Laws
    - General LLM Degree Requirements
    - LLM in Admiralty Degree Requirements
    - LLM in American Law Degree Requirements
    - LLM in Energy & Environment Degree Requirements
    - LLM in International & Comparative Law Degree Requirements

## General Graduate School Requirements

A full description of Master's (<https://catalog.tulane.edu/graduate-degrees-professional-programs/graduate-postdoctoral-studies/masters-programs-requirements/>) and PhD Degree (<https://catalog.tulane.edu/graduate-degrees-professional-programs/graduate-postdoctoral-studies/phd-program-requirements/>) requirements for all students can be found in the Office of Graduate and Postdoctoral Studies section of this catalog. Students should review these policies thoroughly.

## Doctor of Juridical Science

Tulane Law School also offers the Doctor of Juridical Science (SJD) to a small number of candidates who already hold the LLM as well as the first law degree (JD or LLB or equivalent). The SJD is a research-oriented degree requiring completion of a dissertation which makes an original and significant contribution to legal scholarship.

Each SJD student is assigned a faculty advisor upon admission. During the first semester of enrollment, SJD students take between 10 and 12 credits of coursework. Thereafter, most SJD students work full-time on the dissertation until it is completed. Tulane's expectation is that the final SJD dissertation will be submitted within four years following initial enrollment in the program. The dissertation is to make an original and significant contribution to legal scholarship. Each candidate defends his or her dissertation in an oral examination before a committee of the Tulane Law School faculty, supplemented with other University faculty where appropriate.

### Degree Requirements for the SJD Program:

1. In order to obtain the SJD degree, a student must fulfill the following requirements, depending on the student's particular circumstances upon admission to the program:
  - a. Students admitted to the SJD program with a Tulane Law School Master's degree awarded five or fewer years prior to admission to the SJD program are exempt from any further coursework requirement.
  - b. Students admitted to the SJD program with a Tulane Master's degree awarded more than five years prior to admission to the SJD program must complete an additional 10 hours of coursework with a grade of B or better in each course.
  - c. Students admitted to the SJD program with a Master's degree from a law school in the United States (other than Tulane) or from an approved foreign law school in all cases must complete an additional 12 hours of coursework at Tulane.

2. All SJD students, including those exempt from some or all further coursework requirements, must be in residence for at least one year but are only required to pay full-time tuition and fees for at least one semester, typically the first semester of enrollment in the program. Students wishing to enroll in courses outside that one semester may do so on the understanding that they must pay tuition for each additional course they take.
3. Every SJD candidate must write and defend successfully a dissertation which makes an original and significant contribution to legal scholarship. Unless specifically exempted from this requirement for very exceptional circumstances by the Graduate Programs Committee, the dissertation must be complete and the defense must take place within four years from the initial enrollment in the SJD program.
4. Dissertation Committee: The committee will consist of three members one of whom is the supervisor who acts as the chair of the committee. The chair of the committee shall be a tenured member of the faculty. At least one of the other two members of the committee shall be a tenured or tenure-track member of Tulane Law School. Under normal circumstances, all members of the committee will be Tulane Law School faculty members, but there may be cases where it becomes necessary to ask a faculty member from another department of the University or a faculty member at another institution, foreign or domestic, to join the committee. The outside member must, however, be a tenured member of the faculty at his or her home institution. The selection of the dissertation committee will be decided by the student in consultation with the chair of the committee. The committee shall be empaneled at the earliest time after the candidate has taken residence but no later than the end of the first semester of residence. As soon as the committee has been established, the chair of the committee shall notify the Graduate Affairs Committee of the names of the members of the committee. The Graduate Affairs Committee shall transmit the information to the Assistant Dean for Academic Services for record keeping.
5. Lengths of dissertations vary depending on the subject matter and the writing style of the authors, but as a general matter the length of a dissertation ranges between 200-300 pages, including appendix and bibliography. After the dissertation committee has approved the dissertation, the supervisor shall set up a meeting at which the candidate shall present an oral defense of the doctoral thesis. The dissertation committee will conduct the oral examination. The meeting for the oral defense is open to members of the Law School faculty.
6. Clinical programs, the Trial Advocacy course and externships are not open to SJD students.

## Juris Doctor

Candidates for the Juris Doctor degree must spend six full-time semesters in academic residence and complete 88 semester hours at the Law School with at least a 2.0 or C average. All candidates must successfully complete (i) the first-year curriculum, (ii) the Legal Profession course, (iii) the upper-class writing requirement, (iv) six credits of experiential learning, and (v) the 50-hour pro bono requirement.

### First-Year Curriculum

Tulane's first-year curriculum emphasizes developing core analytic and legal writing skills.

#### Required Courses

All students are required to take the following courses:

Course ID	Title	Credits
1LAW 1080	Constitutional Law I	4
1LAW 1110	Contracts I	3
1LAW 1210	Criminal Law	3
1LAW 1310	Civil Procedure	4
1LAW 1510	Torts	4

Tulane offers its students the unique opportunity to take courses in the civil law system: during the Spring semester of their first year, JD students elect to complete the first-year curriculum by taking civil law courses (Civil Law Property and Obligations I) or common law courses (Common Law Property and Contracts II). All students have the option to take foundational and advanced courses in both systems as electives.

Course ID	Title	Credits
1LAW 1160	Contracts II	3
1LAW 1340	Civil Law Property	4
1LAW 1360	Common Law Property	4
1LAW 1410	Legal Research & Writing	0-4
1LAW 1420	Becoming Lawyers	0
1LAW 1440	Obligations I	3

### Legal Research & Writing

The first-year legal research and writing program is designed to teach the fundamentals of legal writing and to acquaint the student with various research techniques utilizing the resources of the law library and computerized legal databases. Over the course of two semesters, students will learn the techniques of legal problem-solving, and learn to research and draft legal memoranda and briefs through a series of progressively more complex writing assignments. The course culminates with the drafting of an appellate brief and an oral argument before an appellate moot court.

### Upper-Class Curriculum

After their first year, J.D. students are free to design their own curriculum from an array of electives, or to concentrate their studies in an area of curricular strength advanced courses in conjunction with our certificate programs. Optional summer programs and externship opportunities are offered in New Orleans and in a variety of locations throughout the world.

### Upper-Level Writing Requirement

JD students must successfully complete one rigorous writing project after their first year of law school. The upper class writing requirement may be satisfied through an approved seminar or course, a directed research project supervised by a faculty member, or production under faculty supervision of a publishable case note or comment in any of our student-edited journals.

### Experiential Learning

J.D. candidates must successfully complete courses providing a minimum of six experiential learning credits. Experiential credits may be earned through participation in our traditional live-client clinics, as well as through simulation courses and externship field placements.

### Journals and Co-curricular Activities

Some students choose to hone their writing and editing abilities by joining one of our law journals. Others compete in trial and appellate teams in our Moot Court Program to train in oral and written advocacy.

### Pro Bono Service

In addition to the academic requirements set forth above, each JD candidate must complete a total of 50 hours of approved uncompensated, law-related pro bono service.

## Master of Jurisprudence

The Master of Jurisprudence program requires the completion of 30 credit hours, and typically takes two years to complete. This online, non-residential program was designed for human resource professionals and those seeking to transition into HR. Students will obtain additional expertise and familiarity with the extensive and complex body of federal and state regulations that govern most aspects of recruitment, hiring and retention of employees. The MJ-LEL program includes a one-time on-campus Education Immersion Weekend, in addition to its online course curriculum.

Education Immersion Weekend is held every summer, so students can plan to attend during either their first or second year in the program, but the experience of prior students indicates that the session is most beneficial to those who attend in their first year. It is both an academic and networking opportunity for students to meet their classmates, professors, and other professionals working in the area of labor and employment law. The occasion will include a keynote speaker, lectures and workshops from industry experts, and a variety of social activities.

Course ID	Title	Credits
<b>Semester 1</b>		
EMPL 6400	Legal Analysis I	
EMPL 6910	Intro to Employment Discrim	
<b>Semester 2</b>		
EMPL 6401	Legal Analysis II	
EMPL 5710	Intro to Labor Law Principles	
<b>Semester 3</b>		
EMPL 6460	Employment Law	
EMPL 5410	IP Issues in the Workplace	
<b>Semester 4</b>		
EMPL 6050	Sex & Gender Issues in Work	
Plus one 2-credit elective		
<b>Semester 5</b>		
EMPL 6000	Social Media Issues in Wkplace	
Plus one 2-credit elective		
<b>Semester 6</b>		
EMPL 6990	Capstone Course	
Plus one 2-credit elective		
<b>ELECTIVE COURSES:</b>		
EMPL 5000	Developing & Manage Workforce	
EMPL 5800	Negotiating Skills	
EMPL 6100	Investigat Employee Complaints	

## Master of Laws

Candidates for the Master of Laws degree must complete 24 semester hours of coursework. Full-time students are expected to complete the LLM in two semesters (one academic year). LLM students must also write at least one paper in connection with a seminar in their field of interest or in connection with a directed research project.

LLM Students who received a JD or LLB (or equivalent) from a school located outside of the United States must enroll in a three-week summer orientation course, Introduction to US Law. International students must also complete and pass a legal research and writing course.

Candidates for all Master's degrees must satisfy the following requirements:

Satisfactory completion of 24 credits of coursework at the Law School. "Satisfactory completion" is defined under Academic Standards in the Student Handbook. All 24 credits of coursework must be completed at Tulane Law School, but up to 3 credits may be completed in a Tulane Law School summer abroad program. No transfer credit for work completed at other law schools can be granted toward the LLM degrees at Tulane Law School.

Full-time students must complete between 10 and 12 credits of coursework in each of two consecutive fall and spring semesters, except with special permission. Part-time students must complete between 4 and 7 credits of coursework each semester, completing all degree requirements in four semesters, with the option of attending one Tulane Law School summer session in New Orleans for up to 3 credits of coursework.

Students are required to write papers for at least three but not more than nine credits of coursework, in courses requiring or permitting completion of a paper in lieu of an exam. Directed research credit falls in this category and may be substituted for up to three credits of the writing requirement. Students may not receive credit for directed research beyond the nine-credit writing credit maximum. The course Legal Research & Writing for International Graduate Students may not be counted toward the writing requirement.

All master's degree candidates who have received the first law degree from a school outside the 50 United States must enroll in Introduction to American Law (2 credits) and Legal Research & Writing for International Graduate Students (1 or 2 credits), in addition to any specific degree requirements. Because the Introduction to American Law course is offered only in the summer immediately preceding the start of the fall semester, all LLM candidates whose first law degrees are from schools outside the 50 United States must arrive at Tulane by late July.

Clinical programs and the Trial Advocacy course are not open to graduate students.

Students in the full-time graduate studies programs must be enrolled as full-time students at the Law School for one academic year (i.e., two full-time semesters). A full-time semester is defined as enrollment in 10 or more credits of coursework. Students may not pursue degrees in absentia.

## General LLM Degree Requirements

The General LLM program allows the student to design his or her own course of study. There are no specific course requirements (beyond the three to four hours of courses required for all international students and the writing requirement). Each student in the General LLM program may plan an individual course program.

Students must meet all financial obligations to the University.

Each student must, after fulfilling all other degree requirements, be recommended for the degree by the law faculty.

## LLM in Admiralty Degree Requirements

Candidates for the LLM in Admiralty must fulfill the General Degree Requirements and must also complete at least 13 of the 24 credits required for the degree in admiralty courses.

Typically, the following admiralty courses are offered:

- Admiralty I
- Admiralty II
- Carriage of Goods by Sea
- Charter Parties
- Collision Law & Limitation of Liability
- Law of the Sea

- Marine Insurance I
- Marine Insurance II
- Personal Injury & Death
- Marine Pollution
- Regulation of Shipping & Commerce
- Admiralty Seminar
- Tugs & Towage
- Vessel Documentation & Finance

Additional admiralty courses, including month-long mini courses, are offered each year by visiting professors from throughout the world. In recent years, these courses have included Comparative Carriage of Goods, International Jurisdiction in Maritime Cases, Maritime Liens, Law of the Sea, and International Conventions.

## LLM in American Law Degree Requirements

Candidates for the LLM in American Law must fulfill the General Degree Requirements and must also take at least 14 hours of coursework in the following subjects:

- Constitutional Law
- Contracts
- Criminal Law
- Corporations
- Business Enterprises
- Evidence
- Intellectual Property
- Federal Civil Procedure
- Taxation
- Uniform Commercial Code
- Torts, or (if planning to take the Louisiana bar exam) Louisiana Civil Procedure or Louisiana Obligations Law.

Students seeking this degree are also required to take either Common Law Property or Civil Law Property.

Remaining hours of coursework for the degree may be selected from any other courses open to graduate students at Tulane Law School.

## LLM in Energy & Environment Degree Requirements

The LLM in Energy & Environment requires, in addition to the general degree requirements for LLM candidates, completion of 15 credit hours of coursework in energy and environmental law courses. Students must enroll in the **Graduate Seminar in Energy & Environment** (<https://law.tulane.edu/courses/energy-environment-llm-seminar/>) as well as two of the following three courses: **Natural Resources** (<https://law.tulane.edu/courses/environmental-law-natural-resources/>), **Pollution Control** (<https://law.tulane.edu/courses/environmental-law-pollution-control/>) and **Energy Law, Regulation and Policy** (<https://law.tulane.edu/courses/energy-law-regulation-and-policy/>). A list of additional energy and environmental law electives from the current and past two academic years may be found **here** ([https://law.tulane.edu/course-descriptions/?field\\_academic\\_area\\_value=9](https://law.tulane.edu/course-descriptions/?field_academic_area_value=9)). Not all of these courses are offered every year. In appropriate circumstances and with the concurrence of the faculty, other courses may be substituted.

In addition to fulfilling the General Degree Requirements for all LLM programs, students must complete 15 hours in specified environmental or energy law courses.

- Successful completion of two foundation courses, chosen from Pollution Control Law, Natural Resources Law, and Energy Law. (Each of these courses carries 3 credits.)
- Successful completion of Graduate Seminar in Energy & Environment (1 credit).
- Successful completion of three additional courses, chosen from:
  - Administrative Law
  - Oil & Gas Law (basic or advanced)
  - Coastal & Wetlands Law
  - Environmental Enforcement
  - Comparative Environmental Law
  - Hazardous & Solid Waste Regulation
  - Historic Preservation Law
  - International Environmental Law

- Land Use Planning
- Marine Pollution Law
- Regulation of Toxic Substances
- Toxic Tort Litigation
- Water Law
- Wildlife & Endangered Species Law

Not all of these courses are offered every year. In appropriate circumstances and with the concurrence of the faculty, other courses may be substituted for the courses listed.

## LLM in International & Comparative Law Degree Requirements

Each student's course of study is at least somewhat dependent upon the background and previous legal education of the individual student and on the student's objectives. For example, US students interested in European legal studies would need exposure to European legal sources and European Community Law. A student from Germany, however, might focus her studies somewhat differently, seeking exposure to common law subjects and to other areas which she would be unlikely to have studied previously. Each student designs his or her course of study with the assistance of a faculty advisor.

In addition to fulfilling the General Degree Requirements, all candidates for the LLM in International & Comparative Law are required to enroll in a total of 13 semester hours of international and comparative law courses. All students who have not already taken a public international law course are required to take Public International Law, with the remaining 10 hours of specialized coursework chosen from the following offerings:

- Civil Law Seminar
- Comparative Law: European Legal Systems
- European Union Law
- European Law of Obligations: French or German
- European Legal History
- Foreign Affairs and National Security
- Human Rights Discourse
- Immigration Law
- International Sale of Goods
- Transnational Litigation
- International Business Transactions
- International Commercial Arbitration
- International Criminal Law
- International Environmental Law
- International Human Rights
- International Income Tax
- International Intellectual Property
- International Trade, Finance and Banking
- Law of the Sea
- Maritime and National Security Law
- Products Liability & Mass Torts in Comparative Perspective
- Any one-credit mini-courses in international and comparative law

## Programs

### Programs

- Doctor of Juridical Science (<https://catalog.tulane.edu/law/doctor-juridical-studies/>)
- Juris Doctor (<https://catalog.tulane.edu/law/juris-doctor/>)
  - JD Certificates (<https://catalog.tulane.edu/law/juris-doctor/certificate/>)
    - Civil Law Certificate (<https://catalog.tulane.edu/law/juris-doctor/certificate/civil-law-certificate/>)
    - Environmental Law Certificate (<https://catalog.tulane.edu/law/juris-doctor/certificate/environmental-law-certificate/>)
    - International and Comparative Law Certificate (<https://catalog.tulane.edu/law/juris-doctor/certificate/international-comparative-law-certificate/>)

- Maritime Law Certificate (<https://catalog.tulane.edu/law/juris-doctor/certificate/maritime-law-certificate/>)
- Sports Law Certificate (<https://catalog.tulane.edu/law/juris-doctor/certificate/sports-law-certificate/>)
- Master of Jurisprudence (<https://catalog.tulane.edu/law/master-jurisprudence/>)
  - Energy Law, MJ (<https://catalog.tulane.edu/law/master-jurisprudence/energy-law/>)
  - Environmental Law, MJL (<https://catalog.tulane.edu/law/master-jurisprudence/environmental-law/>)
  - Labor and Employment, MJ (<https://catalog.tulane.edu/law/master-jurisprudence/labor-and-employment/>)
- Master of Laws (<https://catalog.tulane.edu/law/master-laws/>)
  - Admiralty, LMA (<https://catalog.tulane.edu/law/master-laws/admiralty-lma/>)
  - American Law, AML (<https://catalog.tulane.edu/law/master-laws/american-law-aml/>)
  - Energy & Environment, MEL (<https://catalog.tulane.edu/law/master-laws/environmental-law-mel/>)
  - General Law, LLM (<https://catalog.tulane.edu/law/master-laws/general-law-llm/>)
  - International and Comparative Law, LMI (<https://catalog.tulane.edu/law/master-laws/international-law-lmi/>)

## Joint Degrees

The curriculum of the law school and the university offer Juris Doctor (JD) candidates a variety of opportunities to pursue interdisciplinary studies.

Tulane law students may pursue one of several joint degree programs established with the School of Social Work, the School of Public Health and Tropical Medicine, the A.B. Freeman School of Business, and the Stone Center for Latin American Studies. Students may petition the Law School and another division of Tulane University to permit other joint degree programs. Possibilities include the JD in combination with MA degrees offered by several of the School of Liberal Arts or the School of Science and Engineering.

Students interested in pursuing these possibilities should confer with the Vice Dean of the Law School and then with the appropriate administrator or faculty member in the other department or division of Tulane University.

## Joint Degrees

- JD/Master of Business Administration (MBA)
  - 3 Year Option (p. 32)
  - 4 Year Option (p. 33)
- JD/Master of Accounting (MACCT)
- JD/Master of Health Administration (MHA)
- JD/Master of Social Work (MSW)
- JD/MA in Latin American Studies

### JD/Master of Business Administration (MBA)

Joint degree candidates complete a minimum of 45 semester hours of coursework at the Freeman School of Business, in addition to coursework for the JD. Requirements for the 3-year and 4-year joint degree options are detailed below.

#### 3 Year Option

Course ID	Title	Credits
<b>Semester One (Summer Before Second Year or Earlier)</b>		
ACCN 6050	Accounting Measurement, Reporting, and Control	3
MCOM 6020	Business Communications	3
MGMT 6080	Managing People in Orgs	3
MGSC 6020	Business Stats and Models	3
LGST 6150	Business and Law Seminar	0
<b>Semester Two (Fall of Second Year)</b>		
FINE 6020	Analysis for Financial Mgmt	3
MGMT 6030	Strategic Management	3
MKTG 6020	Marketing	3
Elective <sup>1</sup>		3



Semester Three (Spring of Second Year)		
FINE 6060		3
MGMT 7110	Negotiations	3
MGSC 6090	Ops and Supply Chain Mgmt	3
Elective <sup>1</sup>		3
Semester Four (Fall of Third Year)		
Elective <sup>1</sup>		3
Elective <sup>1</sup>		3
Semester Five (Spring of Third Year)		
MGMT 6040	Business Ethics & Leadership	3
<b>Total Credit Hours</b>		<b>45</b>

<sup>1</sup> The timing of these electives is suggested; however, students may opt to pursue electives in any semester in which they don't have conflicts in the law school.

#### 4 Year Option

Course ID	Title	Credits
Fall Semester		
ACCN 6050	Accounting Measurement, Reporting, and Control	3
FINE 6020	Analysis for Financial Mgmt	3
MCOM 6020	Business Communications	3
MGMT 6030	Strategic Management	3
MGSC 6020	Business Stats and Models	3
CDMA 6010	Career Development I	0
Spring Semester		
FINE 6060		3
MGMT 6700		2
MGSC 6090	Ops and Supply Chain Mgmt	3
MKTG 6020	Marketing	3
Electives		6
Remaining Requirements		
MGMT 6710 or MGMT 6720	Latin America-Global Leadership II Asia-Global Leadership III	2
Electives		15
<b>Total Credit Hours</b>		<b>49</b>

Questions about the MBA program should be directed to the A.B. Freeman School of Business (<https://freeman.tulane.edu/>).

#### JD/Master of Accounting (MACCT)

This program is directed at students who enter with the appropriate background in accounting and business. The MACCT is designed to meet all accounting accreditation requirements and allow students to qualify for the CPA examination in most states.

The accounting prerequisites are Financial Accounting Principles, Managerial/Cost Accounting Principles, and Intermediate Accounting. An undergraduate accounting degree is not required.

Joint degree candidates take a total of 24 semester hours of coursework at the Freeman School of Business, in addition to 82 hours of law coursework. The usual MACCT requirements are reduced from 30 hours to 24 hours in recognition of electives taken at the Law School. MACCT students are required to complete the following at the Freeman School:

##### Core Courses

ACCN 7100 Ethics in Accounting and Finance (3 c.h.)

ACCN 7110 Auditing (3 c.h.)

ACCN 7120 Advanced Financial Accounting (3 c.h.)

ACCN 7140 Advanced Managerial Accounting (3 c.h.)

TAXN 7100 Principles of Entity Taxation (3 c.h.)

### **Elective Courses**

JD/MACCT students take nine (9) semester hours of MACCT core or elective courses distributed across their second and third year fall and spring semesters in the program to bring the total MACCT courses taken for credit to 24 hours.

JD/MACCT students may not:

- Take courses with essentially the same content in both the Freeman School and the Law School.
- Take LGST 7210 Business Law (3 c.h.).
- Take ACCN 7560 Professional Accounting Internship (1-3 c.h.).

Questions about the Master of Accounting program should be directed to the A.B. Freeman School of Business (<https://freeman.tulane.edu/>).

### **JD/Master of Health Administration (MHA)**

Tulane Law students may combine their studies with the MHA degree for health administration. The MHA degree requires a total of 60 credits and a 960 hour administrative residency. Students accepted as joint degree students may apply up to 10 credits of specific law school courses related to health care toward the MHA degree. Joint degree students complete all of the requirements for the MHA degree.

Tulane Law students may also do a joint degree with the MPH in Health Systems Management. The MPH is 45 credits and joint degree students may apply up to 10 credits of specific law school credits to the MPH. Joint degree students complete the same MPH in Health Systems Management requirements.

Candidates must also take at least three credit hours of health law/health regulation coursework at the Law School as part of the Law School's required 79 semester hours of credit.

Students must also complete the MHA culminating experience and administrative residency requirements. JD/MHA students complete both degrees in four years.

Questions about the MHA program should be directed to the Department of Global Health Management and Policy at the School of Public Health & Tropical Medicine (<http://sph.tulane.edu/>) at [ghsd@tulane.edu](mailto:ghsd@tulane.edu).

### **JD/Master of Social Work (MSW)**

Students who wish to pursue the JD and Master of Social Work (MSW) degrees jointly must do so by beginning the joint program at the School of Social Work. The School of Social Work, which normally requires 60 credit hours, grants 6 hours for work completed at the Law School, thereby reducing its own requirements to 54 credit hours. The Law School reduces its requirements from 88 to 79 hours. Completion of both degrees takes four years.

The social work curriculum has foundation and advanced components in nine areas: social work values and ethics; diversity; promotion of social and economic justice; populations at risk; human behavior and the social environment; social work practice; social policy practice; research; and field practicum. During the first year of the MSW program, students enroll in the following courses:

- Professional Foundations of Social Work
- Tools for Learning and Practice: Evidence-Based Social Work Practice
- Theories of Human Behavior in the Social Environment
- Relationship-Centered Methods for Social Work Practice

Students take advanced courses in crisis intervention and brief treatment; spirituality and social work; cultural competence; clinical work with children and adolescents; psychotherapy practice with couples and family; violence in the family; human sexuality; death and dying; gerontology; and a variety of other treatment-oriented subjects.

Questions about the MSW program should be directed to the School of Social Work (<https://tssw.tulane.edu/>).

### **JD/MA in Latin American Studies**

Tulane's Latin American Studies program is considered to be among the top programs in the United States. Some 80 faculty members from throughout the university teach and advise students who are pursuing degrees in Latin American Studies. The program houses one of only three separate and distinct Latin American Studies libraries in the United States.

Students pursuing the joint JD/MA in Latin American Studies must complete 24 semester hours of coursework in graduate courses approved by the Stone Center for Latin American Studies. At least one of these courses must be an interdisciplinary, integrating seminar offered by the Stone Center for

Latin American Studies. An interdisciplinary thesis option is offered in lieu of one three-credit course. Typically, a staff member of the Center for Latin American Studies serves as program advisor for joint JD/MA candidates.

Questions about the MA in Latin American Studies can be directed to the Stone Center for Latin American Studies (<https://stonecenter.tulane.edu/>).

## Courses

### First Year Courses (1LAW)

#### **1LAW 1080 Constitutional Law I (4)**

This course is an introduction to problems arising under the Constitution of the United States, including the nature of the judicial function, the operation of the federal system, the separation of powers, and the protection of individual rights. Both the development of constitutional doctrines and current problems are considered.

#### **1LAW 1110 Contracts I (3)**

This course is an introduction to the law of contracts, dealing with consideration, offer and acceptance, techniques for policing the bargaining process, and an introduction to remedies. Although the course is essentially an introduction to the common law of contracts, there will be some attention to statutory materials, including the Uniform Commercial Code.

#### **1LAW 1160 Contracts II (3)**

The major focus is on the law of contracts for the sale of goods, as embodied in Article 2 of the Uniform Commercial Code. Particular emphasis is placed on remedies for breach of contract and warranties as to quality. Throughout, comparison is made to the similar concepts developed at common law.

#### **1LAW 1210 Criminal Law (3)**

This course focuses on typical statutes proscribing criminal behavior as a means of studying legal concepts of responsibility and punishment. Selected topics include mens rea, mistake, attempt, conspiracy, accomplice liability, homicide, rape, insanity, and related constitutional doctrines.

#### **1LAW 1310 Civil Procedure (4)**

This course offers the first-year law student an introduction to civil procedure. Emphasis is placed on the interrelationship between theories of jurisdiction and notions of federalism. The course also focuses on approaches to such matters as service of process, joinder, preliminary motions, multiple claims and parties, amendments, discovery, directed verdicts, summary judgment, res judicata, and collateral estoppel.

#### **1LAW 1340 Civil Law Property (4)**

This course presents fundamental principles of the civil law as they relate to property; Louisiana Civil Code, Preliminary Title, Articles 1-15; Book II, Articles 448-532, 784-791; Book III, Articles 3412-3555. Topics include: introduction to the civil law system, things, ownership, possession, liberative and acquisitive prescription. The course emphasizes analysis of institutions in the light of civilian methodology, jurisprudence, and doctrine.

#### **1LAW 1360 Common Law Property (4)**

The course surveys the common law system of property rights. The focus is on voluntary and involuntary transfers of land including estates in land, landlord and tenant rights, eminent domain and servitudes and other rights in the land of another.

#### **1LAW 1410 Legal Research & Writing (0-4)**

This course is designed to teach the fundamentals of legal writing and to acquaint the student with various research techniques utilizing the resources of the law library and computerized legal databases. Students are assigned to an instructor, and each instructor will be assisted by several third-year senior fellows. Students will be placed into small sections, which will meet on a regular basis. Over the course of two semesters, students will learn the techniques of legal problem-solving, and learn to research and draft legal memoranda and briefs through a series of progressively more complex writing assignments. The course is graded and ordinarily culminates with the drafting of an appellate brief and an oral argument before an appellate moot court. The course lasts the entire year and carries 2 credits in the fall and 2 credits in the spring. This course may be repeated 2 times for credit.

**Course Limit:** 2

#### **1LAW 1420 Becoming Lawyers (0)**

This series is designed to help first-year students identify professional goals and build critical academic and professional skills.

#### **1LAW 1440 Obligations I (3)**

This is a basic course in Louisiana contract law with primary emphasis upon the Louisiana Civil Code as revised in 1985, and comparisons to the common law. It explores, comparatively, the general concept of a legal obligation, and more particularly the principles of civil law contracts. Matters dealt with include capacity, consent and cause, formation of contracts, effects of contracts, and remedies for nonperformance.

#### **1LAW 1510 Torts (4)**

This course deals with problems of non-contractual wrongs for which private compensation is sought under the common law. Topics include intentional wrongdoing, negligent wrongdoing, instances in which society imposes strict liability, accidents, and the ways in which the legal system shifts their social costs or attempts deterrence.

## Upperclass Electives (2) (2LAW)

### 2LAW 2070 Business Enterprises (4)

This four-credit course will cover the legal architecture of certain business enterprises (including partnerships, corporations, and limited liability companies), how business enterprises are financed, how control and managerial authority are allocated within a business enterprise, and the scope of the fiduciary duties owed to a business enterprise and its owners in routine and fundamental transactions. This course will also cover aspects of federal securities law affecting the governance of business enterprises, including antifraud rules and insider trading.

### 2LAW 2110 Civil Law Property II (3)

This course covers institutions of property law not covered in the first-year Civil Law Property course. It includes analysis of the notion, function, and structure of real rights in civil law jurisdictions; actions for the protection of the ownership and possession of movables and immovables; boundary actions; dismemberments of ownership, such as personal servitudes (usufruct, habitation, rights of use), predial servitudes, and building restrictions in subdivision developments.

### 2LAW 2300 Con Crim Pro:Investigatn (3)

This is a constitutional law course focusing on those aspects of the Bill of Rights that apply to the rights of suspects and defendants in the investigative phases of the criminal justice system. Specifically, we will be studying United States Supreme Court case law interpreting the Fourth, Fifth and Sixth Amendments. The course is recommended for the Juvenile Law Clinic and is one of the recommended courses for the Criminal Litigation Clinic.

### 2LAW 2400 Evidence (3)

The focus of this course is on the law and policy considerations surrounding the proof of facts (and law) in judicial proceedings. We will be studying the Federal Rules of Evidence, as most states have adopted these rules wholesale or in large part. We will cover issues of relevance and of reliability, the two main concerns of the Rules.

### 2LAW 2530 Income Taxation (3)

Practicing lawyers, regardless of their area of expertise, need a basic understanding of federal income tax because this tax affects so much of modern American life. This course covers the fundamentals of federal income taxation of individuals. It provides a basic understanding of the structure and vocabulary of the tax statute and of the relationship of the statute to regulations, other administrative pronouncements, and case law. The course introduces students to key concepts and issues in individual federal taxation such as the taxable unit, rate structure, the definition of income, capital recovery, the difference between a deduction and a credit, and the treatment of capital gains. Through the use of the problem method, the course develops the critical skills necessary to read and analyze any statutory language.

### 2LAW 2750 Obligations II (3)

This is a continuation course building upon the general principles developed in Obligations I. Its focus is a detailed study of sale and (to a lesser extent) lease, the most important nominate contracts in the Civil Code. Where appropriate, comparisons are made between the UCC and the French and Louisiana Civil Codes.

### 2LAW 2800 Legal Profession (3)

This course introduces students to the roles of lawyers in society, the nature and structure of the legal profession, the rules of ethics, fundamental concerns and dilemmas of lawyers engaged in the practice of law. The course seeks to make students aware of their ethical responsibilities, both as members of society and members of the legal profession. This course must be taken prior to both as members of society and members of the legal graduation

### 2LAW 2870 Real Estate Transactions & Finance, Common, and Civil Law (2)

This course covers issues of substantive and procedural law in their relationship to real estate transactions, and drafting, financing, and other problems encountered in sophisticated transactions.

## Upperclass Electives (3) (3LAW)

### 3LAW 3110 Civil Lit:Strategy&Pract (2)

This course will provide the student with a realistic understanding and appreciation of handling litigation matters in private or corporate practice and the type of work and situations they can expect to deal with on a daily basis. The course will provide a practical application of how to take a lawsuit from the initial client contact through trial and appeal. Students will discuss and prepare pleadings, including Complaints/Petitions, Discovery Requests and Responses, Motions, and Judgments, and will be provided with a practical understanding of what is expected of them by judges and how the rules of civil procedure are applied in the real world. The course will be taught by Robert L. Redfearn, Jr. a partner with Simon, Peragine, Smith & Redfearn, L.L.P. Because of the substantial overlap in content, students enrolled in Civil Litigation: Strategy & Practical Skills may not enroll in the Pre-trial Civil Litigation Winter Intersession.

**3LAW 3130 Coml Law-Civil Sec Rghts (3)**

This is a course in credit transactions under the civil law of Louisiana. Topics include suretyship and secured transactions as to movables and immovables. Article 9 of the Louisiana version of the Uniform Commercial Code is considered, together with mortgages on immovables, and codal and statutory privileges. Problems of ranking or priorities are studied.

**3LAW 3200 Contract Drafting (2,3)**

This course introduces students to the principles, processes and techniques for drafting business contracts. Students will learn how transactional lawyers translate a business deal into contract provisions. Students will draft commercial agreements with a focus on managing risk, minimizing ambiguity, drafting with clarity, using contemporary commercial drafting techniques, and solving problems through effective drafting. Students will also learn to read, review and analyze contracts with an eye toward both legal and business risk issues. The course is presented through a combination of lecture, drafting and editing assignments, and in-class exercises. Students draft sample contract provisions, draft contracts from scratch, analyze term sheets, and review and revise contracts. Grades will be based upon drafting and editing assignments, participation in in-class exercises, and good faith completion of ungraded assignments.

**3LAW 3210 Coml Law-Secured Trans (3)**

This course deals in depth with the creation and perfection of security interests in personal property, priority of claims, and remedies upon debtors' default under Article 9 of the Uniform Commercial Code. In addition to full coverage of Article 9, the potential risks of the secured creditor under the Federal Bankruptcy Code are considered. Substantial consideration is given to the policies and commercial equities which underlie doctrine in this area of law.

**3LAW 3280 Com'L Law-Bankruptcy I (3)**

After a brief study of individual debt collection under state law, this course will focus on federal bankruptcy law. It will provide an overview of fundamental aspects of consumer and business bankruptcy law and practice. It will also explore a number of current and ongoing policy debates related to bankruptcy law. Thus, the course should be of interest to students who expect to be involved in the practice of bankruptcy law as well as any students who wish to explore broader themes related to economics, financial markets, politics, legislative process, and public policy.

**3LAW 3350 Common Law Trusts & Ests (3)**

This course examines the law governing the transmission of property at the owner's death. Topics emphasized are intestate succession; the substantive and formal requirements for the validity of will; interpretation of wills; the creation of private trusts; the nature of the beneficiary's interest in a trust.

**3LAW 3370 Comparative Law in Action (1,2)**

This course highlights the fact that large areas of national law are influenced (and sometimes even driven) by developments outside our country's borders, and that 'local' legal practice will often require lawyers to engage with foreign and/or international law – or to apply comparative legal techniques – in their daily work. The focus is very much on the practical application of foreign/comparative/international law in areas such as contract law, torts, constitutional law, human rights protection, public international law, environmental law, development, employment law, criminal law, or economic regulation. The course is based on a background hypothetical involving a U.S. company which seeks to expand its operations – both in terms of production, distribution and administration – to various foreign markets across the globe and/or import to and sell foreign goods in the U.S. Week by week, different legal questions and difficulties arise. These will touch on, e.g., contractual issues, products liability, employment law, environmental regulation, taxation, health and safety (consumer protection), or conflicts of law. International treaties such as TRIPS might also come into play. In one of the two weekly classes the instructor will set out the (new) facts and discuss the core aspects of the relevant area of law. Students will then be asked to research the issues raised in the hypothetical (individually or in groups) and to present in the second weekly meeting their substantive findings as well as any practical difficulties they encountered in the course of their work (language barriers, access to foreign legal materials, or possible non-legal trade-offs between the advantages and problems that foreign jurisdictions might offer or pose in a particular field). The assignment will always require the production of a concise legal memorandum that sets out the issues and possible solutions, and suggests a way forward for the client company. Students should expect a few surprises (such as sudden changes of the situation 24 hours prior to the deadline for completion of the memorandum) and be prepared to present their work in a professional format (both orally and in writing). Successful completion of the course will require submission of the entire portfolio of assignments. Assessment is based on a three-hour final exam. The course will start off with an introduction to comparative methodology, research methods, and an explanation of the background hypothetical, cover 5 distinct problems in selected areas of the law, and close with a final debriefing/review. Students will receive a course package with selected texts about comparative methodology and, in preparation for each problem, substantive background reading that covers the relevant legal topic. The weekly handouts that set out the (developing) narrative of the hypothetical and research assignments may contain additional specific materials such as model contracts, newspaper clippings, or traditional references to cases, statutes, international treaties and legal articles or book chapters.

**3LAW 3380 Community Property (2)**

This course is a comparative study of marital property regimes that involve the distinction between the separate and community property of spouses. The course examines the law of the eight community property states and Wisconsin, which has a version of community property based on the Uniform Marital Property Act. Special attention will be given to Louisiana law.

**3LAW 3400 Conflict of Laws (3)**

This course explores how courts in the United States determine the governing rules and doctrines in cases that implicate the laws of more than one jurisdiction. Students will learn the various approaches courts take to resolving conflicts of law when they arise, including the historical and theoretical foundations for those approaches.

**3LAW 3450 Family Law: Civil & Common (3)**

This course is a study of the formation, rights and obligations in formal and informal family relationships, and the breakdown of marriage and its incidents such as nullity of marriage, divorce, division of property, support, and custody. The course will treat the family law of both the civil law and common law jurisdictions of the United States.

**3LAW 3460 Employment Law (3)**

The employment relationship serves an important role in structuring the lives of most adults in the United States. Employment provides wages, and often, a slew of benefits including health care and retirement pensions. It also provides a sense of stability and routine, and can even serve as the foundation of our identities. Legal disputes about the employment relationship occupy a significant segment of the legal market and consume a significant proportion of legal resources. This course offers students an overview of the important legal issues that are raised in the context of the employment relationship. It examines the law governing the employment relationship, including the establishment and termination of that relationship. The course will discuss employment issues, such as contractual employment agreements, wrongful discharge, regulation of wage and hour laws (FLSA), leave (e.g., FMLA), safety (OSHA and workers comp), unemployment insurance, privacy and freedom of speech, intellectual property issues (such as R&D ownership, trade secrets and noncompetition clauses), the developing concept of unjust discharge, and regulations providing protection of retirement benefits. Throughout the course, students will be able to deepen their study of contract law, torts, and statutory and regulatory processes through the context of the law of the work. The course does not cover either Employment Discrimination or Labor Law, both of which are offered as separate courses.

**3LAW 3490 E-Discovery (2)**

Modern discovery increasingly concerns the production and retrieval of information that is electronically stored in computer systems, email, text messages, social media, cloud applications, and varying other methods. This course will focus on the new issues, rules, and practices involving the application of e-discovery, digital evidence, and computer forensics. It will explore not only the application of the federal rules of civil procedure and evidence to electronic discovery but also the appropriate handling and treatment of electronically stored information in the litigation process. The course is taught by the Hon. Karen Wells Roby, Chief Magistrate Judge, U.S. District Court for the Eastern District of Louisiana, and Lynn M. Luker, Of Counsel at Stanley, Reuter, Ross, Thornton & Alford.

**3LAW 3495 Info Technology for Lawyers (2)**

The trial lawyer's craft lies in marshaling the evidence that enables the parties to weigh the risks and benefits of litigation and the court and jury to determine the facts and resolve disputes. Evidence is information; and, apart from testimony, nearly all information is created, collected, communicated and stored electronically. Thus, the ability to identify, preserve, interpret, assess, authenticate and challenge electronically stored information (ESI) is crucial advocacy skill. Students will explore information technology (IT) and digital evidence through the lens of trial practice. You will learn the language of IT and acquire hands-on-training in the tools of ESI and computer forensics. We will explore information management and storage and the ways ESI occupies as it bears on emerging standards of lawyer competency. You will cover challenges of acquisition, authenticity and admissibility unique to modern digital evidence. This course will be taught by Craig Ball, a trial attorney and consultant in computer forensics and e-discovery.

**3LAW 3500 Federal Courts (3)**

Federal courts occupy a strategic place at the crossroads of the foundational constitutional principles of separation of powers, federalism, and individual rights. This course examines the constitutional and statutory power of federal courts from that vantage point. Topics planned for the course include case-or- controversy and justiciability limitations on the federal judicial power (with an emphasis on standing doctrine), congressional power to control the jurisdiction of the Supreme Court and lower federal courts, the role of state courts in the enforcement of federal rights, state sovereign immunity under the Eleventh Amendment, and abstention doctrine.

**3LAW 3510 Federal Prac&Proc:Appeal (2)**

This course covers the Federal Rules of Appellate Procedure and their application in litigation before the federal courts. Substantive topics may include, but are not limited to: post-trial motions preparatory to appeal, perfecting an appeal, standards of review, drafting of briefs, presentation of oral argument, and post-argument petitions. The course includes an experiential learning component of writing a brief and presenting oral argument. The course will be taught by Deborah Pearce-Reggio, a 1993 graduate of Tulane Law School. Final grades will be based on the brief and oral argument, with potential extra points to be earned through small written/oral exercises relevant to appeals. Professor Pearce plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism. Students who have taken Advanced Appellate Advocacy may not register for this class.

**3LAW 3520 Gov't Contract Law in 21st Cen (2)**

This is a two-hour weekly class survey course in lecture and/or seminar format of the many issues involved in federal contract law, not contract law in general. Federal procurements boast of a multi-hundred billion \$ marketplace annually. State run procurements often are modeled after the federal sector and add to this value. Bid protests, contract changes, special clauses in the Federal Acquisition Regulation, False Claim Act, contract terminations, and claims are covered. Class attendance and participation (10%) are required. Normally, a take-home exam option is used for final grading (90%). Tulane and Loyola students are invited to register. Course site this semester to be announced.

**3LAW 3530 Dignity and Belonging (3)**

There are about 12 million people around the world who are de jure stateless or who are at risk of being stateless. A stateless person is defined as one "who is not considered as a national by any State under the operation of its laws." One of the consequences of statelessness is the lack of a place to belong and the loss of protection that comes with belonging. In a world of states where everyone is supposed to belong to one or another nation-state, the stateless becomes the "extra," the surplus product of the international order of states. This seminar focuses on the condition of the statelessness to explore the general issue of what it means to belong and the consequences of being denied the opportunity (or the right) to so belong. Using interdisciplinary material (law, political theory, geography and sociology) the seminar will provide the opportunity: to examine the conditions that lead to statelessness, to assess the existing national and international responses that are meant to deal with statelessness, and to explore alternative ways in which belonging could be conceived so that incidences of statelessness are minimized. The seminar will explore the dignity that membership provides through a close study of its opposite, the indignity of displacement and statelessness.

**3LAW 3560 Gift & Estate Tax Planning (3)**

The course focuses on techniques for the transmission of wealth to a person's successors with emphasis on methods of minimizing federal estate, gift, and generation-skipping taxes under the Internal Revenue Code. Appropriate consideration is also given to the federal income tax consequences of wealth transfer transactions. Both inter vivos and testamentary planning techniques are covered, as is the use of trusts to meet estate-planning objectives. Other topics include the valuation of property included in the transfer tax base, transfers to minors, life insurance planning, planning for jointly-held property and community property, charitable gifts and bequests, retirement benefits planning, and deductions (particularly the marital deduction) from transfer taxes. The basic course in income tax is not required, but is a desirable preparation. The course is taught by Kenneth Weiss, a board certified specialist in both taxation and estate planning.

**3LAW 3640 Louisiana Civil Procedure (2)**

The objective of this course is to provide a basic and practical knowledge of the Louisiana Code of Civil Procedure necessary to successfully pass the Louisiana Civil Procedure section of the Louisiana State Bar Exam, as well as to draft pleadings and litigate in Louisiana state trial and appellate courts. This course will emphasize practical skills training, in conjunction with theory, and when possible use examples of pleadings, memoranda, briefs and jurisprudential authorities that focus on Louisiana Civil Procedure Law. When practical, students will be exposed to the application of certain provisions of the Code through experiential learning, by viewing one or two rule days at Civil District Court for the Parish of Orleans. Upon completion of this course, students will have a thorough working knowledge of Louisiana Civil Procedure, as well as be trained to handle all aspects of civil litigation. This course will be taught by the Hon. Regina Bartholomew Woods, Louisiana Fourth Circuit Court of Appeal. (2 Credits)

**3LAW 3650 Legl Aspect Int'l Monetary Sys (2)**

This seminar will explore current issues in international monetary law and related legal topics. It will focus primarily on the International Monetary Fund and its evolving role in international monetary law, global governance domestic law reform and economic development. Among other things, the seminar will cover the history of the Fund, its internal governance, its surveillance of member states' obligations under the Fund's articles, its lending facilities and practices, and the technical assistance it provides sovereign states. Particular attention will be given to legal and practical issues related to the Fund's role in addressing the ongoing economic and financial fallout from the Covid pandemic and from Russia's attack on Ukraine.

**3LAW 3660 Legal Writing for Lay Audience (3)**

Lawyers routinely communicate with audiences who are not trained in law, including clients and prospective clients and other target audiences through public advocacy, media commentary, and marketing. This rigorous writing course will introduce students to the fundamentals of effective, accessible writing about legal topics for such audiences (writing that can also ultimately help better legal memoranda and briefs). Students will research, write, and share both short and longer essays and other written work on legal topics geared mostly toward a general audience; students will also learn to present such work to prospective clients in client presentations and broadcast interviews. By the end of the seminar, each student will produce a long-form magazine article about a law-related subject ready to submit to a bar magazine in the jurisdiction of his or her choice. This seminar does not qualify for the upper-level writing requirement.

**3LAW 3680 Solo & Small Firm Practice (2)**

Solo and small firm practice is the most common organizational form in the legal profession today. This course will focus on the essential elements of forming and operating a small firm or solo law practice. Although many of the topics covered in this course could be translated into law practice skills in general, the course will give particular emphasis to those issues that are frequently encountered by solo and small firm practitioners, including setting up a law practice; developing business; hiring, managing, and effectively using support staff; financial planning, billing, and fee management; issues of ethics and professionalism; leveling the playing field through practice skills and management; and many others. Students will be graded on a P/C/F basis and will be assessed on quality of their involvement and participation in both individual and group exercises. Students will also be evaluated on the quality of their critiques of fellow students' performance. There will not be a final exam in this course. Attendance and participation are required. The course is primarily geared toward 3L students who will be given preference. 2L students may be accepted, with permission of the professor, provided they have taken or are enrolled in legal ethics.

**Prerequisite(s):** 2LAW 2800.

**3LAW 3690 Successions Donations Trusts (4)**

A course in the Louisiana civil law governing the transfer of property by inheritance, testament or gift during life. Topics include rules of inheritance, rights of surviving spouses, acceptance and administration of successions; collation and partition; the making of wills, kinds of legacies, and forced heirship limitations on gratuitous dispositions. The course also considers the Louisiana Trust Code's provisions concerning the creation, modification, and termination of trusts; limitations on dispositive provisions; and the powers and responsibilities of trustees.

**3LAW 3770 Oil and Gas (2)**

This course covers the law relating to oil and gas exploration, development, and production. The class will largely focus on issues related to oil and gas leases but will also cover the nature and classification of other mineral rights and related issues. The course will include common law doctrines as well as certain Louisiana law concepts. The course will be taught by Aimee Hebert, a partner in the law firm Kelly, Hart & Pitre.

**3LAW 3830 Protect of Cultural Property (3)**

Notwithstanding the critical role cultural heritage plays in forming our national and ethnic identities, and in inspiring us as civilizations, protecting it has never been a legal priority. Through an examination of the legal history of cultural property, this seminar will attempt to explain why that has been the case, and what is now being done to change that historical trajectory. The seminar will focus on the relevant international conventions, and on significant actions by the European Union and Arab League, along with those federal laws of the United States that seek to preserve and protect different forms of cultural property. In addition, selected state and local laws and cases will be addressed, as part of a discussion of the efforts (and accompanying litigation) that have been made in New Orleans to protect the city's unique art, architecture, and traditions. Each student will be required to select a paper topic, one that directly relates to a cultural property issue arising from his or her location - e.g., a student located in New York City will be required to write about a "New York" cultural property issue. In addition to writing the paper required for 3 credits, students will be required to give a 15 minute in-class presentation regarding their paper. The course will be co-taught by Prof. Herbert Larson and Ms. Terressa Davis, who is the executive director of the Antiquities Coalition.

**3LAW 3900 Empirical Legal Methodologies (2)**

Statistics are playing an increasing role in court decisions, public policy regulations, and legal scholarship. This course provides and understanding of the most common statistical methods and examples of the use of those methods by courts, administrative agencies, and scholars. Students are not expected to come to class with any knowledge of these methods or mathematic expertise, but will leave with the understanding of them and their role in legal analysis.

**3LAW 3920 Tax - Adv Corporate Tax (2,3)**

The course will use a transactional approach to examine the corporate tax law issues associated with business operations and acquisitions. Major topics include spin-offs, taxable acquisitions, reorganizations, consolidated returns, tax attributes, contributions, distributions, redemptions, and liquidations. Some partnership, international, and tax procedure issues will also be discussed. There will be assigned readings for each class (generally cases, rulings, articles, and brief passages from the treatises). Class will consist of a short lecture followed by a discussion of problems. Students will be evaluated on the basis of class participation (in the form of a half-page to full-page memorandum on an assigned issue with a brief oral explanation to the class), two short writing assignments, and a final writing assignment. This course will be taught by Joseph Henderson, Senior Vice President and General Tax Counsel, Entergy Corporation.

**3LAW 3960 Taxation of Business Entities (3)**

The course covers federal income taxation of C corporations, S corporations, partnerships, and limited liability companies ("LLCs") and the holders of ownership interests in such entities, including the federal income tax consequences of operations; contributions of capital to the entity; distributions by the entity; and acquisitions, dispositions, and rearrangements of the entity. The course also will address choice of entity considerations under the new tax law. Prerequisite or Co-requisite: Federal Income Taxation.



## Upperclass Electives (4) (4LAW)

### **4LAW 4010 Deposition Practice & Procedure (2)**

This is a skills course focused on depositions. While the course centers on basic and advanced skills in preparing for, taking, and defending depositions, its focus is broader. It begins by placing depositions in the context of formal pretrial discovery and ends with the use of depositions in pre-trial motions, negotiation and at trial. Skills exercises will include both oral and written advocacy skills relevant to this important portion of civil litigation. While most civil cases filed in federal or state court are resolved before final adjudication, all practicing attorneys will have to take depositions in order to learn what evidence they must meet at trial, or alternatively use case evaluation for settlement negotiations or mediation. The information obtained in a deposition will allow an attorney to intelligently evaluate the case and competently advise their clients. The course begins with the role of depositions in the larger discovery process, preparation, developing a theme, and the mechanics of the deposition process and procedure, including questioning techniques. More advanced topics will include the expert deposition, use of expert depositions to make effective Daubert challenges, taking and defending corporate depositions, and the use of depositions in pretrial practice including Daubert challenges and summary judgment motions.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student', 3LAW 3110 or LAWS 6010.

### **4LAW 4040 Advanced Persuasive Writing (2)**

This course combines theory and practicality to cover advanced strategies in persuasive writing and build upon the instruction provided in Legal Research and Writing. The theoretical aspect of the course will focus on principles of persuasion drawn from several disciplines, such as classical rhetoric, cognitive psychology, linguistics, and literary theory. Topics studied may include the rhetorical foundations of legal persuasion and credibility; the role of stock structures, visual imagery, and literary or cultural allusions in legal analysis and argument; leveraging storytelling and narrative coherence; and using document design and other visual techniques persuasively. The practical aspect of the course will involve the application of the covered principles to litigation-oriented documents. Students will analyze the persuasiveness of various examples of attorney communications, such as briefs, letters, and judicial opinions, and create their own versions of these documents that incorporate the principles we discuss. Thus, students will learn a number of strategies and techniques, and practice implementing them, to become more persuasive writers. The course will involve a combination of lecture, discussion, in-class exercises and workshops, and individual student-teacher conferences outside of class. Grades will be based on several writing and editing assignments of various length, as well as students' participation in class discussions and fulfillment of course requirements. There will be no final exam.

### **4LAW 4060 Administrative Law (3)**

The course explores the history, present status and nature of administrative agencies. The main emphasis is placed on administrative procedure, contrasting it with the judicial process, as well as constitutional limits on administrative action and the due process rights of persons who are adversely affected by agency action. Topics covered include: delegation of powers, the law of judicial review of agency actions, and procedural requirements of administrative rulemaking and adjudication. (3 credits)

### **4LAW 4070 Art/Culture Law (2-3)**

This course will look at all of the main issues surrounding art, cultural heritage, and current contemporary user-generated culture. We will look at Holocaust-era related art crimes; the life of the artist and legal issues; museums, dealers, and collectors; First Amendment issues related to art; moral rights; indigenous cultures and cultural preservation; who owns the past within an international context; and the creation of user-generated culture in our current Internet world. This class focuses on visual arts, but in many cases applies to all cultural works, particularly in our multi-media world. The seminar will produce a collection of essays that will be published as a book, (II)Legal Art: A Handbook. Students will each write a chapter for the book. Because of the nature of the course, students must be good at deadlines and working with others. We will potentially be working with local artists as part of the experience. Students will be graded on their paper, but also should make a commitment to make revisions to their post-graded paper as part of the book as we get further in the process of publication, even if this occurs after graduation. This may be up to a year or more in the future. While this latter time commitment is not great, it still is an integral part of the experience. IP Survey is a required pre-requisite. If you have not taken IP Survey, but feel that you have other qualifications that might benefit the class, please indicate this on your seminar application. This seminar may be taken to satisfy the upper-class writing requirement.

### **4LAW 4080 Advanced Appellate Advocacy (2)**

The course is designed to further develop the skills learned in Legal Research and Writing and to provide 2Ls and 3Ls with the opportunity to draft an appellate brief and present an oral argument. The course focuses on appellate theory, standard of review, advanced appellate brief writing, and the art of appellate oral argument. Students will be assigned to act as either Appellants or Appellees and will write a brief from a shortened record. While focusing on the Federal Rules of Appellate Procedure, the course will also survey certain differences in Louisiana state appellate practice. Students will also prepare, practice and deliver a full oral argument. This course will be co-taught by James Garner, a co-managing member of Sher Garner Cahill Richter Klein & Hilber, L.L.C.; the Hon. Scott Cichon, Associate Justice of the Supreme Court of Louisiana; and Stuart Kottle, an associate with Sher Garner Cahill Richter Klein & Hilbert, L.L.C.

**4LAW 4090 Arbitration Law (3)**

Arbitration is an increasingly popular method of resolving civil disputes, including employment, securities regulation, construction, and insurance disputes. Although arbitration is the result of an agreement between the parties, a developing legal regime governs the use of arbitration and the enforcement of arbitration awards. Federal and state laws such as the Federal Arbitration Act govern what disputes are covered by an arbitration agreement, when arbitration is prohibited, and whether a court can review the award. This course provides an overview of those laws and the court decisions interpreting them so that the students understand an area of law that they are likely to encounter early on in their varied careers.

**4LAW 4100 Written Discovery (2)**

This experiential course will focus on the knowledge and skills required to manage and execute written discovery. Effective discovery requires identifying and understanding the legal principles and detailed facts of a client's case; crafting a theme and trial plan; and using this information to conduct discovery in a manner that maximizes a case's strengths and accommodates its weaknesses. Students will participate in exercises designed to simulate the experience of an attorney charged with responsibility for written discovery. Topics will include preliminary cases assessment; articulation of a case's themes; initial disclosures; discovery conferences and scheduling orders; drafting and responding to requests for production, interrogatories, and requests for admission; privilege and work production protects; protective orders and common interest agreement; written expert discovery; meet-and-confer letter; and motions to compel. The course will be taught by Eva Dossier a member of the firm Stanley, Reuter, Ross, Thornton & Alford, L.L.C.

**4LAW 4120 Complex Litigation (2)**

This is an advanced civil procedure course focusing on a number of important aspects of civil procedure which are only superficially considered in the first year. It is useful for anyone interested in litigation or practice involving multi-party transactions such as antitrust, securities, product liability, mass torts, consumer litigation and employment rights. The procedures considered include: joinder of parties and structure of law suits in complicated multi-party suits; duplicative litigation and use of stay orders, injunctions, consolidation, and transfer to the Multi District Panel; res judicata; class actions; discovery and trial in complex cases; settlement, and attorneys' fees.

**4LAW 4140 Law and Time (2)**

What is the relationship of how disciplines think about time and how understands time? Why are copyrights for the life of the author plus seventy years? Why are statute of limitations 2, 3, 4 years? time rewards. Time punishes. Time acts as a barrier for redress. Time signals an equitable solution. Lawyers are paid by their time. Think of industrial time, biological time, and legal time. What does law's relationship to time tell us about the laws themselves? how do we understand time and the law? This seminar will investigate the concept of time across disciplines, and then students will choose a part of the law to investigate and apply concepts of time, whether the area of law is overtly about time or an example of law that is missing a time component.

**4LAW 4160 Con Crim Pro:Adjudication (3)**

The course will examine constitutional procedural and litigation issues from the commencement of a criminal case through conviction (or acquittal), appeal, and post-conviction relief options. Students will be asked to think critically about the goals of criminal procedure and about whether our legal system effectively serves those goals. The course primarily addresses Sixth Amendment issues.

**4LAW 4200 Animal Law (2)**

This survey course will provide an overview of the evolution of animal law and the breadth of issues encompassed by this rapidly developing field of law. At the same time, the course will afford the opportunity for in-depth deliberation of the salient issues in current animal law litigation, including in Louisiana. Because animal law necessarily implicates virtually every field of law, including constitutional law, property law, criminal law, and torts, students must develop and apply their knowledge of these other fields in class discussions. Students will also be expected to understand and apply basic principles of administrative law introduced in the course.

**4LAW 4270 Business Planning (2,3)**

What do transactional lawyers do and how do they do it? The course focuses on the lawyer's role as an advisor to a privately-owned start-up company and its owners. We will explore how legal issues and business objectives overlap, the role played by the transactional lawyer in the transaction and soft skills such as client relations/communications and co-worker relationships. This course will examine the life cycle of a hypothetical company, focusing on sample transactions from three major stages of the company's life cycle: choice of entity, formation and obtaining capital; ongoing operations; and exiting or sale of the company. Much of the class work will involve working in teams simulating an actual transactional practice. Using hypothetical business scenarios and actual deal documents, students will represent the company, its owners, or third parties and will analyze, structure and negotiate selected deal components, and, on a limited basis, draft portions of the relevant deal documents. This capstone course is designed to broaden the student's knowledge in a number of substantive areas, help students learn to focus on a client's business objectives rather than just addressing legal issues, and to begin the process of bridging the gap between law school and practice. The course will be taught by John Herbert, outside general counsel of a Houston-based energy company and formerly a division general counsel of a Fortune 30 energy corporation. Business Enterprises is a prerequisite. Grades will be based on periodic written team and individual exercises, a personal journal, and a final written project. There will be no final exam.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2070.

**4LAW 4280 Antitrust (3)**

This course will examine the basic antitrust statutes, Sections 1 and 2 of the Sherman Act, Sections 3 and 7 of the Clayton Act, Section 5 of the Federal Trade Commission Act, and the Robinson Patman Act. The course will focus on the objectives of antitrust law, the concepts of market power and market definition, monopolization, horizontal and vertical restraints, mergers, the use of the per se rule and the rule of reason, price discrimination, and commercial bribery. Professor Feldman plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism. Note: Antitrust may not be offered during the 2019-2020 academic year.

**4LAW 4285 Antitrust in College Sports (2)**

This course examines a number of the key legal issues facing college athletics today, including the battle over athlete compensation and the rapid development of name, image, and likeness rights for college athletes. This course focuses on the ways antitrust and labor laws have shaped many aspects of college sports and continue to play a significant role in the development and future of the National Collegiate Athletic Association (NCAA) and college athletics. The course will examine the impact of antitrust and labor law on television contracts, college athlete compensation, coaching salaries, eligibility restrictions, and a number of other facets of the collegiate model. The course will also feature a number of guest lectures from lawyers, executives, and administrators in the college sports industry. There are no prerequisites for this course. Students who have taken or plan to take Sports Law: Antitrust & Labor may enroll in this course. This course does not count toward the Sports Law certificate. The course will be graded on the basis of a take-home examination.

**4LAW 4310 Bioethics (2)**

Bioethics is the multidisciplinary study of ethical and legal issues that emerge with advancements in medicine. Students will learn about bioethics from a historical perspective as well as its application today. The course will address concepts including patient rights, maternal-fetal conflict, right to life, right to die, and control and regulation of medical resources. The course will teach students to recognize and analyze conflicts which arise between medical professionals, patients, the government and private business interests, according to accepted bioethical frameworks. The course is taught by Kathy Rito, Esq., Special Counsel at Jones Walker LLP.

**4LAW 4360 Civil Law Seminar (2-3)**

This Seminar covers selected civil law institutions with emphasis on the laws of property, obligations, community property, and successions. It also covers the subjects of civilian methodology, techniques of codification, and the modern history of the civil law. The Seminar is designed to sum up student experience in the civilian tradition. Louisiana law is studied in comparison with the common law of sister states and the laws of European countries. Doctrinal study is applied to the resolution of legal issues in contemporary practice. There is no final examination. Students are graded in light of class participation and their ability to produce an original research paper on a civil law topic. Students are required to have taken at least one civil law course (e.g., Property, Obligations I or II).

**4LAW 4380 Civil Law Torts: Selected Issue (2)**

This course will focus primarily on Louisiana's unique tort law, utilizing the Louisiana Civil Code, current Louisiana cases and statutes. Some of these concepts will be compared to common law torts. Subjects likely to be covered during the semester are duty-risk, intentional torts, damages, defenses, wrongful death, contribution and indemnification, vicarious liability, absolute liability, strict liability, products liability, liability of owners/lessors and occupiers of land, and professional malpractice (medical and legal) and prescription. (2 Credits)

**4LAW 4410 Contemp Issues in Legal Ethics (2)**

This course is designed around the fundamental premise that the subject of professional responsibility and its intersection with an individual's personal moral and ethical code is the single most relevant consideration to a future career as a member of the bar. The course will explore ethical problems and dilemmas that modern lawyers face from day one of practice. It is critical that lawyers be alert to spotting these issues when they arise and be educated in the methods of resolving them and prepared to handle them. Rather than a straightforward discussion of the Model Rules, the course will be an in-depth examination of contemporary issues that affect modern legal practice, including the development of a professional identity in an adversarial system, ethical issues in alternative dispute resolution, the use (and misuse and failure to use) social media and other technology, and the ethical implications of innovation in the law. The course will be co-taught by the Hon. Scott Crichton, Associate Justice of the Supreme Court of Louisiana; James Garner, a co-managing member of Sher Garner Cahill Richter Klein & Hilbert, L.L.C.; and Sarah Rubin Cohen. This course is limited to third year students. This course does not satisfy the Legal Profession requirement, and Legal Profession is a prerequisite for this course.

**4LAW 4450 Commercial Law: Business Reorganizations and Bankruptcy Procedure (3)**

Through a lens examining the philosophy, principles, and policies underlying business reorganizations, this course will provide a practical look at the path a financially distressed enterprise can take, from filing to confirmation of a plan of reorganization under chapter 11, conversion to chapter 7, or dismissal. The following topics, among others, will be covered: good-faith filing and venue; retention and compensation of professionals; the extent of the court's equitable powers; use, sale, and lease of the debtor's property; successor liability; post-petition financing; the absolute priority rule; involuntary imposition of a reorganization upon creditors and shareholders; claims allowance; and the role of debtors, professionals, creditors, officers, directors, and trustees in the context of corporate restructuring. Grades will be based on draft pleadings and mock arguments for hypothetical clients at each stage. This course will be taught by the Hon. Meredith Grabill (U.S. Bankruptcy Judge, U.S. Bankruptcy Court for the Eastern District of Louisiana) and Mark Mintz (Jones Walker LLP).

**Corequisite(s):** 3LAW 3280.

**4LAW 4460 Env'L Law:Comparative (3)**

This course treats the rising phenomenon of environmental law around the world, not through international accords (the subject of other courses) but through national approaches to common issues including: impact assessment, judicial review, land use, toxins and wildlife species. The class will be graded on the basis of student participation (including TWEN), and on selected research projects leading to discussions and papers at the end of the course. Introductory in nature, prior or concurrent classes in the field are useful but not required. (3 Credits)

**4LAW 4540 Compar Constitutional Law (2)**

This course provides a comparative survey of influential contemporary constitutions including those of the United Kingdom, France, Germany, and South Africa. Following an introduction to comparative methodology and the functions of comparative law, especially in the legislative and judicial spheres, the class focuses on a shortlist of specific topics. These include the legislative process, bicameralism, the separation of powers, electoral systems, federalism, judicial review, and the protection of human rights. The concept of transnational constitutionalism, the potential and pitfalls of constitutional legal transplants, and the drafting of new constitutions in post-conflict societies such as Iraq, Tunisia or Kenya will also be considered. Students are invited to engage with foreign approaches to these issues through the lens of US case law and constitutional doctrine. The course will be based on a study pack of selected legal materials from the systems under review. Knowledge of foreign languages is not required.

**4LAW 4550 Con Law:14th Amendment (3)**

This course is designed to cover issues of individual rights under the Fourteenth Amendment that are given only brief treatment in the introductory first-year course. Subjects include equal protection, substantive due process, state action, and Congress's power to enforce the Fourteenth Amendment's guarantees.

**4LAW 4560 Comparative Law Seminar: Citizen Access and Judicial Review Environmental Decisions Around the World (1)**

This one-credit Seminar provides a unique view of two phenomena that have arisen at the same time around the globe: environmental protection and judicial review. We do this through a single book, *Taking Back Eden*, that describes cases from eight countries as different as the Philippines, Chile and Japan. The second part of the course consists of cases that you will identify, research and present orally to the class. There is no paper required. Grading will be pass-C-fail. The seminar counts as the graduate seminar required for students seeking the LLM in Energy & Environmental Law. Accordingly preference will be granted for students in the LLM program.

**4LAW 4590 Constitutional Law Seminar (2-3)**

Decisions of the Supreme Court such as *Brown v. Board of Education* and *Roe v. Wade* have inspired extensive debate among academic scholars as to the role of the Supreme Court in our system of government and the proper way to interpret the Constitution. This seminar will provide an in-depth examination of the most important issues in constitutional theory. The main topics to be addressed will be the idea of constitutionalism in the U.S., the justification of judicial review in a representative democracy, and the various theories of constitutional interpretation proposed by scholars. The readings for the course will be extensive, and will represent the wide diversity of opinion present in contemporary theoretical debates.

**4LAW 4700 Copyright Law (3)**

This course will take an in-depth look at copyright law. Building upon the IP Survey, which is a prerequisite, the course will focus on the advanced and contemporary topics in copyright law, both in a domestic and international context.

**4LAW 4701 Copyright & Social Media (3)**

The Copyright and Social Media course will cover the key advanced topics in copyright and social media. The course will be hands-on looking at questions that arise in the current climate, working with real-world problems. Students will be writing short papers on assigned topics. This course does not fulfill the writing requirement. Prerequisite: IP Survey.

**4LAW 4740 Corporate Finance (3)**

This course provides both an introduction to financial economics – e.g., how companies are valued, how investment decisions are made – and advanced coverage of corporation and contract law related to the financing of modern business enterprises. The course will survey the rights and protections that exist for financial stakeholders in the corporate enterprise, including debtholders, preferred shareholders, holders of warrants and rights. Business Enterprises is a pre-requisite or permission of instructor required. Mergers & Acquisitions is also highly recommended.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2070.

**4LAW 4770 Corporate Dealmaking (2)**

This course will emphasize the practical aspects of advising the public corporation's board of directors in the deal making context of takeovers, proxy contests, shareholder activism, and mergers and acquisitions. The course will introduce students to the laws, theories, and corporate governance systems that underpin the board's decision-making process, as well as the roles and perspectives of other players, including corporate officers, investors, investment bankers, and regulators. Each topic will be addressed in a policy class taught by faculty and a practice class led by distinguished legal practitioners. Grades will be based on attendance, biweekly written analyses of a hypothetical transaction, and a final reflection paper. Business Enterprises is a prerequisite for 2L students and a prerequisite or co-requisite for 3L students. Some course content may overlap with that taught in Mergers & Acquisitions and the Corporate Governance mini-course.

**4LAW 4810 Criminal Law, Federal (3)**

This course explores major jurisdictional, procedural and substantive issues involved in the enforcement of federal criminal law. Included among the crimes on which the course focuses are mail and wire fraud, drug offenses, banking offenses and money laundering, perjury and obstruction of justice, and RICO. Professor Larson plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 4840 Criminal Practice, Adv (2)**

This course explores the various stages of the criminal justice process, e.g. arrest, first appearance, bail hearing, charging process (district attorney, grand jury), arraignment, pre-trial discovery, plea negotiations, and post-trial motions.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2300\*.

\* May be taken concurrently.

**4LAW 4860 Criminal Law, International (3)**

The course attempts to examine the political and jurisprudential theories which underlie the rapidly-developing system of international criminal law, together with the actual structure of the system which now exists. The course will address both the "core crimes" of international criminal law, i.e., war crimes, crimes against humanity, genocide, and aggression, as well as those crimes that have become truly international in nature, such as drug trafficking, money laundering, and terrorism. During the semester, the course will cover both threshold issues, e.g., what is "international" criminal law, and general concepts, such as sovereignty and jurisdiction in international criminal matters. In addition, international enforcement and penal mechanisms will be studied, all within the context of those entities that create, implement or enforce international criminal laws, such as the United Nations, the European Union, and the federal courts of the United States. With regard to each such entity, consideration will be given to the political and economic implications of the international aspect of the system, and to the procedural problems created by its trans-national nature. Public International Law is recommended. Professor Larson plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 4870 Cybercrimes (3)**

It is a given that law will lag behind the technology of the society in which both are situated. In no field is that more true than cyber crime. As computers moved out of research laboratories and into the houses and pockets of billions of people, that also moved into the hands of persons willing to exploit their unique features for criminal purposes. The speed, anonymity, and networking capabilities of computers, when coupled with the borderless nature of the Internet, make computers the most potent tool for crime ever invented. This course will examine, on a very basic level, the technological structure and operation of computers, the Internet, and the "dark web." It will show how these can be used to commit a wide variety of crimes. Among the offenses that will be studied in depth are: cyber hacking and cyber extortion/blackmail; sex trafficking, pornography, and child pornography; money laundering, and money laundering via cryptocurrencies; and cyber fraud and cyber theft, including theft of data. The substantive law that attempts to combat these offenses, both federal and state, will be reviewed, with particular emphases on the need to further develop that law in light of its manifest inadequacies. Procedural issues unique to cyber crimes, including 4th Amendment issues, will also be considered. The course will conclude by looking at computers as weapons of war, which has been described as the "ultimate crime." The principles of *jus in bello* will be reviewed in light of the crime of aggression, as adopted by the International Criminal Court (and defined by the Kampala Review Conference). These classes will focus on cyber aggression by states - which occurs on a daily basis in numerous forms - and its status as a crime under international law.

**4LAW 4890 Election Law (2)**

Election law is a fascinating topic not only in politically charged times; the rules surrounding elections determine the way constitutional principles play out in practice at any point in time and thus lie at the very heart of democracy. In combination with a few other key variables, such as the structure of the executive (presidential or parliamentary) and the vertical distribution of power (unitary or federal), election systems can shape the exercise and coherence of party influence over government, the stability of the executive, the breadth and legitimacy of representation, the capacity of a system to manage internal conflict, the extent of public participation, and the overall responsiveness of government. Several factors – in particular overall system design, state funding and private campaign financing, districting, or general party influence – impact on elections. The course covers these and many other core issues in the context of different voting systems and their respective political and constitutional dynamics. Most of the course deals with the United States; the increasing influence of proportional representation and variants of majoritarian election systems both in the U.S. and around the world, however, also invites some comparison with approaches found in the United Kingdom, France, Germany and South Africa. Due to overlap in content students may not enroll in both the Election Law and the Law of Democracy course.

**4LAW 4910 Employment Discrimination (3)**

This course concentrates on analyzing the statutory, constitutional, administrative, and judicial responses to discrimination on the basis of race, age, sex, religion, national origin, alienage and sexual orientation by private and public employers.

**4LAW 4930 Env Law: Historic Preservation (2)**

This seminar will present a national, state and local perspective on historic preservation in a broad sense, including protection of the urban environment and of archaeological, cultural and other historic resources. It will examine laws dealing directly and indirectly with preservation, and the institutions that implement them. The city of New Orleans provides rich material for this examination. Students will be required to research selected topics and to present their findings orally to the class and in a substantial final paper. Grade will be based on research paper, oral presentation of paper topic, class participation and attendance. (3 Credits)

**4LAW 4940 Internet Law (3)**

This is a survey course in Internet law. It provides an introduction to how privacy, contracts, intellectual property, intermediary liability, jurisdiction, trespass, free speech, taxation, antitrust, and other legal doctrines may apply to activity on the Internet. Topics covered may vary based on recent events, with a focus on e-commerce, social media, and platforms.

**4LAW 4950 Entertainment Law (2)**

This course will cover legal issues in representing clients within the entertainment industry, highlighting business and economic considerations. The focus will be on the nature of relationships and transactions, including implications on intellectual property rights arising from contractual and other legal matters, which arise among various players from the music, film, visual and performing arts sectors. These players will include recording artists, songwriters, producers, managers/agents, record labels, publishers, filmmakers, screenwriters, graphics artists, studios, etc. Emphasis will be placed on analyzing the initial development and evolution of these dynamic relationships as they are intertwined within a pragmatic fact-pattern involving common issues arising from entertainment legal matters. Throughout the course, consideration will be given to various revenue streams flowing from intellectual property through channels of commerce, such as tangible record sales, digital sales, performance rights, and licensing, including synchronization licensing for music placements against film. This course is taught by Ashlye M. Keaton, Esq.

**4LAW 4960 Energy Regulation (3)**

This course will begin with an overview of the global energy situation in terms of supply and demand as well as balanced projections for the coming decades both here and abroad. It then will proceed to examine the primary sources of energy along with the multi-faceted role of electricity as the central source of secondary energy in our economy. This portion of the course will cover in some detail how these energy sources are used and regulated from economic, reliability, and environmental perspectives. There will therefore be a review of legal and regulatory principles governing fossil fuel extraction and use, the coal industry, nuclear power, a range of renewable energy sources, and finally the regulation of electricity generation, transmission, and distribution. The course will conclude with a brief review of the growing role of conservation and climate change in energy markets here and to some extent abroad. There will be an essay-based final examination and class participation will certainly be encouraged.

**4LAW 4990 Env Law: Pollution Control (3)**

This course introduces the basic pollution control statutes, the Clean Water Act, the Clean Air Act and hazardous waste laws. It examines and contrasts their objectives, their regulatory schemes and their relative successes. Special emphasis is given to comparing and critiquing the major regulatory approaches to pollution control: command and control regulation according to health-based or technology-based standards and economic incentive schemes, as well as statutory interpretation. Professor will invoke the rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 5030 Env Law-International (3)**

This course examines the basic international legal setting for the protection and management of the environment. It discusses how international law is made and applied, the role of international environmental regimes or institutions, transboundary liability and compensation, enforcement strategies and compliance control mechanisms. Major themes of the course include human rights and the environment, free trade and environmental protection, the financing of global environmental protection measures, the protection of biodiversity, North-South issues generally, as well as various regulatory regimes for the protection of the global commons and internationally sensitive natural resources, including the Climate Change Convention. Public International Law is highly recommended. Professor Handl plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 5040 Env Law-Coastal Law (2,3)**

This seminar provides an examination of the factual, legal, and policy framework that has developed regarding issues of coastal land-loss, with a focus primarily on the quickly disappearing wetlands in Louisiana, but also with an examination of similar land-loss issues in other communities. The seminar will examine the background of the importance of wetlands, the crisis of coastal land loss, the causes of that loss, and the legal and policy responses in the search for remedies for wetland and coastal harm. The seminar will be co-taught by Christopher Dalbom (Senior Research Fellow and Assistant Director of the Institute on Water Resources Law and Policy at Tulane Law School) and Bessie Antin Daschbach and Tad Bartlett (both members of Jones, Swanson, Huddell & Garrison LLC).

**4LAW 5070 Environmental Enforcement (2)**

This course is about everything environmental. That is, it cuts across the body of the environmental media statutes and goes to the heart of the law – enforcement. Permits and rules are mainly technical, and (except for rule-making litigation and legal transactions) enforcement is mostly where the lawyer reigns. So we will not focus so much on details of the media programs other than what happens after a violation. We'll cover such topics as EPA priorities, enforcement theories, overfiling, reporting, investigations, civil penalties, injunctions, citizen suits, remediation and white collar criminal prosecution. Classes will be lecture, case discussions from a text, and team hypothetical problem solving and presentations. The course will be taught by Stan Millan with the Jones Walker Law Firm. Professor Millan plans to invoke a rule penalizing students for lack of preparation (which counts as part of grade) and/or excessive absenteeism (3 or more classes). This course jointly at Loyola College of Law and will take place at Loyola.

**4LAW 5090 Env Law: Water Law (2)**

This course will cover the role and influence of the legal system on the use, allocation, and stewardship of water resources in the United States and Louisiana. Since the field of water resources management is rapidly evolving to accommodate storm protection, ecosystem restoration and sea level rise an understanding of the policies that underlay our current laws and the factors that are influencing current policy and law-making will be an important part of the course's focus. Course materials will include law cases and related materials which must be read before class. The course will be lecture oriented with occasional guest lecturers with specific experience in development of water resources law and policy. Students will be asked to participate in one group project in which they will be asked to develop, present and defend a position paper on some aspect of the water resources management challenges arising in coastal Louisiana.

**4LAW 5110 EU: Constitutional Law (2,3)**

This course covers the legal and political development of the European Union, highlighting the gradual functional and organizational changes that have taken place over the past five decades, and deals with its present-day constitutional structures including the Commission, the Council, Parliament, the European Court of Justice, and the European Central Bank. Specific emphasis will be placed on human rights protection and judicial review in the European context, the concept of a European constitution, the ongoing expansion process, and challenges connected to the introduction of a common European currency. The course also focuses on the tensions between an increasingly influential and supranational Union and its 28 sovereign Member States. Students are invited to draw comparisons between the European Union and the United States throughout the course.

**4LAW 5120 Feminist Legal Theory (2)**

Feminist legal theory can pose a significant epistemological challenge to traditional schools of jurisprudence, questioning some of the very premises of what constitutes justice and equality in a liberal democracy. At the same time, it seeks to explore how gender shapes the law and how the law shapes gender. This course will examine the principle tenets, methodologies, and controversies in feminist legal theory including the meaning of equality, the intersection of race and law, the public/private divide, concepts of objectivity and neutrality, and how law reproduces hierarchies while also having the ability to participate in significant social change. We will look at how feminist theory has used, incorporated, modified and critiqued other schools of jurisprudence and theoretical paradigms including Marxism, critical legal studies, critical race theory, and postmodernism. We will also analyze debates between feminist theorists regarding essentialism, women's sexual agency, and how feminist theory itself is a product of a particular society. The goal of the course is to think broadly and critically regarding the interaction of law, society, and gender while exploring the potential and limitations of our legal system.

**4LAW 5140 Financial Institutions (3)**

The financial system is the infrastructure on which all economic activity takes place with enormous political and distributive stakes. The law of financial institutions is thus of central concern to students of diverse interests: aspiring private practitioners, regulators, and public interest lawyers concerned with social justice. A decade now since the Global Financial Crisis, the legal reforms put into place are profoundly trans-forming all three areas and their interrelationships. We will study these transformations, focusing on the law of commercial banks and the Federal Reserve (Part 1); broker-dealers, hedge funds, and registered investment companies (Part 2); and central clearing counterparties (Part 3).

**4LAW 5150 EU: Business Law (2)**

The United States are the single most important trading partner of the European Union (and vice versa)—despite the growing importance of expanding economies such as India, China, the ASEAN, or Brazil. The sheer volume of transatlantic trade and the battle for worldwide market shares inevitably create a need for lawyers with specialized and comparative legal expertise in substantive EU law. This course provides both a basic introduction to the political and legal organization of the European Union and detailed treatment of the most important areas of business related EU law. The course covers the most important aspects of the legal and regulatory framework of EU internal market. Discussions will focus on the so-called four freedoms – free movement of goods, services, persons and capital – within the common market, state aid, competition rules and antitrust policy as well as the Union's external commercial (trade) policy. Students will be made aware of differences between national and EU approaches, and how these differences impact on transatlantic business relationships.

**4LAW 5160 Fair Housing & Litigation (3)**

With U.S. HUD suspending and reissuing a number of regulations governing proof standards and its affirmative duty to promote housing choice and opportunity, a study of fair housing law and litigation is particularly timely. This course will examine Title VIII of the Civil Rights Act of 1968, as amended in 1988; classes protected; transactions covered (rental, sales, lending, insurance); and the fair housing obligations of states, municipalities, and public and affordable housing programs. Students will be challenged to consider the strengths and weaknesses of litigation as a tool for creating an equal housing market and eradicating residential segregation. This course will incorporate doctrine, theory, and practice and will be assessed using a mid-term exam and several writing assignments.

**4LAW 5170 Energy & Env'l LLM Seminar (1)**

This seminar explores current issues in Environmental and Energy law through faculty and LLM candidate presentations and discussion. This seminar is open to graduate Energy & Environment students only.

**4LAW 5180 Con Law:Freedom Speech/Press (3)**

This course focuses on the Supreme Court's opinions on freedoms of speech and press issues in First Amendment jurisprudence. The topics of study may include: advocacy of illegal action, defamation, commercial speech, obscenity, offensive speech, hate speech, symbolic speech, regulation of the public forum, prior restraint, and other topics. The First Amendment topic of freedom of religion is the subject of a separate course, entitled The Constitution & Religion.

**4LAW 5200 Foreign Affairs & National Sec (3)**

The focus of the course will be on the U.S. constitutional structure and how that affects the role the United States plays in the international domain. We will inquire into how the Constitution enables and constrains the manner in which the United States government participates in lawmaking internationally and how that in turn affects private rights within the United States. An international lawyer working in this country will surely need to be familiar with constitutional and other legal constraints that govern our relationship with the outside world. And a domestic lawyer to be effective in this day of global interdependence will need to be familiar with the international process that continuously shapes the nature of the constitutional order in this country and our very understanding of the Constitution itself. Some of the areas that will be covered in the course are: foreign relations and the separation of powers doctrine; the scope of and limitation on the treaty power; presidential power to conclude international agreements outside Article II treaty power; constitutional and domestic status of customary international law; foreign sovereign immunity and the act of state doctrine; congressional and presidential war-making powers; constitutional rights and the war on terrorism; extraterritorial application of the U.S. Constitution and U.S. laws; and the power of states in relation to foreign affairs.

**4LAW 5280 Health Care Law & Regul (2)**

The course begins with an overview of the U.S. health care industry and then addresses the law that affects major portions of that industry and those it serves. Relationships among individual health care providers (e.g., physicians), institutional providers (e.g., hospitals, nursing homes, clinics), and patients of those providers are explored, as are various statutory entitlements (e.g., Medicare, Medicaid, EMTALA), medical malpractice concepts, preemption effects of ERISA, patient privacy/consent issues including HIPAA mandates, and the policing of fraud and abuse. The class will examine the health law that resulted from the health reform legislation signed in 2010 and modern changes to health law resulting from the COVID-19 pandemic. Finally, the course will review how the antitrust laws impact the structure and conduct of health care providers.

**4LAW 5320 Laws of War (2-3)**

This course provides students with an overview of the laws of war which, for the purposes of this course, will include the various areas of international law applicable to situations of armed conflict. It will largely cover: a) the jus ad bellum, or the law on the use of force; and b) the jus in bello, or international humanitarian law (IHL), also referred to as the law of armed conflict (LOAC). For the jus in bello, this includes: the classification of armed conflicts; duties and responsibilities of parties to an armed conflict; the principles of humanity/necessity, distinction, proportionality, and precautions; and other IHL rules. It will also look at contemporary issues in IHL such as cyber warfare and autonomous weapons, as well as gaps and challenges in IHL including compliance and enforcement. In addition to the jus ad bellum and the jus in bello, the course will cover the interrelationships between IHL and international human rights law (IHRL), international criminal law (ICL), and the rules on state responsibility in war.

**4LAW 5340 Immigration Law (3)**

The course examines the immigration and naturalization processes of the United States with a focus on practical application, procedures, and statutory construction. Topics will include citizenship and naturalization, the admission and removal of immigrants and nonimmigrants, and the issues of undocumented immigration and national security. We will also address the intersection of immigration with other practice areas including employment, criminal, and family law.

**4LAW 5370 Information Privacy (2)**

Information Privacy is a course that explores privacy law with a special focus on its history, technological advancements, and the tort aspects of privacy in the United States, including misappropriation, intrusion, publication of private facts, and false light. Students will be expected to come to class having done the readings and ready for discussion. Professor Gajda plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 5380 Insurance Law (2)**

Insurance plays a critical role in all areas of law practice. This course will introduce you to the basic concepts and terminology; survey numerous types of insurance such as general liability, property, life, automobile, construction, professional liability, employment, environmental, homeowners, product liability, including litigation issues such as the duty to defend, the duty to indemnify, subrogation, fraud, bad faith, defenses, damages, procedure; and address governmental regulation.

**4LAW 5410 Intellectual Property (3)**

This survey course introduces students to the basic state and federal laws relating to inventions and cultural works. The class will cover topics that include patents, trademarks, copyright, right of publicity, and trade secrets. The course will look at the moral, cultural, economic and theoretical underpinnings to our current controversies in intellectual property law. This course is a prerequisite for nearly every advanced course in Intellectual Property.



**4LAW 5450 Int'l Business Transactions (3)**

The objective of this course is to provide students with an introduction to a number of areas of international business law and to provide an opportunity to study some of those areas in more detail. The course looks at the supranational and U.S.-domestic law that serves as backdrop to any international business transaction connected to this country. It focuses particularly on how to finance both sales and direct investment and how to structure direct investment of various tangible and intangible assets. The course is focused on the law as it affects individual business entities rather than on the relationships between States. However, this course does deal with the way that certain treaties have an impact on domestic law in relevant areas, such as international dispute settlement. This course also covers the World Trade Organization treaties to a limited extent as relevant to international business transactions.

**4LAW 5470 Int'l Human Rights Law (3)**

In this course we will explore the place of human rights in United States and international law. More broadly, we will closely examine and evaluate the entire human rights "regime," that is to say the norms, principles, rules, and decision-making institutions that occupy and organize this issue area within the broad sphere of international relations. The course is designed to provide students with a confident grasp of: the substantive norms of human rights; the philosophic basis for the concept of rights and the leading points of controversy about the existence or character of certain rights that appear in conventional enumerations; the diverse procedures available at the global, regional, and national level for defense and promotion of human rights; the subtle and not-so-subtle ways in which ideological and material interests influence the definition and enforcement of rights; the ways in which policy makers attempt to reconcile the demand for human rights enforcement with more traditional foreign policy objectives.

**4LAW 5490 International Law-Public (3,4)**

This is the basic introductory course in international law and as such focuses initially on how international law is made and applied as well the various theoretical justifications for and explanation of international law and international institutions. The course then explores other issues such as the proper subjects of international law—states, international organizations, individuals, etc; allocation of legal authority among states; the forums for and the methods of international dispute resolutions, etc. Special attention is paid to the use of force in international relations and the UN-based collective security system. Using the United States as an example, the course will also explore the interrelationship of domestic law and international law—the domestic effect of treaties and customary international law, the role of federalism in the adoption and enforcement of international obligations, and the role of municipal courts in the enforcement of international obligations.

**4LAW 5540 Int'l Commercial Arbitration (3)**

This offering is intended to introduce students to the problems of dispute resolution in the international transactional context. Most international commercial disputes and contract claims are resolved through arbitration. The course will address the primary substantive law issues in the field, consider in detail comparative and transborder aspects of the subject area, and provide students with a simulation exercise in a contemporary practice problem.

**4LAW 5550 Int'l Sale of Goods (3)**

This course will address the United Nations Convention on Contracts for the International Sale of Goods (the "Vienna Convention"). The rules of the Convention, to which more than eighty States adhere (including the U.S.), govern a great number of export/import transactions involving American parties. The course is designed to familiarize students with these rules and their application to specific aspects of international sales contracts, such as contract formation, remedies and allocation of risk. The discussion also will address the broader ramifications of the Vienna Convention. Topics of this nature include an assessment of fundamental problems, such as uniform interpretation, that are inherent in every effort to unify or harmonize legal rules. The course will also familiarize students with INCOTERMS 2010 that govern the transportation and insurance aspects of sales transactions and UCP 600 that provides the standard mechanisms for international payments, including letters of credit and documentary collections. Professor Davies plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 5570 Int'l Institutions (3)**

This seminar examines international institutions – both formal organizations and informal arrangements – as increasingly important elements of a rapidly changing international governance system. These institutions range from traditional treaty-based organizations, such as the United Nations and its subsidiary organs, to understandings among states lacking formal structural organization which govern some aspects of international economic relations, human rights and arms control. Apart from the topics of formation, membership and participation, as well as of (applicable) privileges and immunities, the seminar will pay special attention to international institutions' role in developing international law. It will also canvass the extent to which international institutions are accountable pursuant to international law. The seminar will thus highlight political-legal phenomena of the transition to an international legal order in which international institutions have taken on indispensable governance functions that both compliment and threaten states' traditional, dominant position in the international legal system. Professor Handl plans to invoke a rule penalizing students for failure to be prepared and/or excessive absenteeism.

**4LAW 5580 Int'l Trade Finance & Banking (3)**

Analyzes competing trade and industrial policies, GATT-WTO, NAFTA, unfair trade practices, dumping and subsidy controversies, trade imbalance problems, foreign investment, safeguards, expropriation and remedies, international banking and lending, debt overloads, IMF policies, global financial crisis, remedies, and adjustment mechanisms.

**4LAW 5600 Intro to Law of the US (1,2)**

This course is designed to help international law students pursuing an LL.M. in the United States prepare for the demands of graduate education in an American law school. Because of its location in a state with a civil law heritage (which is unique in the United States), Tulane has long been known for its expertise in comparative and international law. This expertise allows the school and its faculty to better understand and meet the needs of students who come from a wide variety of legal systems. By utilizing tenured faculty, and by focusing on the basic principles of the American Legal system, with particular emphasis on constitutional law, the orientation program ensures that international students are given the best possible grounding for their subsequent studies. Classes meet four days a week, for 220 class minutes per day, in the three weeks before regular fall classes begin. The specific courses taught are as follows: Constitutional Law, Criminal Law, the U.S. Legal system, Constitutional Criminal Procedure, and Civil Procedure. Students who pass the written examination at the end of the course will earn two credits for their work, based upon American Bar Association guidelines. In addition to regular classes, students are offered free tutoring in English, with particular emphasis on legal terms and phrases, a speaker series, and an introduction to legal education in the U.S. Students will also be invited to attend a variety of social events and dinners, and will be given the opportunity to visit local courts and observe judicial proceedings.

**4LAW 5700 Law of Democracy (3)**

This constitutional law course concerns voting rights and elections, topics not covered in upper-level classes on the Fourteenth Amendment and First Amendment. We will address a variety of topics related to the proper legal functioning of our democratic system, including the law of voter participation, reapportionment and redistricting, rights of political parties, campaign finance, racial discrimination and the Voting Rights Act, racial redistricting, and direct democracy. Due to overlap in content students may not enroll in both the Election Law and the Law of Democracy course.

**4LAW 5710 Labor Law (3)**

After a brief introduction to the history and evolution of the labor movement and labor legislation, the course covers in depth the legal framework dealing with union organization and collective bargaining. The material is considered from the beginning of the relationship between the employer and union, the organizational phase, through collective bargaining and enforcement of the contract once it is in place. Professor Friedman plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 5730 Law of The Sea (3)**

This course reviews the public order of the oceans, i.e., the basic principles of international law, both customary and treaty-based, that apply to maritime spaces, such as the territorial sea, the high seas, continental shelf, seabed, and ocean floor. The course analyzes the allocation of jurisdictional powers among individual states and the international community at large over the various maritime zones involved; the use and management of ocean resources, such as regional and global fisheries regimes and seabed mining; marine environmental protection and pollution control; military uses of the ocean; and freedom of navigation. Special consideration will be given to enforcement issues related to drug trafficking and violations of marine environmental protection or fisheries regulations.

**4LAW 5770 Law and Literature Sem (2,3)**

This interdisciplinary seminar will use various works from the canon of Western literature—Homer, Shakespeare, Kafka, and others—as well as American film to explore jurisprudential concerns such as the distinction between justice and revenge, law and illegality, and the limits and purposes of punishment. We will explore the differences and similarities between legal and literary narrative, the origin and nature of law, how law reflects (and whether it should reflect) community norms and moral views. Students will be required to prepare a research paper which they may use to satisfy the upper-class writing requirement, make one or more class presentations, and participate in class discussion. Reading assignments will consist of literary works and commentaries of these works.

**4LAW 5831 Law, Finance & Technology (2-3)**

This seminar explores the legal issues raised by the integration of emerging technologies in finance and the regulatory regimes applied to fintech platforms. The class will explore several major themes and current trends governing the complex interrelationship between law and technology. Grades will be based on the following: (a) Class Participation, Proposal, First Draft and Presentation: 40%; (b) Final Seminar Paper: 60%. This course will satisfy the upper-class writing requirement. Corequisite(s): NCLS 9110.

**4LAW 5840 Cause Lawyering (2)**

This course examines the use of law to advance social, economic, or political goals. After a brief exploration of the theoretical framework and historical background of “cause lawyering,” students will consider the role of law and lawyering in various change-seeking applications, such as social movements and impact litigation, and in various practice settings. Throughout the semester, students will meet with practitioners involved in prominent cases or organizations to discuss their objectives, strategies, and challenges—and whether they achieved their goals. Students will prepare for those meetings by reading relevant material and generating specific questions for the speakers. Grades will be based on several short papers, a final paper, and class participation. This course is not subject to a curve and includes an option for students to satisfy the upper-level writing requirement.

**4LAW 5910 Legal Reasoning, Research & Writing for LLM Students (2-3)**

This course is an introduction to the legal methodologies of practicing attorneys in the United States. Because the course is limited to foreign students seeking their LLM, it emphasizes the development of legal reasoning and writing skills in an adversarial legal system, while simultaneously acquainting students with the legal resources readily available to attorneys in the United States, such as Westlaw, and Lexis. The first half of the course is devoted to short writing projects, e.g., motions, and memoranda, as might be created and used by a U.S. law firm. The second portion of the course, which immediately follows the first, is devoted to the creation of a brief on a current issue. In addition, the students are required to orally argue at least three times. Professor Larson plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 5950 Legal Research, Adv (3)**

Building on the research techniques presented in Legal Research and Writing, Advanced Legal Research focuses on the effective use of electronic and print legal research tools and examines existing electronic sources for both legal and non-legal information of interest to lawyers. After reviewing research concepts taught during Tulane's first year Research and Writing course, this advanced course will provide coverage of selected additional research subjects, including statutory research, legislative history, administrative and regulatory research, practice aids, research strategies, and various specialized areas, including an introduction to treaty research and international/foreign research sources. The course also offers advanced training on comprehensive proprietary online research systems such as Westlaw and LexisNexis and introduces specialized proprietary online systems such as Bloomberg Law and BNA. It will focus on using the Internet to locate legal and non-legal resources, covering such topics as search engines, legal portal sites, websites for federal and state law, government information, and no/low cost information sources (commercial and noncommercial). This course will not be subject to the curve. The professor plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 1LAW 1410.

**4LAW 5960 Litigating Com'l Fraud Sem (2)**

The subject of this seminar is commercial fraud. The goal is to provide students with a comprehensive understanding of what parties should consider, what they should anticipate, and how they might respond in litigating and arbitrating commercial fraud cases. The topics to be covered include (1) the Racketeer Influenced and Corrupt Organizations (RICO) Act, (2) the federal securities laws, and (3) various state law claims. Class will focus on the problems confronted daily by the practicing attorney.

**4LAW 5970 Mixed Jurisdictions Seminar (2,3)**

This seminar will focus principally upon the so-called 'classical' Mixed Jurisdictions of which there are about 15 or so in the world. Prominent among these are South Africa, Scotland, Quebec, Puerto Rico, Israel, The Philippines and Louisiana. There is debate about the countries belonging to this group and our research interest may extend beyond this circle in order to deal with classification issues. Each student in the seminar will select a topic dealing with some aspect of the Mixed Jurisdictions and write a research paper that will be presented and discussed in class. A paper topic may relate to any micro or macro aspect of such systems and should make use of the comparative method. Before topics are chosen, the opening classes will discuss the defining characteristics and traits of the mixed jurisdictions and students will be introduced to the literature on the subject. The principal text in the course will be V.V. Palmer (ed), *Mixed Jurisdictions Worldwide: The Third Legal Family* (2001).

**4LAW 6000 Marine Pollution (2)**

This course will cover U.S. legislation, administrative regulations, state legislation, and case law in the area of marine pollution. This course counts as credit for both the Environmental and Maritime certificates.

**4LAW 6020 Media Law (3)**

In modern times, media is more ubiquitous than ever and the law is developing quickly in response. This class will examine the law that impacts media in its broadest sense—everything from a student's social media posts to a Pulitzer Prize-winning journalist's news story in *The New York Times*—and explore how those laws have developed over time. Topics will include access and who gets what from government when government is determined to keep things out of public hands; defamation protections that appear to be changing rapidly from *New York Times v. Sullivan* days; invasion of privacy and what deeply personal information journalists or Twitter posters are allowed to reveal; special rules for the internet; media liability for emotional harm and fakery; FCC regulations; and more.

**4LAW 6040 Mergers & Acquisitions (3)**

This is an advanced corporate law course covering federal law aspects of tender offers, mergers (including forward and reverse triangular), leveraged buyouts, asset purchases, and other acquisition techniques, as well as selected defensive tactics (poison pills, recapitalization, white knights, etc.), due diligence, and drafting merger and acquisition deal documents. Business Enterprises is a pre-requisite or permission of instructor required.

**4LAW 6050 Native American Law (2)****4LAW 6080 Env Law: Natural Resources (3)**

This course is one of the two foundation courses in environmental law and presents a survey of programs that govern the use and protection of natural resource systems, including energy, mining, timber, grazing, transportation and water resource development. Special attention is given to the National Environmental Policy Act, and to management statutes for public lands, forests, parks, refuges, wilderness areas, and endangered species.

**4LAW 6100 Negotiation and Mediation (3)**

The purpose of this course is to expose students to the process of negotiation as a pervasive lawyering activity; to increase awareness of the technical, interdisciplinary, and ethical dimensions of that process; to introduce the concept of the lawyer's role as problem-solver; to enable students to experiment with and consider thoughtfully the various theories, forms, and techniques of negotiation and mediation advocacy; and to provide students an opportunity to assess their own capabilities within those contexts. 75% of the course will focus on negotiation and 25% on mediation advocacy. (Please note that the mediation advocacy portion of the course is not training students to be mediators but rather to enhance their understanding of the lawyer's role in a mediation.) A number of negotiation exercises are completed outside of class at times that are mutually agreed upon by the negotiators. Flexibility by students in this regard is expected. Students will be graded on a "Pass/C/Fail" basis. There is no curve in this course. The professors plan to invoke a rule penalizing students for lack of preparedness and/or excessive absenteeism. Students who have taken Intercultural Negotiation & Mediation in Berlin may not take Negotiation & Mediation Advocacy due to course overlap.

**Prerequisite(s):** 2LAW 2070.

**4LAW 6110 EU: Energy & Environmental Law (3)**

This course presents an introduction to the basic history and legal framework of the European Union (EU) and then concentrates on several key areas of practice. While the course will touch on the role of key EU institutions in the integration process, a central area of emphasis will be EU law in the fields of energy – principally electricity, gas, and nuclear – and the environment. Throughout the course, recurring overall themes will be sovereignty, federalism, subsidiarity and power sharing.

**4LAW 6160 Patent Prosecution (3)**

This course concentrates on U.S. patent laws, U.S. patent regulations, and procedures involved in obtaining patents from the U.S. Patent and Trademark Office. Students will learn how to write patent claims, patent applications, and responses to office actions from the USPTO. Some aspects of foreign and international law will be discussed. The grade will be based on several written assignments and a final exam.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 4LAW 5410\*.

\* May be taken concurrently.

**4LAW 6180 Patent Law (3)**

This is a 3-credit course that covers patent law in greater depth than the intellectual property survey course. Topics to be covered include: patentability requirements, infringement, defenses, remedies, litigation, appellate issues, administrative revocation, and special topics. A technical background is NOT required for this course. Corequisite: Intellectual Property

**Corequisite(s):** 4LAW 5410.

**4LAW 6210 Law & Entrepreneurship (2)**

This course focuses on questions that arise in new social ventures, start-ups, non-profits and other early-stage projects. This will be a hands-on course where students will be introduced to the practice of IP and entrepreneurship through a variety of means, including a standard casebook, guest attorneys and entrepreneurs, and individualized research assignments. This course is recommended for students interested in the following areas: business, IP, non-profits, and solo practice. The grade is based project based work (individual research assignments each week) that will be graded. Students turn in a portfolio of their work at the end of the course which will be graded on completeness and thoroughness. This is a rigorous class that takes dedication. Students are expected to dedicate 3 hours preparation per class (6 hours a week) to the individual research assignments. Attendance is also key.

**4LAW 6220 Client Interview & Counseling (2)**

The course will focus on the legal principles and skills involved in interviewing clients and witnesses and counseling clients in the course of litigation, dispute resolution, and decision making. Establishing an effective lawyer-client relationship requires gathering information relevant to client decisions and assisting clients in analyzing the legal and non-legal consequences of various options in order to make the decision most likely to achieve client objectives. Additional topics include addressing political polarization and cultural differences; interviewing and counseling clients experiencing trauma or disability; and representing children, criminal defendants, and organizational clients. Students will be assessed based on in-class role plays, recorded interviewing and counseling simulations, written plans, and self-evaluations.

**4LAW 6230 Property Theory Seminar (2-3)**

This seminar provides a forum in which students can deepen their understanding of what property is, debate the merits of property law, and contemplate future issues that property law will face. In doing so, this seminar strives to enhance students' analytical, research, writing, and presenting skills. The seminar is divided into three main parts. The first part focuses on developing a greater understanding of how the law views property. We will read fundamental property scholarship that has helped developed the modern concepts of what property is and how ownership is established and protected. The second part applies the traditional theories of property rights in more modern context. Through a variety of readings, the class will contemplate whether property rights should extend to things like the body, outer space, and virtual worlds. The third part allows students to develop their own thoughts on property rights through the writing and presenting of a seminar paper.

**4LAW 6270 Compar Private Law (3)**

This course will compare common and civil law approaches to the law of property, contracts, and torts. The common law originated in England and is judge made. The civil law developed from Roman law and, in most jurisdictions today, it is codified. We will look at how England, the United States, France, and Germany deal with some concrete legal problems, and ask whether the differences are due to history, codification, culture or to the problems themselves. The topics chosen will be familiar to the students from their first year. NOTE: Students who previously completed Professor Palmer's European Legal Systems course may not enroll in this course.

**4LAW 6280 Criminal Justice Seminar (2,3)**

This seminar provides students to learn and engage with the rules of professional conduct and the law as it relates to the differing roles of the prosecutor and the criminal defense lawyer. Students will gain knowledge of constitutional rights and principles that affect the conduct of counsel and the intersection of the law with the rules that govern lawyers. On a fundamental level, students will gain an understanding of the historical and public policy considerations underlying the law and rules governing the conduct of prosecutors and defense lawyers.

**4LAW 6290 Products Liability (3)**

The course focuses upon the founding and evolution of American products liability law, including the latest formulation in the third Restatement of Torts as well as state "reform" statutes. Emphasis is placed upon the inter-relationship between contract and tort remedies; the rise of the doctrine of strict liability; and the theory of enterprise liability. Professor Palmer will invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**4LAW 6320 Prof Responsibility Sem (2)**

This course will explore the role of lawyers' ethics in the American legal system and the conceptual models that currently frame the ethical rules and regulate lawyer behavior. It also will explore those areas in which ethical regulation deviates from practice, and further examine through the use of practical in-class exercises how ethical rules can be developed to improve advocacy and truth-finding in the legal process. The grade will be based on a non-anonymous paper. Professor Stanley plans to invoke a rule penalizing students for lack of preparation or excessive absences. Note: This course does not satisfy the requirement to take Legal Profession. The grade will be based on a non-anonymous paper. Professor plans to invoke a rule penalizing students for lack of preparation or excessive absences. This course does not satisfy the requirement to take Legal Profession. This seminar may be taken to satisfy the upper-class writing requirement with permission of the Professor and meeting all of the requirements; the course does not automatically satisfy the upper-level writing requirement.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2800.

**4LAW 6330 Military Law (2,3)**

This course will be an overview of military and military-related law as practiced in the United States. The course will be divided into three thematic blocks: 1) the military justice system as it applies to service members, 2) the military legal system as it interacts with veterans, civilians, and civilian institutions, and 3) the military legal system as it acts internationally.

**4LAW 6350 Race Relations Seminar (2,3)****4LAW 6360 Critical Race Theory Seminar (2)**

This seminar will explore the relationship between critical understandings of the significance of race and legal interpretation. Of particular importance will be the examination of how societal values and customs, expressed in legal rules purporting to address racial issues, inhibit critical approaches to the concerns of justice for the disadvantaged groups. Students must take any one of the following courses as a co-requisite for this seminar: Constitutional Law: 14th Amendment, Gender Law & Public Policy, Law & Sexuality Seminar, or Constitutional Law, Legal History, and Race Relations Seminar. This seminar may be taken to satisfy the upper-class writing requirement.

**Prerequisite(s):** 4LAW 4550\*, 5920\*, MINI 5510\*, 4LAW 6450\*, 6450\*, 1LAW 1080\* or 4LAW 6350\*.

\* May be taken concurrently.

**4LAW 6390 Cuban Law & US Relations (2)**

This seminar will cover the legal system of Cuba, U.S.-Cuba relations, and the impact of each on Cuba's development. By the end of the course, students will have acquired an understanding of the historical development of Cuban law and legal institutions as these emerged during the colonial, republican and revolutionary eras; the Cuban legal system, and the Cuban legal and economic framework regulating foreign investment, trade, and international business transactions; the use of other disciplines in the analysis of Cuban legal problems and institutions for sustainable development; and the relationship between the United States and Cuba and the role of U.S. citizens, particularly the Cuban-American community, in rebuilding Cuba. The course will give special attention to the Trump Administration's decision to activate Title III of Helms-Burton Act, which allows American to sue companies profiting from property that was nationalized or confiscated following the 1959 Revolution. The course will also explore alternatives to modernize the Cuban legal system in comparison with other mixed jurisdictions that have been greatly influenced by the Common Law, such as Puerto Rico and Louisiana. The course will be taught by Jose' R. Cot, a Director in the New Orleans law firm of Hurley & Cot, and Rolando Anillo, corporate counsel for Florida Crystals Corp-American Sugar Refining Inc. This course is eligible to satisfy the upper-level writing requirement.

**4LAW 6400 Intro Int'l & Comp Energy Law (3)**

International energy law is an important part of the required knowledge base of an "energy lawyer". There is no single body of law or a treaty on "energy law" or "international energy law". Instead, it is a combination of various rules of international, regional and national laws. After providing insights into what "energy law" is and who are the main players in the field, this course will cover the entire energy value chain and introduce students to legal and contractual issues relating to each segment. The course covers all forms of energy from oil and gas to renewable energy. It also provides an overview of typical national policies and policy drivers for various energy activities.

**4LAW 6420 Roman Law (3)****4LAW 6430 Scientific Evid+Expert Sem (2-3)****4LAW 6450 Sexuality and The Law Seminar (2-3)**

This course examines the impact of legal regulation in the United States on such areas as sexuality and sexual preference as intimate association, marriage, family structure, workplace discrimination, and civil rights. It also covers law relevant to transgender persons, intersex persons, and queer sexualities. No attendance policy; however participation aspect of the grade may suffer due to poor attendance. This seminar may be taken to satisfy the upper-class writing requirement.

**4LAW 6460 Securities Regulation (3)**

This course provides a broad overview of U.S. Federal securities law, including statutes and regulations governing the underwriting and offering process, exemptions from registration, the operation of securities markets, and the activities of securities intermediaries, such as stock exchanges and broker-dealers. The course focuses on theoretical issues, such as the philosophy of regulating disclosure; the classification of professional and retail investors; the allocation of authority among the SEC, self-regulatory organizations and other federal and state regulators with respect to financial instruments; and the scope of and limitations on private securities litigation and the SEC's enforcement authority. Business Enterprises is required.

**4LAW 6480 Large Scale Energy Projects (2-3)**

The core purpose of this seminar is to examine legal and contractual questions relating to large-scale energy projects here and abroad. The seminar is built around three large-scale energy projects that raise a number of legal and contractual issues: A cross-border pipeline in Europe; the decommissioning of a large nuclear power plant; and cross-border oil and gas investment in Africa. Each project is based on real projects that have taken place in the past. These projects will in all cases raise a range of complex issues which requires energy industry legal advice, whether the counsel is directed to regulatory authorities, private enterprises, non-governmental organizations, or other industry players. Topics that will be examined during the course of the seminar include: the application of state, local, and national laws as appropriate; the application and impact of international law, including the UN Law of the Sea Convention and bilateral and multilateral investment treaties; and the role of contractual terms most commonly used in the energy industry sectors and projects that will be the focus of the seminar. Students will prepare legal memoranda on a variety of legal and contractual issues relating to the projects examined in the class.

**4LAW 6490 Immigration Detention&Removal (2)**

This course will teach students the process and laws applying to detention and removal defense of immigrants. Topics will include the authority to detain and eligibility for release, classification of immigrants, grounds of inadmissibility and deportability and defenses against removal. The course is taught by Homero López, Jr., Director/Managing Attorney of Immigration Services and Legal Advocacy (ISLA) in New Orleans.

**4LAW 6500 Negotiating M&A Transactions (2)**

This course is designed to give students an introduction to the real world experience of the deal making process, from the first contact between the parties to drafting and negotiating the documents that govern transformational corporate transactions. Over the course of the semester, we will break down the main agreements involved in a hypothetical deal with a view to developing a fundamental understanding of how those components interact with the overall business arrangement and deal dynamics. You will analyze and learn to understand how the key provisions of these transaction agreements are negotiated with the goal of maximizing value for the client and appropriately allocating risk among the parties to a deal. We will also discuss the less tangible aspects of deal making that take place outside of the four corners of the transaction agreements but are no less important. Specifically, we plan to discuss the economic and personal motivations of the various parties involved and the psychology and group dynamics of a deal process. As the deal world is an ever changing environment, we'll look to bring current real world examples into the classroom. Students will participate out-of-class group and individual practice assignments, including drafting (or "marking up") transaction documents and negotiating key issues in the context of a prepared fact pattern. Students will also participate in an off-campus mock negotiation of a deal term sheet at Jones Walker, LLP's office downtown. The course is taught by Britton Seal and Daniella Silberstein, who are both partners in the Corporate Practice Group at Jones Walker LLP in New Orleans. Because of the substantial overlap in content, students enrolled in Negotiating M&A Agreements may not enroll in the Transactional Winter Intersession.

**4LAW 6510 US Trade and Investment Policy (3)**

The globalization project is in crisis. The legal institutions which facilitated global economic integration are being challenged by the same countries that laid down their foundations, primarily the US. The US is not only the largest economy in the world, but it has also been the main catalyst for free trade since WWII. In recent years, however, the US saw an unprecedented fervor against globalization among the general public. The stagnation of the real incomes of the vast majority of Americans over the past 40 years, coupled with major economic dislocations, paved the way for the rise of populism in American politics. In 2016, the US withdrew from the negotiations over the Transatlantic Trade and Investments Partnership after seven years of laborious negotiations, and two years later, it initiated a trade war against its major trading partners. This course aims to study the US policy on international trade and investment. While the topic is by definition multifaceted, the course will mainly focus on its legal aspects. Students will have an opportunity to dive deeply into the history that shaped the current US policy on international trade and investment, the main institutions involved in making executing this policy, and the questions topping the agendas of academics and US policy-makers. The course will adopt a thematic approach to cover a wide range of topics: from the stalemated trade negotiations the US is a party to; the growing divide between the US and its trading partner; to the US stance on multilateral trade institutions and its role in the slowing disintegration global investment regime. The readings for the course will be drawn from international trade and investment law, economics, and political science among other fields. No background in any of these fields is required. Students of all backgrounds are welcome to enroll.

**4LAW 6520 Sports Law: Antitrust & Labor (3)**

This course examines how the antitrust and labor laws apply to the unique relationships in the sports industry. The course focuses on the ways the antitrust and labor laws have shaped virtually every aspect of professional and amateur sports – ranging from salary caps and age restrictions to television deals and team relocations.

**4LAW 6540 Sports Law: Int'l & IP (3)**

This course examines the application of a variety of different areas of law—including intellectual property, contracts, torts, and constitutional law—to the sports industry. The course emphasizes intellectual property law and issues relating to the ownership of “data” produced by sports leagues, teams, and athletes. In particular, the course focuses on right of publicity and trademark law. This course will also examine a variety of legal issues that arise in collegiate, amateur, and international sports.

**4LAW 6620 Sust Energy Law & Policy (2)**

This course focuses on environmental sustainability in the energy sector from a legal perspective. Given that we all share the common problem, and try to come up with the best possible solution to answer the challenge of combatting climate change, understanding different tools adopted in different jurisdictions is central in developing – and improving – the policies and implementing measures given the diversity of experiences across the globe. Therefore, the course adopts a comparative approach to examine different regulatory alternatives that can be introduced to reduce the harmful greenhouse gas emissions in particular in the energy supply side in order to enable a more sustainable energy future. While the emphasis will be placed on the power sector given its overall contribution to the greenhouse gas emissions, building, transport and end-use sectors are also examined to a lesser extent.

**4LAW 6660 Tax: Partnerships (3)**

The course explores the federal income tax concepts of “pass through” or conduit taxation. Partnership tax topics include choice of entity decisions, partnership formations, asset contributions, liability assumption, distributions, operations, transfer of partners’ interests, special allocations of tax attributes, partnership interests received for services, special basis adjustments, and analysis of the entity and aggregate approaches found in the law. Also included is an introduction to the study of the law of S-Corporations and how it compares to the taxation of partnerships. (3 Credits)

**4LAW 6680 Tax Policy Seminar (2)**

The Tax Policy Seminar takes a multidisciplinary approach to tax policy. It explores the political economy of tax policy from different perspectives: efficiency vs. equity; tradeoffs in taxation, key elements and weaknesses of U.S. tax law; the philosophical and psychological foundations of taxation; historical and comparative perspectives on taxation; taxation of income from owning capital; recent proposals to tax the very wealthy.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2530.

**4LAW 6690 Tax: Corporate Tax (3)**

The course provides a basic overview of regular “C” corporations. Using a transactional approach, the course traces the life of a corporation from formation through distributions to liquidation. Income Tax is a prerequisite for this class.

**4LAW 6710 Tax: Research In Taxation (2-3)**

Tax research consists of the examination of tax questions through the following process: (1) identification of pertinent issues; (2) determination of proper authorities; (3) evaluation of the strength of the authorities; and (4) application of these authorities to the specific fact situation. Through the use of a series of assigned research projects, students will be given an opportunity to survey significant areas of the Internal Revenue Code, gain an awareness of developing tax issues, and develop a capability in tax research. Based on the cases presented, the student will be asked to analyze the facts, identify the tax issues, locate appropriate authorities, evaluate those authorities, develop conclusions and recommendations, and communicate the findings in the form of an opinion letter, a protest, or a memorandum. A final research paper on a tax topic chosen by each student will be combined with the assigned research projects and credit for class attendance to determine the final grade. Each weekly class session is dedicated to tax research techniques and a survey lecture of the general area of tax law covered by the specific case then under consideration. The course is a Business School course, cross-listed with the Law School. Income Tax is a prerequisite.

**4LAW 6730 Tax: State & Local Tax (2)**

This course explores the state and local taxation of entities and individuals, focusing on multi-state taxation and overall tax planning strategies to minimize or eliminate multi-state tax liability. In this course, we will examine the concept of “nexus” (when a taxpayer or transaction is subject to the taxing jurisdiction of a state or locality), both as it has been understood historically, and in light of technological advances that have made remote business operations increasingly practical. We will also address the unique state and local tax issues created by the growth of “e-commerce” and the financial impact on state and local tax jurisdictions administering tax laws developed in the context of local business operations. Finally, we will discuss and analyze business activity taxes and sales and use taxation in detail, and will also cover very generally franchise, capital stock and gross receipts taxes, and property taxation, as time permits. Students will have an opportunity to practice handling or deciding a current significant SALT issue in a “moot court” exercise. The course will be taught by Jaye A. Calhoun, a member of the Business Tax Section of Kean Miller, L.L.P.

**4LAW 6790 Intl Energy Investment Protect (3)**

International investment protection is particularly important for energy activities. This is true for all segments of the energy value chain from upstream to downstream energy. It is a national and an international issue. Looking at various treaties and agreements as well as real disputes from around the world, this course covers all the main elements of energy investment protection. The objective of the course is to introduce the students to various investment protection methods. The classes examine both treaty and contract based investment protection. It will also cover both investment treaties and Host Government Contracts and Inter-Governmental Agreements used for upstream, pipeline and downstream investments. In addition to the theoretical and more abstract parts, the course will also use several case studies as learning material. The students will be exposed to real contracts and real treaties. This course could meet the upper-class writing requirement.

**4LAW 6820 Trademark Law (2-3)**

This course picks up where IP Survey left off. Advanced topics in trademark are covered, along with key concepts related to the use of those trademarks in advertising law. Topics include foreign trademarks, false advertising, deception, omissions and disclosures in advertising, brand protection, and many others. IP survey is required for all participants (no waiver). Students who previously took copyright/trademark may enroll in trademark and advertising law.

**4LAW 6840 Transnational Litigation (3)**

The rapidly growing number of disputes involving foreign parties and transactions present distinct problems that do not arise in purely domestic litigation or arbitration. The course will address these problems and the emerging solutions as developed by American courts, and it will compare these developments with approaches that prevail in other legal systems. Areas that will be covered include the extraterritorial application of U.S. laws, taking evidence abroad, personal jurisdiction over foreign defendants, and the enforcement of foreign judgments.

**4LAW 6860 Environmental Litigation (2)**

This is a theory and practice course covering the major components of an environmental case up to trial including: substantive and procedural law, investigations, claims/defenses, discovery and depositions, experts and science, and motions. Grading will be based on written and oral exercises; no examination. It is taught by William Goodell a sole practitioner specializing in environmental and toxic damage litigation. Mr. Goodell is principal of the Goodell Law Firm, was formerly Louisiana Assistant Attorney General for Environmental Enforcement, and also taught the Environmental Trial Advocacy and Deepwater Horizon Seminar courses at Tulane. This course is the former Toxic Tort Litigation Practice.

**4LAW 6930 WTO Seminar (2)**

This seminar explores the fundamentals of international trade practice in the World Trade Organization (WTO). After reviewing the economic foundations for international trade and the historical underpinnings of the WTO system, our primary focus will be on the texts of the WTO agreements and the international legal practice surrounding the WTO dispute settlement system. This course is taught by Edward T. Hayes, a partner at Leake & Andersson, LLP. This seminar may be taken to satisfy the upper-class writing requirement with permission of the Professor and meeting all of the requirements; the course does not automatically satisfy the upper-level writing requirement.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 4LAW 5490\*.

\* May be taken concurrently.

**4LAW 6940 Law and Gender (3)**

Using gender as a paradigm for thinking about law, this course examines sex-based discrimination from a variety of perspectives in substantive areas of law that influence the lives of women and men. It covers issues of formal equality in employment, equal opportunity in education, substantive equality through affirmative action and pay equity, pregnancy, parenting, sexual orientation, sexual harassment, family law, domestic violence, pornography, prostitution, rape, and reproductive choice among others.

**4LAW 6950 Domestic Violence Advocacy (3)**

The course will examine domestic violence in the criminal justice system and in family law, with a special focus on practical legal skills. Topics include domestic violence as a violation of criminal law, civil rights, international human rights and as a tort, and the role of domestic violence in divorce law and custody. While examining the issue systemically, students will also learn important practice skills through simulated role plays and demonstrations. Students will take a mock deposition, perform cross-examinations, and oral arguments.



**4LAW 6990 Wrongful Convictions (2)**

This course is a combination of substantive law, advanced criminal procedure and study of the legal system in social context. Wrongful convictions are a fact when the legal system goes wrong, they are not a doctrine. Therefore course is intended to give students (1) an overview of the major identified evidentiary causes of wrongful conviction (eyewitness identifications, confessions, forensics, perjury), the caselaw that governs its admission and the response of the courts to the improved understanding of those causes; (2) the social and legal context of these causes and possible prevention of wrongful convictions; and (3) an understanding of the legal mechanisms through which wrongful convictions are raised and litigated in the courts. This includes the procedures (habeas corpus, state post-conviction, DNA testing) and the caselaw of the right to counsel, Due Process and the Eighth Amendment ban on cruel and unusual punishment. We will study cases and laws from across the country, with some international context, but we will also deliberately examine local examples (Louisiana and Mississippi) in most of the topic areas we cover. The course will feature some guest speakers, including someone who spent decades wrongly convicted before being exonerated by the courts. The course will be taught by Emily Maw, Senior Counsel at Innocence Project New Orleans.

**4LAW 7000 Race and International Law Seminar (2-3)**

The Race and International Law Seminar provides a forum for studying race and racial hierarchies in international law, and the use of international law to produce, reproduce, and justify those hierarchies. Throughout the semester, the seminar will discuss the theoretical underpinnings of early postcolonial critiques and what connections they have to critical race theory approaches to international law.

**4LAW 7010 The Promise, Challenges and Compromises of Progressive Prosecution (2)**

This class identifies longstanding problems in the criminal legal system and the possibilities (and challenges) of criminal justice reform through the work of progressive prosecution. We will spend the first third of the course identifying problems in the criminal legal system and the limited ability of the Courts to address these problems, including addressing race discrimination, innocence and mass incarceration. The second part of the semester will focus on how to identify specific challenges within a system, including gathering and analysis of data. In the third part of the course, students will identify a specific problem that is not susceptible to correction through litigation alone, draft a policy for a prosecutor's office to address that problem, and complete the class with a presentation and paper.

**4LAW 7020 Race Internl Law Seminar (2,3)****4LAW 7030 Criminal Ethics Advocacy Sem (2)**

This seminar allows students to learn and engage with the rules of professional conduct and the law as it relates to the differing roles of the prosecutor and the criminal defense lawyer. Students will gain knowledge of constitutional rights and principles that affect the conduct of counsel and the intersection of that law with the rules that govern lawyers. On a fundamental level, students will gain an understanding of the historical and public policy considerations underlying the law and rules governing the conduct of prosecutors and defense lawyers.

**4LAW 7040 Energy Law (2,3)**

This course will begin with an overview of global energy systems and introduce global energy value chains for the dominant energy paradigms and their reach into the real economy. It will then introduce the legal regime governing the extraction of raw materials needed for energy value chains. It will do so by focusing on the exploration, development and production of oil and gas resources in the U.S. covering core aspects of the oil and gas lease (property), joint operating agreements (contracts), and conservation (environmental regulation) and will place the U.S. experience in an international context. The next portion of the course will introduce the regulation of electricity generation, transmission, and distribution. It will focus in particular on the challenges for energy regulation by an increased focus on renewables in the U.S. energy mix. It will again place these developments in a global perspective. The course will use simulations as a means to introduce the many complexities of energy law in a realistic fashion.

**4LAW 7050 International Trade Law (2,3)**

The course is a survey course covering the law relating to international trade in goods, covering both private commercial transactions relating to trade in goods and the international legal instruments and organizations regulating international trade. The course will deal with international sales and payments and also longer-term "framework" agreements relating to marketing and licensing and the issues that they raise, such as antitrust regulation and parallel importing. It will also deal with trade regulation by GATT, the WTO, and regional trade agreements between countries, and will show how the private commercial relationships between parties are related to the public law relationships between countries in relation to trade. The course will consider only trade in goods. It will not consider trade in services or foreign direct investment or taxation as it relates to the planning of import/export transactions.

**4LAW 7060 Corporate Governance, Accountability & Control Seminar (2)**

This course will consider the mechanisms of control over the modern business corporation in American society. What are the roles played by directors, shareholders, regulators, and other groups? Who should owe fiduciary duties to the corporation, what are the content of those duties, and how should they be enforced? How should boards of directors manage the claims of various constituencies affected by corporations?

**Prerequisite(s):** 2LAW 2070.

**4LAW 7070 Introduction to Medical Malpractice (2)**

The seminar will provide students with an in-depth examination into the legal arena of medical malpractice with a concentration on the policies behind the various State statutes governing these claims. We will pay special attention to the caps on damages in each State, if the cap changed in each State, and which States have abolished a cap; the burden of proof; pertinent cases; large jury verdicts; States where a pre-litigation panel is required; collateral source; and other interesting aspects of medical malpractice claims which may be governed by various States. While there will be some focus on medical malpractice laws in Louisiana specifically, the seminar will mostly be a survey of medical malpractice in other States, with a small section dedicated to medical malpractice internationally, for comparison. We will also have a brief introduction of the history of medical malpractice lawsuits.

**4LAW 8090 Asylum Law (2)**

The course will examine U.S. asylum law in three parts. First, students will understand how the legal framework for today's asylum law has been built on treaty law, domestic implementing legislation, agency regulation, judicial interpretation, and subregulatory activity. Second, the course will examine the judicial interpretation phase that was for decades the principal way that U.S. asylum law developed, sometimes as a means of immigration control and sometimes as a means of innovation in refugee protection. Third, the course will examine the shift to procedural limitations and access to asylum that have become more decisive of the extent to which the United States fulfills both its protection and control imperatives. The course will focus on the dramatic policy shifts that have come with changes of Administrations, especially in an era of more pronounced exercises of executive authority than legislative. It will also focus on the allocation of authority among the executive, legislative, and judicial branches of government, with the aim of providing students with lessons that will have value in areas of practice or thought beyond immigration and asylum.

**4LAW 8100 Elder Law (3)**

The course is specifically designed to provide students with a uniquely focused perspective from which to gain a deep understanding of the varied legal issues that arise at the intersection of law and aging. More specifically, "Elder Law" is the legal practice of counseling and representing older persons and their representatives about the legal aspects of health and long-term care planning, public benefits, surrogate decision-making, older persons' legal capacity, the conservation, disposition and administration of older persons' estates, and the implementation of their decisions concerning such matters. Additional issues covered include retirement planning, discrimination in employment, elder abuse, and assisted suicide. This course will inform the growing number of students who may work with or represent the elderly, family members of the elderly, legal service agencies or legislative advocacy groups.

**4LAW 8110 Advanced Corporate Tax Practice I (1)**

This course examines the tax law relevant to capital formation, dividends, redemptions, and liquidations. The exercises are designed to 1) improve students' ability to interpret a statute and apply it to the facts, 2) gain confidence in the application of major corporate tax doctrines, 3) improve writing skills, and 4) learn the tax law applicable to common corporate transactions. Several problems and a short writing assignment are designed to allow students to practice boiling down complex issues into a concise summary suitable for their deal team colleagues, clients, the IRS, or a judge. Grades are based on the daily problem assignments, a short (three to five page) writing assignment, and a short take-home exam.

**Prerequisite(s):** 2LAW 2530.

**Corequisite(s):** 3LAW 3960.

**4LAW 8130 Plea Bargaining (1)**

Only about 2% of all federal criminal defendants go to trial, and only about 6% of state criminal defendants do so. Yet the vast majority of the training received by prosecutors and defense attorneys, both in law school and after, focuses on trials. This mini-course will instead address the mechanism(s) by which most criminal cases are actually resolved, (with a particular emphasis on the federal courts) and will attempt to provide future criminal lawyers with some of the tools needed to achieve just and fair resolutions in those cases. For the last class, students will be put into pairs (prosecutor-defense attorney), and required to conduct plea negotiations in a hypothetical case, and ultimately reach a resolution that does not involve a trial. The roles of the participants will then be reversed, and the exercise will be conducted again.

**4LAW 8145 Advanced Corporate Tax I (1)**

This course will prepare students to be productive members of a deal team. Combined, they cover the commonly encountered major corporate transactions, such as stock issuances, distributions, redemptions, and liquidations. The exercises are designed to improve a student's confidence in interpreting a statute and applying it to the facts. Several writing assignments and problems are designed to allow the students to practice boiling down complex issues into a concise summary for their deal team colleagues, clients, the IRS, or a judge.

**Prerequisite(s):** 2LAW 2530 and 3LAW 3960\*.

\* May be taken concurrently.

**4LAW 8150 Advanced Corporate Tax Practice II (1)**

This course examines the tax law relevant to taxable acquisitions, spin-offs, reorganizations, the carryover of corporate attributes in connection with acquisitions, and anti-abuse provisions. The exercises are designed to 1) improve students' ability to interpret a statute and apply it to the facts, 2) gain confidence in the application of major corporate tax doctrines, 3) improve writing skills, and 4) learn the tax law applicable to common corporate transactions. Several problems and a short writing assignment are designed to allow the students to practice boiling down complex issues into a concise summary suitable for their deal team colleagues, clients, the IRS, or a judge. Grades are based on the daily problem assignments, a short (three to five page) writing assignment, and a short take-home exam.

**Prerequisite(s):** 2LAW 2530 and 3LAW 3960.

**4LAW 9510 Representing Physicians (2)**

This course will begin with an overview of general issues in healthcare law but will focus primarily on practical legal issues physicians face in the current healthcare world and how lawyers can be prepared to counsel the physicians facing those issues. This course will address issues as diverse as anti-trust and ERISA to medical staff and peer review, from the viewpoint of a practitioner who specializes in representing physicians. Tulane medical students will also attend several of the classes. The course is taught by Richard Levenstein, a Shareholder at Nason Yeager. There will also be several attorney and physician guest instructors.

## Admiralty Law Courses (ADMR)

**ADMR 2010 Admiralty I (3)**

This course will survey substantive matters, including carriage of goods by sea; charter parties; personal injury and death; collision; towage, pilotage, and salvage. Admiralty I is not a prerequisite for the course in Admiralty II; however, both Admiralty I and II are required for J.D. students prior to enrollment in any other Admiralty courses that are regularly offered. Advanced Admiralty courses may not be taken by J.D. students simultaneously with either Admiralty I or II.

**ADMR 2020 Admiralty II (3)**

This course deals mostly with jurisdictional and procedural matters, including jurisdiction over maritime claims, considerations of federalism, forum non conveniens, choice of law, special procedures in admiralty cases, limitation of liability, and maritime liens. Admiralty II may be taken prior to Admiralty I. Both courses must be taken by J.D. students as prerequisites to any other regularly offered admiralty courses.

**ADMR 6000 Admiralty Seminar (2-3)**

The Seminar will have one or more common themes to be selected by the class with some suggestions from the professor. Two possible themes are: (1) the shipping industry's decarbonization efforts and (2) the problem of abandoned seafarers and mistreatment of seafarers, particularly in the fishing industry. Students attending the first class should have given some thought as to what they would like to see the Seminar cover. Admiralty I is a prerequisite. This seminar may be taken to satisfy the upper-class writing requirement.

**Prerequisite(s):** ADMR 2010.

**ADMR 6080 Carriage of Goods By Sea (2)**

This course involves the legal problems arising out of damage to cargoes transported between the United States and foreign ports and focusing on the Carriage of Goods by Sea and Harter Acts, as well as under the Rotterdam Rules. There is an emphasis placed on the actual practice of maritime law. Students must participate in an ungraded mock cargo negotiation. Admiralty I and II are prerequisites. The course is taught by Raymond Waid who is a Shareholder in the New Orleans office of Liskow & Lewis, APLC.

**Prerequisite(s):** ADMR 2010 and 2020.

**ADMR 6220 Personal Injury & Death (2)**

An advanced course in admiralty law concentrating on rights and liabilities arising out of the personal injury and death of seamen, longshoremen, harbor-workers, and third parties under both federal and state law. Admiralty I and II are prerequisites. The course is taught by Stevan Dittman, Of Counsel with the firm of Gainsburgh, Benjamin, David, Meunier & Warshauer, L.L.C.

**ADMR 6350 Collision Law & Limit of Liab (3)**

This course presents the general principles of maritime collision law, including causation, legal presumptions, the effect of statutory violations, apportionment of fault, damages, special evidentiary rules and an overview of navigation Rules of the Road and their interpretation. This course then provides an in-depth study of limitation of liability from a practical point of view. After study of the theory of limitation of liability, the assertion of this right will be considered in detail, as well as the content of the limitation fund and how it is distributed. J.D. students must have taken Admiralty I and II. Enrollment in the course is limited to 35 students. This course is taught by Jake Rodriguez and Michael Harowski, who are partners in the Wilson Elser firm.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or ADMR 2010.

**ADMR 6430 Marine Insurance I (2)**

An advanced admiralty course that focuses on the legal problems involved in insurance against physical loss or damage to maritime property (hull and cargo), against maritime liabilities (protection and indemnity), and for damage to cargo. J.D. students must have taken Admiralty I and II. 3L students must write the exam, but LLM candidates may write an advanced level paper if they so choose. This course will be taught by Brandon Thibodeaux, an associate with Frilot LLC.

**ADMR 6440 Marine Insurance II (2)**

Marine Insurance II is an advanced admiralty course that focuses on the legal problems arising out of marine insurance policies. The course examines hull, cargo, P&I, commercial marine property and liability policies including the liability of agents, brokers, and underwriters, the effect of the insolvency of an insurance company, excess and surplus lines coverage, the duty of defend, reinsurance, and current problems in the law of marine insurance coverage. Admiralty I and II are prerequisites. The course is taught by Richard Cozad who is a Partner at Schouest, Bamdas, Soshea & BenMaier P.L.L.C.

**Prerequisite(s):** ADMR 2010 and 2020.

**ADMR 6540 Personal Injury & Death (2)**

An advanced course in admiralty law concentrating on rights and liabilities arising out of the personal injury and death of seamen, longshoremen, harbor-workers, and third parties under both federal and state law. J.D. students must have taken Admiralty I and II. The course is taught by Stevan Dittman, Of Counsel with the firm of Gainsburgh, Benjamin, David, Meunier & Warshauer, L.L.C.

**Prerequisite(s):** ADMR 2010 and 2020.

**ADMR 6730 Regulation of Shipping (2)**

This survey course addresses the regulation of domestic shipping and foreign shipping calling at United States ports. Primary emphasis is on the various governmental agencies that regulate shipping and maritime commerce with secondary emphasis on the role of international treaties and conventions. Specifically examined are the activities of agencies such as the Coast Guard, the Army Corps of Engineers, The Federal Maritime Commission, the Maritime Administration, the National Transportation Safety Board and various state agencies. Areas addressed include vessel inspections, pollution regulation, navigation rules, marine casualty investigations, vessel and waterfront facility security, merchant mariner licensing and license revocation, pilotage and ocean shipping regulation. This course is taught by Brian K. McNamara, a Commander and judge advocate with the United States Coast Guard. J.D. Students must have taken Adm. I and II. (2)

**ADMR 6800 Towage & Offshore Services (2)**

Tugboats, barges, offshore support vessels, and offshore petroleum and renewable energy installations like offshore wind farms provide crucial services in today's global economy, all of which impact towage and offshore services in the admiralty context. This course examines the history, development, and current state of laws – some familiar, some quite specialized – that apply in the context of towage and offshore services. Both casualties and contracts are studied. The course focus is on U.S. law, but the laws of other countries like the U.K. are compared and contrasted when relevant, and internationally recognized contract forms are analyzed. Admiralty I and II are prerequisites. This course is taught by David B. Sharpe who is a Partner at Lugenbuhl, Wheaton, Peck, Rankin & Hubbard.

**Prerequisite(s):** ADMR 2010 and 2020.

**ADMR 6880 Admiralty: Vessel Documentation & Finance (2)**

Students in this course work with materials concerning the documentation of vessels and financing from initial decision to construct to permanent financing. A knowledge of maritime law, commercial law and security rights is recommended. The course is conceived of as a practical course, with emphasis on the financial decisions of vessel operators and financiers. Attention is also given to maritime insurance issues affecting financiers. Admiralty I and II are prerequisites.

**Prerequisite(s):** ADMR 2010 and 2020.

## Clinical Courses (CLIN)

**CLIN 5100 Federal Pretrial Practice Sem (3)**

This seminar is the co-requisite course for the Civil Rights and Federal Practice Clinic and examines the practice, procedure, and ethics of pre-trial advocacy in the area of civil litigation. Topics include client interviewing, case planning, drafting pleadings and discovery requests, taking and defending depositions, motion practice, expert witnesses, and jury selection. Corequisite(s): CLIN 5110.

**CLIN 5110 Civil Rights & Fed Prac Clinic (3)**

This course is the civil advocacy component in which students, under supervision, represent clients primarily in the areas of fair housing, equal employment opportunity, and civil rights/liberties. Students may draft motions, pleadings, discovery requests, and briefs; conduct depositions; argue motions; negotiate settlements and/or try cases in state and federal court. Student attorneys have professional responsibility for clients and handle all aspects of the case from the initial client interview through fact investigation and discovery, then to trial, adjudication, or settlement. To be taken in conjunction with Federal Pretrial Practice. Students are selected on the basis of an application and personal interview. Full year only, 3 credits in the fall and 3 credits in the spring. Course may be repeated 2 times for credit. Corequisite(s): CLIN 5100 and CLIN 5550.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2400 and 2LAW 2800, CLIN 5100\* and 5550\*.

\* May be taken concurrently.

**Course Limit:** 2

**CLIN 5120 Immigration Law Clinic (3)**

Students in the Immigrants' Rights Law Clinic represent detainees, migrant workers, children and other immigrants with critical legal needs working through the U.S. Immigration system. Working alongside licensed attorneys, students work on behalf of clients and community groups in a variety of settings—immigration agencies and courts, state and federal courts, as well as work-shops in detention centers and/or community centers.

**Course Limit:** 2

**CLIN 5130 Immigration Clinic Seminar (3)**

The course is an experiential, yearlong law clinic integrating lawyering theory, skills and doctrine in the context of representing noncitizens, including detainees, migrant workers, and children. Students will be assigned to work in pairs and groups, under Professor Yanik (yearlong) and Prof. Hlass (Fall semester), completing work on behalf of clients and community groups in a variety of settings—immigration agencies and courts, state and federal courts, as well as workshops in detention centers and/or community centers. Students will learn the substantive immigration and federal practice law, as well as ethics and professionalism, as they develop lawyering skills including: critical interviewing, investigating facts, researching and analyzing relevant law, case planning, developing a theory of the case, creative problem-solving, strategic decision-making, collaborating, legal storytelling, critical lawyering and consequences of bias in legal systems, legal writing, oral advocacy, and motion practice.

**Course Limit:** 2

**CLIN 5150 Litigation Skills in DV Clinic (3)**

The course will examine domestic violence in the criminal justice system and in family law, with a special focus on practical legal skills. Topics include domestic violence as a violation of law, civil rights, international human rights and as a tort, and the role of domestic violence in divorce law and custody. While examining the issue systematically, students will also learn important practice skills through simulated role plays and demonstrations. Students will take a mock deposition, perform cross-examinations, and oral arguments. Corequisite(s): CLIN 5160.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or CLIN 5160\*.

\* May be taken concurrently.

**CLIN 5160 Domestic Violence Clinic (3)**

The Domestic Violence Clinic provides legal services to victims of domestic abuse, relationship violence, stalking, or sexual assault. Legal services will address the variety of legal problems which may arise as a consequence of domestic violence, including emergency assistance in obtaining protective orders, and extending to representation in family law cases; including child custody and support; problems with housing, unemployment, or denial of access to financial resources such as bank accounts or other community property. The Domestic Violence Clinic is offered in the fall for three credits and in the spring for three credits. Enrollment is limited to twelve students. Students are selected on the basis of an application and personal interview. Students must meet all eligibility requirements of the Louisiana student practice rule. Prerequisites: Legal Profession and Evidence. Co-requisite: Litigation Skills for DV Clinic Students. Course may be repeated 2 times for credit. Corequisite(s): CLIN 5150 and CLIN 5550.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2800 and 2LAW 2400, CLIN 5150\* and 5550\*.

\* May be taken concurrently.

**Course Limit:** 2

**CLIN 5200 Criminal Practice Seminar (3)**

This seminar is an in-depth study of selected aspects of criminal practice, both skills and substantive. Topics covered include: client counseling, investigation and discovery, drafting and arguing motions, competency to stand trial, the insanity defense, expert witnesses, case strategy, state and federal post-conviction proceedings. This course is geared towards those considering careers in criminal law, whether as prosecutors or defense attorneys. Enrollment is limited to students participating in the Criminal Justice Clinic. A rule penalizing students for lack of preparation and/or excessive absenteeism will be invoked. Fall semester only. Corequisite(s): CLIN 5210.

**CLIN 5210 Criminal Justice Clinic (3)**

This course is the criminal litigation and advocacy component in which students, under supervision, represent indigent criminal defendants in all phases of a criminal case: pretrial motions and trials; parole hearings; state post-conviction relief; appeals to the LA Fourth Circuit Court of Appeal and the LA Supreme Court; and federal habeas corpus petitions in the federal district court, Fifth Circuit Court of Appeal, and United States Supreme Court. Additionally, students engage in non-litigation advocacy on behalf of clinic clients such as testifying before the state legislature, meeting with community organizations, and partaking in community legal education. This course is geared towards those considering careers in criminal law, either as prosecutors or defense attorneys. To be taken in conjunction with Criminal Practice Seminar. Students are selected on the basis of an application and personal interview. Full year only, 3 credits in the fall and 3 credits in the spring. A rule penalizing students for lack of preparation and/or excessive absenteeism will be invoked. Course may be repeated 2 times for credit. Corequisite(s): CLIN 5200 and CLIN 5550.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2400 and 2LAW 2800, CLIN 5550\* and 2LAW 2300\* or 4LAW 4160\*.

\* May be taken concurrently.

**Course Limit:** 2

**CLIN 5240 Environmntl Advocacy Sem (3)****CLIN 5250 Environmental Law Clinic (3)**

The Tulane Environmental Law Clinic (TELC) provides legal services to local, regional, and national groups, as well as individuals, on a wide range of environmental and public participation issues. Under the supervision of the Clinic's staff attorneys, students in the Clinic take the lead in representing clients in pleadings and oral arguments before local governmental bodies, state and federal agencies, and state and federal courts. Among the issues TELC student attorneys address are issues faced by fence line environmental justice communities impacted by facilities which pollute their land, air and water and pose risks from accidental releases; Atchafalaya Basin residents and fishermen who seek to preserve their way of life and the wetlands they rely on; clients concerned with preserving fish and wildlife, including threatened and endangered species; and regional and national groups addressing local environmental issues which reverberate nationwide. TELC is open to 3Ls, 2Ls (during the spring semester only), and LLMs with JD degrees from U.S. law schools. 2L and 3L students are required to enroll for two semesters; LLMs are limited to one semester in TELC. Under student-practice rules, 3Ls and LLMs may sign pleadings and appear in court under the guidance of TELC's supervising attorneys. Professor Jordan plans to invoke a rule penalizing students for excessive absenteeism. 3 credits each semester. Course may be repeated 2 times for credit.

**Course Limit:** 2

**CLIN 5300 Juvenile Advocacy Sem (3)**

This seminar studies the special problems involved in the representation of children and their parents. Topics reviewed include discovery practices in criminal and civil cases, evidence, constitutional criminal procedure, expert witnesses, child custody and child support, and pre-trial motions appropriate for litigation in juvenile court. Enrollment is limited to students participating in the Juvenile Litigation Clinic. Professor Katner plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism. Corequisite(s): CLIN 5310.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or CLIN 5310\*.

\* May be taken concurrently.

**CLIN 5310 Juvenile Litigation Clinic (3)**

In the Juvenile Clinic 10 students represent indigent clients in juvenile delinquency cases, and children in need of care cases. Students work under the direction of the supervising attorney, but the students are primarily responsible for all client and witness interviews, pre-trial hearings, trials and appeals. The course must be taken in conjunction with the Juvenile Advocacy Seminar. The course lasts the entire year and carries 3 credits in the fall and 3 credits in the spring. Students are selected during the spring of their second year based upon written applications and personal interviews with the supervising attorney. Professor Katner plans to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism. Course may be repeated 2 times for credit. Corequisite(s): CLIN 5300 and CLIN 5550.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2400.

**Course Limit:** 2

**CLIN 5350 First Amendment Clinic (3)**

This clinical course is dedicated to protecting freedom of expression, increasing government transparency, and supporting the essential work of news gatherers. The work includes impact litigation and direct legal services. Student attorneys have professional responsibility for clients and handle all aspects of their cases. To be taken in conjunction with the First Amendment Advocacy Seminar. Students are select on the basis of an application and personal interview. Full year only, 3 credits in the fall and 3 credits in the spring.

**Course Limit:** 2

**CLIN 5360 First Amendment Clinic Seminar (3)**

This seminar is the co-requisite course for the First Amendment Clinic and examines the practice, procedure and ethics of pre-trial advocacy in the area of First Amendment. 3 credits.

**CLIN 5410 Legislative & Admin Advocacy (3)**

Legislative and Administrative Advocacy examines how bills become law and how agency rules are promulgated. Each student will research and draft a proposed bill or agency regulation on behalf of a client group, present it in a mock hearing, and write a research paper. Grades are based in equal proportions on the draft of an instrument, mock hearing, and research paper; there is no examination. Class meetings will cover legislative and administrative enactment and promulgation procedures, research methodologies, drafting techniques, constitutional restrictions, and public access to information. This clinical course is open for enrollment by second and third year students. Professors plan to invoke a rule penalizing students for lack of preparation and/or excessive absenteeism.

**CLIN 5420 Adv Leg & Admin Clinic (2)**

Students will work on multiple legislative and administrative instruments at various stages of development, including bills appropriate for introduction into the spring legislative session, rules intended for promulgation by agencies, city ordinances, research memoranda, one-page informational sheets, proposed amendments, fiscal notes, and fiscal and economic impact statements. Classroom meetings will include presentations by faculty and by personnel from collateral agencies with expertise in legislative and administrative advocacy. Direct faculty instruction will also be provided through meetings and tutorials, individually and in small groups, where drafts of instruments will be reviewed and critiqued, feedback will be provided on written memoranda, strategic considerations will be discussed, and students will engage in critical reflection on their field experiences. Students will devise implementation strategies based on economic analysis and feasibility of proposed instruments. They will attend meetings of selected public bodies and prepare a written reflection on what they observed. Grades will be based on written memoranda and drafts, timeliness of the work, supervisory and client feedback, and diligence. In order to apply for entry into the clinic, students must have taken the fall semester course in Legislative & Administrative Advocacy; enrollment is subject to professor approval.

**CLIN 5550 Trial Advocacy (3)**

This course is intended to prepare and train students in advocacy skills for litigation. It is graded on a pass/D/fail basis, with top 10% of class receiving "honors" designation. The principal method of instruction is "Learning By Doing." The students participate in intensive role playing of simulated trial problems and receive feedback from faculty members. Subjects covered during the course are: opening statements; direct and cross examination; exhibits and demonstrative evidence; impeachment and rehabilitation; examination of expert witnesses; closing arguments; and trial notebook. Asynchronous lectures on the skill of the week are provided, and members of the faculty give demonstration performances. Each student performance is recorded at least once as part of the weekly faculty feedback and self-evaluation component. The faculty includes experienced trial lawyers and judges, who rotate through each section so that students will be exposed to a variety of views and ideas. Each student tries a trial at the conclusion of the course. The course has a limited enrollment. It is strongly recommended that you take Evidence prior to enrolling in Trial Advocacy, but co-enrollment is permitted.

**Prerequisite(s):** 2LAW 2400\*.

\* May be taken concurrently.

## Mini Courses (MINI)

**MINI 3530 Becoming Lawyers: Applied Legal Analysis (1)**

This course aims to promote the academic and professional success of 3L students transitioning into their post-graduation bar exam preparation. The course will focus on exam strategies and study skills; it will not explicitly teach content tested on the bar exam and is not designed or intended to be a substitute for a commercial bar review course. The course will be held jointly, with two class sessions split by jurisdiction to provide exam-specific instruction and targeted skills practice. Both sections will begin with an overview of the structure of the Uniform Bar Exam and Louisiana Bar Exam and the processes for admission to state bar associations. Following this initial lecture-based session, students are expected to be active participants in the course, which will require out of class assignments, in-class assignments, skills practice, mock exams, and other formative graded exercises. Students will receive hands-on studying and writing practice, peer evaluation, and individual feedback. Students will take at least one civil law bar course or one upper-class bar course in the same semester (unless the student has successfully completed three civil law or upper-class bar courses). The proposed course is in line with the overwhelming majority of our peer and aspirational schools. Of the twenty-four schools ranked between 60 and 80 by the U.S. News and World Report in 2023, nineteen have a bar preparation program. Of the ninety-one schools ranked between 1 and 80, only twenty-nine have no bar course or commercial partnership.

**MINI 4000 Wind Law (1)**

Wind is a major source of renewable electricity in use around the world. This course will focus on legal and policy factors that arise with this technology, using case studies, legal materials, scientific data, and other sources from the U.S. The course provides an in-depth study of most aspects of wind law in the US, with a focus on selected states, including the history of wind energy, the major elements of the wind energy lease, permitting, land law issues, the contractual framework for the sale of wind energy, offshore wind projects, government tax incentives, transmission issues and litigation.

**MINI 4010 Competition Law in the Digital Economy (1)**

The course explores the impact of digitalization on the application of competition law. On the one hand, competition has been tremendously intensified by the reduction of transaction costs, greater transparency and geographic market expansion. On the other hand, unprecedented economies of scale, network effects and control over big data create considerable barriers to entry and increase market power. Moreover, algorithms and artificial intelligence allow for new methods of coordinating market conduct with other players. Therefore, it does not come as a surprise that new competition law cases have emerged, including but not limited to the GAFAM platforms (Google-Alphabet, Apple, Facebook-Meta, Amazon and Microsoft). While the focus of the course is on European Union (EU) competition law, developments in US antitrust law will be considered comparatively. It will be shown that competition law – when adequately applied – does not stand in the way of innovation but has become indispensable for keeping markets dynamic, fair and open.

**MINI 4020 International and Comparative Climate Law (1)**

Emissions of greenhouse gases are known to cause widespread ecological, economic, and social consequences at a global scale. For over three decades, states have engaged in intense international negotiations and national efforts to address this issue, in particular by limiting and reducing greenhouse gas emissions. This course will consider what has been done, what is being done, and what could be done to address climate change through law and policy at the international, national, and local scales.

**MINI 4810 Socio-Economic Rights (1)**

Socio-economic rights play an important role in many societies. Demands for jobs, food, water, housing/shelter, education, health care or – more generally – dignified living conditions are as important as classical liberal (“first generation”) rights to equality, free speech, assembly, political participation or religion in countries like South Africa or India and continue to influence the human rights debate across large parts of South America. The Arab Spring is the most recent battleground over constitutionally entrenched socio-economic demands and greatly expanded the scope of such entitlements in systems like Iraq or Egypt. Other societies, including the United States and many countries in Europe, provide assistance for citizens in need but take a much more cautious stance on the constitutional protection of the socio-economic sphere. This course identifies different approaches to the protection of socio-economic entitlements. Drawing on the origins of social welfare states, including the German and French models, students will be alerted to the tensions that exist between the desire to provide a constitutional basis for the most fundamental needs of citizens and the limited resources available to most societies when it comes to the creation of job opportunities or the provision of social welfare benefits. Options range from ordinary social welfare legislation without a constitutional safety net, constitutional principles that direct public policy and resources towards the development of socio-economic safeguards, constitutional provisions that guarantee a minimum standard of life, to the constitutional entrenchment of ambitious individual rights to socio-economic benefits. Students will explore these options on the basis of selected academic writings, socio-economic data from national sources and international organizations, court decisions, and constitutional texts from a variety of systems including Ecuador, South Africa, India, Egypt, Germany and the United States. Particular emphasis will be placed on the role that constitutional law can play in socio-economic development and the distribution of limited resources between competing societal needs. This will include the difficult question of judicial enforcement and the implications of constitutionally entrenched rights for the separation of powers in democratic systems of government.

**MINI 5040 Legal Scholarship Workshop (1)**

This “workshop” will feature presentations by four or five visiting authors of their works-in-progress on regulation of economic activity, broadly construed. Students formally enrolled in the workshop will meet with one or more of the faculty conveners the week before each author’s presentation to discuss the paper. Students will prepare brief (one-page) response papers for each paper for discussion in the prior meeting; those response papers will be shared with the authors. In addition, students will be expected to attend two additional approved lectures at the law school or elsewhere on campus and submit a brief (one-page) response paper. The workshop is designed for students who are interested in legal scholarship in general and for those with particular interest in issues related to regulation, economic regulation, and international coordination of economic policies. The author presentations will be open to students who are not formally enrolled in the workshop. The faculty conveners are: Adam Feibelman (Tulane, Law) Blair Druhan Bullock (Tulane, Law), and Steve Sheffrin (Tulane, Murphy Institute). 1 credit, pass/fail.

**MINI 5041 Legal Scholars Wkshp, Advanced (1)**

Continuation of Legal Scholarship Workshop.

**MINI 5110 Freight Forwarders & NVOCCs (1)**

This course will examine the role of intermediaries with respect to the negotiation and conclusion, or “fixing” of contracts for the carriage of goods by sea. The course will specifically examine the procedure for negotiating contracts including charter parties, the applicable chartering terms, the relationship between the intermediaries and the merchants, charterers, carriers and owners, and the relevancy of agency law. The course will explore multimodal transportation and liability regimes in EU and US. The course will be taught by Andrei Kharchanka, Manager of Risk, Claims and Litigation for BBC Chartering GmbH of Leer, Germany. BBC specializes in project cargo and is the world’s largest operator of heavy lift multipurpose vessels.

**MINI 5120 Adm: Charter Parties (1)**

In this course, the student will become familiar with the different types of charter parties utilized by the shipping industry for chartering both cargoes and vessels. The main focus of the course will be on the duties of the owners and charterers under time and voyage charter parties, and the legal basis for disputes under both U.S. and English law. The course will be taught by Jason P. Waguespack (L’91) of the firm Galloway, Johnson, Tompkins, Burr & Smith.



**MINI 5300 Corporate Governance: Hot Topics in Corporate & Personal Governance (1)**

This mini-course carries one semester hour of credit and meets for six two-hour sessions. It is graded on the "P, D, F" basis. It considers selected topics in corporate governance and cases in which governance failures contribute to business failures. Because a significant portion of the course is current events, which are not predictable, newspapers are part of the assigned reading. Please choose either The New York Times or The Wall Street Journal. Editorial content will not be assigned. The course outline may change with little or no notice. Adjunct Professor Fishman is of counsel to Fishman Haygood, LLP, a New Orleans boutique law firm. Adjunct Professor Gershanik is a partner of Fishman Haygood, LLP. A student's background in corporation and securities law will be useful, but not prerequisite. The course is most appropriate for 3Ls, but 2Ls are also welcomed.

**Prerequisite(s):** 2LAW 2070.

**MINI 5490 EU Competition (Antitrust) Law (1)**

The course will consider a critical area of European Union business law: competition/antitrust law. It begins with a sketch of European Union law with specific reference to how the Union regulates trade, corporate establishment and the institutions that enforce these policies. It then turns to the two relevant European Union treaty articles: Article 101, which governs multi-firm conduct (agreements between business entities), and Article 102, which observes single firm conduct (abuse of dominant position). It is not necessary to have taken either Antitrust or European Business Law to enroll in the course.

**MINI 5620 Human Rights Discourse (1)**

This course will explore key themes of human rights protection through the lens of U.S. and foreign court decisions.

**MINI 6040 Anti-Racist Lawyering (1)**

Amidst the twin pandemics of corona virus and longstanding structural racism, this mini course will immerse students in readings, analysis and conversation about how law is frequently used to perpetuate anti-black racial harms and hierarchies and how students might use their legal education to disrupt those hierarchies. In a series of workshops, leading scholars, practitioners, organizers, and community members will address both historical civil rights barriers as well as current proposals for eliminating structural racism across the criminal justice, voting, education, housing, health/ environmental and other sectors. Students will be assigned a series of prompts for preparation of reflection papers and essays.

**MINI 6080 Roman Law (1)**

Peace, liberty guaranteed by clear-cut rules, social interaction guided by value-laden principles-it is by these ethical and rational contents, deeply grounded and diligently elaborated in its religious, philosophical, and political history, that Roman Law has become part of the common heritage of the world's jurisprudence. As the course will illustrate in telling detail and general overview, Roman Law is in fact inspired from its beginning by the humanly valid idea that human life has to realize and to reconcile two seemingly contradictory ends, individual freedom and the reliable cooperativeness. Notably, slavery, omnipresent in its day, was branded by Roman lawyers an institution against human nature, thus paving the way for its abolition in modern times.

**MINI 6150 Int'l Anti-Corruption (1)**

This course will cover the basics of international anti-corruption laws such as the U.S. Foreign Corrupt Practices Act, the U.K. Bribery Act, international conventions against corruption, and similar anti-bribery laws of other countries. These anti-corruption laws generally prohibit direct and indirect corrupt payments to foreign officials. Enforcement has increased significantly in the last few years and will continue to be a major factor to any organization operating globally. The course will use recent SEC and DOJ investigations (such as the case against former U.S. congressman from New Orleans, William Jefferson) to illustrate the basics of these anti-corruption laws. The course will also cover other areas in the international trade regulatory regime such as export controls, anti-boycott, anti-money laundering, and fraud prevention. Other areas addressed by the course include the scope of international anti-corruption laws, identifying a government official, identifying red flags in business partners, conducting due diligence, exceptions to the laws, assessing third party risk, and other areas that play an integral role in counseling clients doing business abroad. We will review the elements of a comprehensive corporate compliance program and mechanisms used to implement compliance procedures and internal controls in an organization. The course will also address the cultural challenges presented by certain countries and industries. Students will be expected to participate in case studies and exercises designed to apply legal principals to situations that arise in the practice of law.

**MINI 6180 Real Estate Contracts (1)**

This course will examine the negotiation of a number of real estate contracts and the skills and methods of lawyers who handle transactions. The contracts include a purchase agreement, a construction loan commitment, purchase and remediation agreements for a brownfield site, a workout (loan modification) agreement and a management agreement for a senior living facility. The course materials will include a case study for each transaction and a form of the agreement, with an indication of the matters that most concern the party that receives the initial draft. The course will take up the rules of law that motivate and constrain the contents of particular agreements.

**MINI 6181 Real Estate Contracts II (1)**

This course will examine the negotiation of a number of real estate contracts and the skills and methods of lawyers who handle transactions. The contracts include an office lease, a shopping center lease for a small tenant, a reciprocal easement agreement for a shopping center, an LLC agreement between a developer-manager and high net worth investors, an owner-architect contract and an owner-contractor agreement. The properties will include an office building, a shopping center, a warehouse and one to be determined. The course materials will include a case study for each transaction, a form of the agreement, and the response of the party that receives the first draft. The course will take up the rules of law that motivate and constrain the contents of particular agreements.

**MINI 6190 Representing Physicians (1)**

This course will begin with an overview of general issues in healthcare law but will focus primarily on practical legal issues physicians face in the current healthcare world and how lawyers can be prepared to counsel the physicians facing those issues. This mini-course will address issues as diverse as anti-trust and ERISA to medical staff and peer review, from the viewpoint of a practitioner who specializes in representing physicians. Tulane medical students will also attend several of the classes, and there will also be several attorney and physician guest instructors.

**MINI 6250 Corp Law & Hostile Acquisition (1)**

This is an advanced corporate law course focusing on state corporate law, corporate governance, the fiduciary duties of directors and the rights of stockholders in the context of hostile acquisitions. This course will emphasize the practical aspects of corporate law and will cover hostile acquisitions from a bidder's perspective (which will include takeover approaches, takeover negotiations, takeover techniques, and the structuring and pricing of offers), hostile acquisitions from a target's perspective (which will include advanced preparation, structural changes to reduce vulnerability, and responding to acquisition offers), proxy contests and stockholder activism. Business Enterprises is a prerequisite for 2L students and a prerequisite or co-requisite for 3L students. The course will be taught by Michael Maimone who is an experienced corporate attorney and litigator who practices primarily in Delaware and New York.

**MINI 6370 Political Investigations & Impeachment (1)**

This course looks at issues at the intersection of politics and law that arise in investigations of public officials, including in impeachment proceedings. Topics will include criminal investigations, congressional inquiries, the role of defense counsel, and standards and processes for impeachment and removal of a U.S. president and other high-level government officers. Both the legal framework and practical political considerations will be considered. This course will be taught by Ross Garber, chair of the Government Investigations and White Collar Crime Group of Shipman & Goodwin LLP (Washington, D.C.), whose practice concentrates on representing government officials in investigations and who has served as lead defense counsel to three U.S. governors facing impeachment.

**MINI 6450 Intro to Chinese Maritime Law (1)**

This introductory course aims to convey to the student the primary knowledge of the shipping law and practice of the Mainland of China. The key sectors which are to be covered include Chinese legal system, setting up in China, contracting with Chinese entities, carriage of goods by sea, shipping contracts, ship and ship-related rights, marine casualties, marine insurance, agency, dispute resolution and maritime procedural law. This course intends to present the unique features of Chinese shipping law and tries to prepare the students for recognizing and dealing with uncomplicated legal issues in relation to Chinese shipping industry.

**MINI 6480 Climate Change: Underlying Drivers: Potential Solutions (1)**

Students will explore major sources of greenhouse gas (GHG) emissions, understand drivers to reduce GHG emissions (including voluntary and mandatory mechanisms), assess the effectiveness of various GHG reduction efforts, evaluate available GHG reduction technologies, and review various U.S. government initiatives to accelerate GHG reduction efforts. At the conclusion of the course, students should have a thorough grounding in climate change and be able to understand the causes of climate change, potential solutions, and the economic and legal drivers of climate change causes and solutions.

**MINI 6490 Transnational Litigation (1)**

The rapidly growing number of disputes involving foreign parties and transactions present distinct problems that do not arise in purely domestic litigation or arbitration. The course will address these problems and the emerging solutions as developed by American courts, and it will compare these developments with approaches that prevail in other legal systems. Areas that will be covered include the extraterritorial application of U.S. laws, taking evidence abroad, personal jurisdiction over foreign defendants, and the enforcement of foreign judgments.

**MINI 6620 Space Law: Jurisd Int Treat (1)**

This course focuses on the question of what rules apply in outer space and examines the five current international treaties that govern outer space: the Outer Space Treaty, the Rescue Agreement, the Liability Convention, the Registration Convention, and the Moon Agreement. Comparisons to issues of jurisdiction in admiralty law will be made throughout the course, though no prior knowledge of admiralty law is required. This course is taught by Jeanne Amy from the Department of Justice's Aviation, Space, and Admiralty Division.

**MINI 6630 Space Law: Property, Tort, and the Environment (1)**

This minicourse examines three interrelated areas to consider in space: delict (tort), property, and the environment. In terms of tort law and space, undertaking outer space activities is inherently a risky business. Things blow up, fall down, smash into one another – bottom line, things can go very wrong. And when they do, someone will be liable. How tort law principles apply in outer space will be the first area of focus for the mini course. Property rights, the second area of focus, also are important in space. While existing treaties provide that States cannot take ownership of celestial bodies, there is room for interpretation as to whether a private person (or institution) might acquire such ownership. Moreover, there are property rights already in outer space given the existence of man-made objects, such as satellites, spacecraft, etc. How property law impacts space law is the second topic for our discussion. Finally, we will examine space and the environment. There are environmental impacts of outer space activity not only in space, but also on Earth, including pollution created during launch operations, importing new microbes onto Earth during space activity, and objects falling into Earth's atmosphere from space. Issues of the environment within outer space will also be discussed in the context of space debris, satellites, space stations, the future of possible space hotels, and more. The course will be taught by Professor Wian Erlank of North-West University in South Africa and will be graded in a Pass/C/Fail basis

**MINI 6650 Public Co Reporting Practicum (1)**

This course is designed to provide a hands-on and practical introduction to disclosure issues and practices of publicly traded companies. The course will address disclosure issues and topics under the federal securities laws and the various rules and regulations thereunder. The course will also cover select corporate governance issues, such as director independence, committee composition and duties, shareholder approval of certain matters, and other exchange listing requirements (NYSE and/or NASDAQ rules). This is an advanced course that is designed to teach students how to approach and solve problems relating to public company disclosure issues, focusing on the structure and content of disclosure and available resources. The course will be designed to simulate the issues and tasks that an attorney would perform in representing a public company in practice. It is primarily designed for students who intend to practice corporate or securities law and represent companies in connection with public filings with the Securities and Exchange Commission and the sale of securities.

**MINI 6660 Plea Bargaining (1)**

Only about 2% of all federal criminal defendants go to trial, and only about 6% of state criminal defendants do so. Yet the vast majority of the training received by prosecutors and defense attorneys, both in law school and after, focuses on trials. This mini-course will instead address the mechanism(s) by which most criminal cases are actually resolved, (with a particular emphasis on the federal courts) and will attempt to provide future criminal lawyers with some of the tools needed to achieve just and fair resolutions in those cases. For the last class, students will be put into pairs (prosecutor-defense attorney), and required to conduct plea negotiations in a hypothetical case, and ultimately reach a resolution that does not involve a trial. The roles of the participants will then be reversed, and the exercise will be conducted again.

## Non-Classroom Courses (NCLS)

**NCLS 9010 Law Review (0-2)**

Founded in 1916 as the Southern Law Quarterly, the Tulane Law Review is published five times annually and is managed and edited by students of the Tulane University Law School. The Review is recognized as a preeminent forum for scholarly publication in the areas of Civil Law, Comparative Law, and Admiralty Law. The Review has a significant international circulation and is on a select list of minimum holdings for courts and law libraries in the United Kingdom. The Review maintains a wide European readership. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 4

**NCLS 9020 Moot Court (0-2)**

Tulane Moot Court is one of the largest student-run organizations at Tulane University Law School and among the oldest programs of its kind in the nation. The Tulane Moot Court program was founded in 1929 by a small group of Tulane Law students, including the legendary U.S. Fifth Circuit Judge John Minor Wisdom. Alumni include state and federal judges, members of Congress, U.S. Ambassadors, and state governors. Tulane Moot Court is comprised of four Interschool teams: Mock Trial, Appellate, Alternative Dispute Resolution, and Willem C. Vis International Arbitration. The Appellate team consists of four sub-teams: International Criminal Court, John R. Brown Appellate Admiralty, Pace Environmental Appellate, and Black Law Students Association (BLSA) Appellate. Throughout the year, all of these teams earn academic credit by competing in a number of national and international moot court competitions. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 4

**NCLS 9030 Maritime Law Journal (0-2)**

The Tulane Maritime Law Journal is a biannual, student-edited law journal that includes scholarly works written by academics, practitioners, and students concerning current topics in Admiralty and Maritime Law. In addition, the Journal publishes annual sections in Recent Developments and International Law for the United States and the international community, as well as periodic symposia on relevant topical areas in the field and quantum and collision surveys every other year. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 4

**NCLS 9040 Environmental Law Journal (0-2)**

The Tulane Environmental Law Journal is a biannual legal periodical produced and edited by students of Tulane Law School with the support of the faculty and administration of Tulane Law School. The Journal contains timely articles written by professors and practitioners, as well as commentary on recent cases written by journal members. Featured scholarly articles rigorously analyze a broad range of environmental issues affecting individuals, communities, and the nation at large. Course may be repeated 4 times for credit.

**Course Limit:** 4

**NCLS 9050 Law & Sexuality Journal (0-2)**

First published in 1991, the Tulane Journal of Law & Sexuality is the first student-edited law review in the country devoted solely to covering legal issues of interest to the lesbian, gay, bisexual, and transgender community on a wide variety of subjects, including constitutional, employment, family, health, insurance, and military law. The Journal also publishes the winning article of the annual National LGBT Bar Association Michael Greenberg Student Writing Competition. Course may be repeated 4 times for credit.

**Course Limit:** 4

**NCLS 9060 Jnl Int'l & Comparative Law (0-2)**

The Tulane Journal of International and Comparative Law was founded at Tulane University Law School in New Orleans, Louisiana as an outgrowth of that institution's historical tradition as a signpost in the academic world for international and comparative law. Published biannually, the Journal is dedicated to discussing and debating all facets of international law, from human rights to transnational commerce to the historical evolution of current global law. Course may be repeated 4 times for credit.

**Course Limit:** 4

**NCLS 9070 Tech & Intell Property Journal (0-2)**

The Tulane Journal of Technology & Intellectual Property (JTIP) is a student-edited, subscription-based, scholarly publication of Tulane University Law School. JTIP examines legal issues relating to technology, including topics such as patents, copyrights, trademarks, trade secrets, antitrust, information privacy, computer law, constitutional law, contracts, torts, and all other policy implications of law and technology in our society. Course may be repeated 4 times for credit.

**Course Limit:** 4

**NCLS 9080 Sports Law Journal (0-2)**

The Sports Lawyers Journal is a national legal journal edited by Tulane law students and published by the Sports Lawyers Association (SLA). Every member of the SLA, currently nearly 1,500 practicing lawyers, professors, law students, and other professionals, receives the publication annually. Since the Journal is composed of articles authored by American, Canadian, and European law students, it provides a unique view of sports issues and an unparalleled opportunity for students to have their works published and read. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 4

**NCLS 9100 Directed Research (1-3)**

Directed Research is a way for students to receive one, two, or three hours of credit for research papers completed under the supervision of a member of the full-time faculty. The faculty member must approve the topic and scope of the paper and determine the number of pages required for the credit granted. Students may receive a maximum of three credits during their entire degree program. Course may be repeated 3 times for credit.

**Course Limit:** 3

**NCLS 9110 Seminar Work (1)**

Out of class work component for 3 credit law seminar courses Course may be repeated up to unlimited credit hours.

Enrollment limited to students in the Uptown campus.

**Maximum Hours:** 99

**NCLS 9150 Immigrant's Rights Practicum (3)**

The course is an experiential course integrating lawyering theory, skills and doctrine in the context of representing noncitizens (seeking nonimmigrant U or T status) in partnership with the community group, the New Orleans Workers' Center for Racial Justice (NOWCRJ). Students will be as-signed to work in pairs, under the supervision of a NOWCRJ attorney and Prof. Hlass, on one U nonimmigrant status application for a NOWCRJ client. Students will learn the substantive law of Nonimmigrant Status, as well as ethics and professional-ism, as they develop lawyering skills including: client-centered interviewing, investigating facts, researching and analyzing relevant law, case planning, developing a theory of the case, creative problem-solving, strategic decision-making, collaborating, legal storytelling, cross-cultural lawyering and consequences of implicit bias, and legal writing, including affidavits and advocacy-focused letter briefs.

**NCLS 9300 Senior Fellow (2-4)**

Legal Research and Writing Senior Fellowship.

**Maximum Hours:** 4

**NCLS 9400 Law Externships (0-6)**

The Externship courses provide legal education and skills development in real-life settings. Students work and learn in a variety of workplaces: public interest or nonprofit organizations; courts or government offices at the federal, state or local level; and corporate counsel offices. The Externship courses allow students to gain expertise in professional skills and problem-solving; study professionalism and the lawyers' ethical requirements; examine lawyers' roles in the delivery of justice and ensuring justice for all; develop specific lawyering skills or learn a specific area of law; explore career interests in a variety of legal fields and build a professional network; and provide service to the community and to the public at large. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 18

**NCLS 9410 Advanced Summer Externship (3)**

Upper-class summer externship.

**Maximum Hours:** 6

## Special Courses (LAWS)

**LAWS 6000 Mindfulness for Lawyers (0)**

The 30-minute sessions are designed to help you reduce stress, increase concentration, and thrive during exam period.

**LAWS 6010 Pretrial Civil Lit Bootcamp (1)**

This course is designed to teach students the fundamental skills necessary to represent clients in civil discovery and motion practice before trial.

The course concentrates on developing skills in client communication, drafting pleadings, preparing and responding to written discovery, arguing pretrial motions, and preparing for and taking the depositions of both fact and expert witnesses. Throughout the individual lessons, the faculty spends time discussing case development, the burden of proof at trial, and the witnesses and exhibits that an attorney will need to obtain in preparation for representing their client before a jury. The faculty also discusses related issues including insurance coverage and its effect on the attorney-client relationship and execution of a potential judgment. The course's explicit focus on pretrial practice reflects the availability of further education in trial skills through Tulane's Trial Advocacy program and Tulane's clinical programs.

**LAWS 6020 Pretrial Criminal Lit Bootcamp (1)**

This course hopes to teach students three critical skills required for pretrial advocacy in criminal litigation: information gathering; drafting motions; and arguing motions. The course will focus on the five matters (and related motions) most commonly encountered in the interval between arrest and trial: (1) bail; (2) discovery; (3) "similar acts"/FRE 404B evidence; (4) motions to dismiss; and (5) motions to suppress evidence. Students in the course will be divided into two groups – a prosecution track, and a defense track – and will be expected to learn what information is necessary for each motion; to research and write each motion; and then to argue their motion (or opposition) each day. In addition, students will be expected to learn to formulate a theory of the case, either prosecution, or defense, and then to make strategic decisions consistent with that theory as they move through the pretrial process. The course is designed to occupy the territory between classroom theory and trial practice. Training in the latter area is readily available through Tulane's Trial Advocacy program, Tulane's Criminal Law Clinic, and Tulane's supervised externships at public defenders' and prosecutors' offices.

**LAWS 6030 Transactional Bootcamp (1)**

This course will consist of a series of counseling, negotiation, due diligence, and drafting exercises structured around a basic corporate transaction (e.g., an asset purchase). The course will introduce students to fundamental deal skills, such as structuring the timetable for a transaction, eliciting and drafting the operative business terms, identifying legal and business risks and negotiating corresponding risk-shifting and risk-reduction provisions, and reviewing and drafting the ancillary documents necessary to consummate the transaction.

**Prerequisite(s):** minimum score of PASS in 'Law Graduate Student' or 2LAW 2070.

**LAWS 6040 Business Literacy (1)**

This one-credit course is designed to introduce students to a range of basic business concepts that lawyers will encounter in commercial or transactional practice. Students will be grouped into 6 teams, each of which will act as a consultant in connection with a proposed sale of a publicly traded company (the "Company"). With the assistance of one or more Senior Advisor, each team will participate in a series of exercises designed to analyze different aspects of the proposed sale, including an understanding of the industry, the value chain in the Company's market, the value of a business combination with the Company in advancing the long-term objectives of different bidders, the fair value of the Company under different valuation methodologies, the options available to a finance a business combination with the Company, and the risks posed to individual bidders by a business combination with the Company. As a final project, each team will make an oral presentation to the CEO and board of a specific bidder regarding the Company's strengths and weaknesses and the opportunities and challenges posed by a business combination with the Company.

**LAWS 6050 IP Lab (1)**

The two IP Labs in Patent and Trademark allow students to obtain practical, real-world experience representing clients in patent and trademark matters on a pro bono basis before the U.S. Patent and Trademark Office. Students under supervision help screen and interview clients, conduct patentability or registerability searches, counsel the client regarding the results, and, if appropriate, draft and file patent or trademark applications, responses, and other documents necessary to the application. 2Ls and 3Ls may apply for this limited enrollment course by completing an experiential application ("ONEAPP"). Students applying for the IP Lab in patents must have the technical background described at pp. 4-10 in the General Requirements Bulletin on the USPTO website, available at [https://www.uspto.gov/sites/default/files/documents/OED\\_GRB.pdf](https://www.uspto.gov/sites/default/files/documents/OED_GRB.pdf) Course may be repeated 2 times for credit.

**Course Limit:** 2

**LAWS 6060 Trademark Prosecution (1)**

TRADEMARK Prosecution Boot Camp This 1-credit graded course will provide students the opportunity to engage in educational simulated hands-on trademark prosecution tasks, including researching trademark availability, preparing freedom-to-use and registrability opinions, preparing trademark applications, preparing use affidavits, evaluating and responding to USPTO office actions, and responding to oppositions. The course, taught by Prof. Joel Feldman, will simulate the lifecycle of a trademark application, from clearance through publication for opposition

**LAWS 6500 Semester Abroad Australia (0-14)**

Law study abroad in Australia.

**LAWS 6510 Semester Abroad - Argentina (0-14)**

Law study abroad in Argentina.

**LAWS 6520 Semester Abroad Hong Kong (0-14)**

Law study abroad in Hong Kong.

**LAWS 6540 Semester Abroad Copenhagen (0-14)**

Law study abroad in Denmark.

**LAWS 6550 Semester Abroad France (0-14)**

Law study abroad in France.

**LAWS 6570 Semester Abroad Germany (0-14)**

Law study abroad in Germany.

**LAWS 6580 Semester Abroad Israel (0-14)**

Law study abroad in Israel.

**LAWS 6590 Semester Abroad Japan (0-14)**

Law study abroad in Japan.

**LAWS 6600 Semester Abroad Amsterdam (0-14)**

Law study abroad in Amsterdam.

**LAWS 6610 Semester Abroad Netherlands (0-14)**

Law study abroad in The Netherlands.

**LAWS 6620 Semester Abroad - Barcelona (0-14)**

Law study abroad in Spain.

**LAWS 6630 Semester Abroad - Colombia (0-14)**

Law study abroad in Colombia.

**LAWS 6640 Semester Abroad China (0-14)**

Law study abroad in China.

**LAWS 6650 Semester Abroad Switzerland (0-14)**

Law study abroad in Switzerland.

**LAWS 6651 Semester Abroad Sweden (0-14)**

Law study abroad in Sweden.

**LAWS 6660 Semester Abroad Italy (0-14)**

**LAWS 6670 Semester Abroad Denmark (0-14)**

**LAWS 6680 Semester Abroad Mexico (0-14)**

**LAWS 6690 Semester Abroad Spain (0-14)**

**LAWS 7990 Law Research (0)**

Special research topics for visiting scholars. Course may be repeated unlimited times for credit.

**Course Limit:** 99

**LAWS 9220 Law Transfer Elective (1-20)**

Law transfer coursework. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 99

**LAWS 9230 Law Transfer Elective (1-20)**

Law transfer coursework. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 99

**LAWS 9240 Law Transfer Elective (1-20)**

Law transfer coursework. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 99

**LAWS 9250 Law Transfer Elective (1-20)**

Law transfer coursework.

**LAWS 9400 Law Externship Seminar (1)**

One-credit, graded co-requisite seminar component for the Law externships.

**Course Limit:** 1

**LAWS 9500 Law ESL Program (0)**

English as a second language for Law students.

**LAWS 9600 Law Study Abroad (0-14)**

Law Exchange Student Study Abroad.

**LAWS 9990 Dissertation Research (0)**

Research topics for Law SJD students. Course may be repeated up to unlimited credit hours.

**Maximum Hours:** 99

## **Summer Program in Germany (LGER)**

**LGER 1000 Law - Summer In Germany (0)**

Law summer abroad in Berlin, Germany.

**LGER 4610 Int'l Negotiation & Mediation (3)**

The Berlin Summer Program in Intercultural Negotiation and Mediation is a joint venture between Tulane Law School in New Orleans and Humboldt University in Berlin. 2020 marks the 22nd consecutive year that the program is being offered. The four-week curriculum consists of lectures, Q+A sessions and role-play exercises that cover both theory and practice of negotiation and mediation. An experienced team of academic experts and practitioners from the United States, Germany and Israel provides a sound introduction to the principles and techniques of ADR and highlights the special challenges of conflict resolution in an intercultural setting. A special unit will focus on online negotiation. Optional components feature the mediation of political conflicts (post-conflict/peace negotiations and conflicts over employment and pension rights) as well as virtual excursions to Germany and the European Union. Successful participants receive three credits of experiential learning as well as certificates in negotiation and mediation. The entire Program is conducted online via Zoom (Mondays, Wednesdays and Fridays). Participants will move from common events (general lectures) to small groups (exercises). The language of instruction is English.

## Energy Law (ERGL)

### ERGL 5800 Dispute Resolution (2)

This course is designed to expose students to a variety of alternative (to litigation) dispute resolution mechanisms. These include mediation, administrative conciliation, and arbitration. Students will be instructed both in the legal doctrines governing the manner in which these mechanisms are implemented and enforced as well as the skills attendant to participation as a party to one or more of these mechanisms. Particular focus will be put on instructing students in the preparation and participation in these alternative mechanisms. This will be accomplished through drafting of documents and participation in simulated exercises.

### ERGL 6000 Energy Law Regulation & Policy (3)

This course introduces students to the general field of energy law. It begins with an overview of the global energy situation in terms of supply and demand as well as balanced projections for the coming decades both in the U.S. and abroad. It then will proceed to examine the primary sources of energy along with the multi-faceted role of electricity as the central source of secondary energy in our economy. This portion of the course will offer a survey view of how these energy sources are used and regulated from economic, reliability, and environmental perspectives. This will include an overview of legal and regulatory principles governing fossil fuel extraction and use, the coal industry, nuclear power, a range of renewable energy sources, and finally the regulation of electricity generation, transmission, and distribution. The course will conclude with a brief review of the growing role of conservation and climate change in energy markets here and to some extent abroad.

### ERGL 6100 Clean Air Law (2)

This course will expand on the materials introduced in the Environmental Law, Regulation and Policy Survey from Term 2 relative to water pollution. The focus of this course will be a comprehensive and detailed examination of the content of the federal Clean Air Act and the role of the federal Environmental Protection Agency in interpreting, applying, and enforcing the terms of this statute. But as there is also a large body of state and local regulation of air pollution, students will also be exposed to the issues addressed by this legislation and their methods of enforcement. Attention will also be given to drafting or amending emissions standards, greenhouse gas regulation, and environmental justice issues.

### ERGL 6150 Clean Water Law (2)

This course will cover the role and influence of the legal system on the use, allocation, and stewardship of water resources in the United States. Since the field of water resources management is rapidly evolving to accommodate storm protection, ecosystem restoration and sea level rise an understanding of the policies that underlay our current laws and the factors that are influencing current policy and lawmaking will be an important part of the course's focus. Students will be required to participate in one group project in which they will be asked to develop, present and defend a position paper on some aspect of the water resources management challenges arising in a coastal region of the United States.

### ERGL 6200 Law & Climate Change (2)

This course will examine legal efforts to address climate change, both at the national and international level. It will include detailed examination of the 1992 United Nations Framework Convention on Climate Change and the Kyoto Protocol and the extent to which these policies have been adopted in the U.S. at the national and local levels. Attention will also be given to non-statutory responses in the U.S. to the addressing climate change including judicial decisions that have attempted to mitigate the effects of climate change. Among the specific aspects of climate change that will be examined are coastline impact, auto emissions, greenhouse gas emissions, limitations on fossil fuel development and utilization, and human rights issues including environmental justice. Students will be asked to develop climate change policies and assess the U.S. response to the global impact of climate change.

### ERGL 6250 Federal Regulation of Electric Public Utilities (3)

This course provides an overview of the Federal Power Act (FPA) and the agency charged with its implementation, the Federal Energy Regulatory Commission (FERC). Students will learn how "electric public utilities" are defined under the FPA, and which of their activities are regulated by the federal government under the FPA. They will also learn the rules that govern FERC's regulation of various utility activities, from rates and services to mergers and acquisitions. Students will explore the differences between types of public utilities (including independent power providers, regional transmission organizations, and vertically integrated utilities). The course will also address FERC's policymaking procedures and will include a discussion of ongoing public policy initiatives. Please note that the course does not cover the Natural Gas Act (gas pipelines and related facilities) or the Interstate Commerce Act (oil pipelines).

### ERGL 6360 Alternative Energy Source (3)

This course will expand on the materials briefly examined in the introductory Energy Law, Regulation and Policy Survey course taught in Term 1. This course will provide a more detailed and comprehensive examination of the legal issues and legal rules and regulations relevant to the development and utilization of alternative energy sources. It will also examine the calculations that business do and should undertake in determining whether or not to invest in these sources. It will also examine the policy issues underlying governmental decision making concerning the encouragement of developing alternative energy sources.



**ERGL 6400 Intro Leg Study Rsh & Writing (2)**

This foundational course introduces students to sources and functions of law in our society relating to energy law. The course begins with an overview of the American legal system and sources of law and introduces students to statutory interpretation and plain language analysis. In Legal Analysis I, students will learn to read and interpret statutory law and regulations, read and brief cases, and develop basic legal writing and analysis skills. Students will also learn to find and research legal information through multiple short research assignments focusing on energy law issues. Through multiple short writing assignments such as a case brief, an IRAC essay analyzing a statutory issue, and an e-memo interpreting statutory & regulatory law relating to an energy law topic, students learn to apply statutes and regulations to analyze legal issues relating to energy law.

**ERGL 6401 Int Leg Study Rsh & Writing II (2)**

This course builds on Legal Analysis I to introduce students to the relationship between enacted & administrative law and common law. The course continues instruction on legal research methods in finding and analyzing cases and common law. Students learn to read and synthesize multiple cases and learn analogical and policy-based reasoning. Through multiple short writing assignments, such as an e-memo analyzing a statutory issue in the context of a litigated issue arising out of administrative enforcement action, students learn to apply statutes, regulations, administrative materials, and case law to analyze complex legal issues relating to energy law.

**ERGL 6500 Natural Resources Law (3)**

This course will expand on the materials introduced in the Environmental Law, Regulation and Policy Survey course from Term 2. It will begin by examining the definition of natural resources and then examine such issues as alternative methods of conservation, preservation, the public trust doctrine, relative merits of private ownership versus governmental regulation of common areas, fragmentation, riparianism, threatened species, and bioregionalism. Special attention will be given to the National Environmental Policy Act, the Endangered Species Act, the Forest Service Organic Act, and the property and takings clauses of the U.S. Constitution.

**ERGL 6510 Administrative Law (3)**

The course explores the history, present status, and nature of administrative agencies. The main emphasis is placed on administrative procedure, contrasting it with the judicial process, as well as constitutional limits on administrative action and the due process rights of persons who are adversely affected by agency action. Topics covered will include delegation of powers, the law of judicial review of agency actions, and procedural requirements of administrative rulemaking and adjudication.

**ERGL 6520 Fossil Fuel: Reg & Development (3)**

This course will expand on the materials introduced in the Energy Law, Regulation and Policy Survey course taught in Term 1. It will examine the various statutory and administrative regulations of fossil fuel, business concepts relevant to the continued development of fossil fuel sources, as well as other issues arising out of the development and utilization of fossil fuel including environmental impact, human rights concerns, racial injustice considerations, impact on forest ecosystems, alternative methods of obtaining fossil fuels, and the acquisition and retention of permits.

**ERGL 6990 Capstone Course (3)**

This course will require the students to draw upon the knowledge and skills learned in the previously taken courses by applying that knowledge and technique to four separate projects. Three of these projects will require the student to prepare a detailed paper consisting of a position statement in response to energy law-based administrative enforcement inquiry, documentation relevant to participation in a mediation or arbitration of an energy law-based dispute, a business plan for the development of an alternative energy source. Two of these projects will be done on an individual basis. The third will be a collaborative effort by members of a team assigned by the instructor. The fourth project will consist of participation in the negotiation of, and subsequent drafting of, a contract between commercial entities in the energy industry.

**ERGL 9000 Immersion Weekend (0)**

All students enrolled in the online MJ program must attend one EIW to be eligible to receive the Masters degree. Students are welcome to attend more than the one EIW session. Each session is composed of two days of academic and other programming at the Law School during the summer. The EIW is designed to (a) supplement the online curriculum by involving students and faculty in discussion of new developments and unique other issues not addressed in the online curriculum; (2) provide students with networking opportunities by meeting their peers; (3) provide students and faculty opportunities to meet face-to-face; and (4) provide a tangible link between the students and the law school to promote their continued relationship to the school. The course is not offered for credit but attendance is required for program completion.