

FAMILY LAW  
Professor Ellen Musinsky

3 Credits  
Spring Semester

Eligibility: Open to second- and third-year.  
Prerequisites: None  
Grading: 40% group project; 60% final examination.

The course will cover the law as it relates to the coming together of a family; the consequences of being part of a family; and the dissolution of a family. The main topics covered will be marriage, divorce, encroachments on family privacy, and rights and obligations of individuals in traditional and nontraditional families.

Family law is in a period of rapid change as the social, political, and economic history of the latter 20<sup>th</sup> century has encouraged all the players in various family situations to search for legal change to accommodate the rapid change in society. Court decisions, lawyers' arguments and the legal issues themselves all show the impact of societal, political, and economic change in the field of family practice. The course will explore not only how the law has evolved in recent years, but will explore areas where change is sought and/or is likely.

We will use a basic family law text. Additionally, student groups (the size of the groups will depend on the size of the class) will prepare a project consisting of materials for use in practice in a variety of common and a few not-so-common family areas. Students (in groups) will be expected to produce a memorandum on the basic black letter law in a given area, an discussion on where the law is likely to change and whether legislative, administrative, or common law change is the most practical alternative, some type of checklist or other document which would be helpful for eliciting information from clients, a list and/or bibliography of nonlegal sources (if any) which would be helpful to consult, and model and/or draft documents useful in solving the clients' problems. Forty percent of the grade for the course will be based on the project. In lieu of a group project, students wishing to write a paper may do so on an approved topic.

Class time will be used for lecture, discussion, and probably debate regarding text materials. Experts from outside the school will teach several classes. The course is designed to cover the law on a national scope. Class attendance and participation is expected.

An exam will be given at the end of the semester and will count for 60 percent of the course grade. The exam will cover the text, outside experts and class presentations.

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FEDERAL COURTS

3 Credits  
Fall Semester

Eligibility: Open to second- and third-year students.  
Prerequisites: None  
Grading: Grade based on class participation and exam.

Federal Courts presents an overview of the role of federal judicial power in our federal system, with emphasis on the distribution of power between state and federal courts and the limitations on federal judicial power. The topics covered include judicial review, standing, congressional power to limit federal court jurisdiction, Supreme Court review of state court decisions, federal question

jurisdiction, the Eleventh Amendment, abstention, federal common law, and recent trends and cases under 42 U.S.C. 1983.

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## FEDERAL TRADEMARK & REGISTRATION PRACTICE

2 Credits - Spring  
1 Credit - Summer

Eligibility: Open to all but first-year students.  
Prerequisites: None  
Grading: Examination

The objectives of this course are: to familiarize the student with the vocabulary and practices of federal trademark prosecution; to explore the differences between registration on the Supplemental Register; to introduce the student to the U.S. Trademark Offices, electronic application filing system; to present the student with strategies for responding to formal rejections and substantive rejections of applications; and to outline the procedures and requirements for maintaining a federal trademark registration once it is obtained.

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## FOOD & DRUG REGULATION Professor Joel Hoffman

3 Credits  
Spring Semester

Eligibility: Open to second- and third-year students.  
Prerequisites: Administrative Law or Environmental Law, or by permission of instructor. No scientific or technical background is necessary.  
Grading: Based on class participation, one or more short presentations on issues to be assigned, and an open-book essay type take-home final exam. Because of the limited number of class sessions (see below) and the inter-relatedness of the topics to be covered, **attendance at all classes is mandatory (exceptions for extraordinary circumstances only).**

Who should take this course: Students interested in employment by or representation of FDA-regulated companies and their trade associations in any legal or business capacity (e.g., patents, IP licensing, mergers and acquisitions, or commercial law, as well as regulatory). Also recommended for students desiring an in-depth “case study” of how government regulation shapes and is shaped by technological, economic, and social forces.

Course description: The industries regulated by the U.S. Food and Drug Administration account for 25 percent of the nation’s economy. The FDA-regulated medical products industries (drugs biologic, and medical devices) are the most pervasively regulated businesses in the United States, as well as among the most technology intensive. This course will survey the regulation of medical products, food, food additives, and cosmetics by FDA. Covered topics will include regulatory controls on new product development, market entry, manufacturing processes, labeling, and promotion; FDA’s special responsibilities under the Patent Code; the regulation of carcinogens, including risk assessment and risk benefit analysis; post-marketing regulatory obligations; regulatory procedures and enforcement remedies, both administrative and judicial; complementary regulation by other agencies (Federal Trade Commission, Drug Enforcement Administration, Health Care Financing Administration, and the states); consumer and competitor rights and remedies; seeking and preventing disclosure of information by FDA; and the impact of the political process on FDA policy making.

Required course book: Hutt & Merrill, FOOD AND DRUG LAW: CASES AND MATERIALS (Foundation Press, 2d ed., 1991) and supplementary materials prepared by instructor.

Tentative class schedule: Class will be held every two weeks with a double session (2 n hours) on Thursday late afternoon; and a double session (3 Hours) on Friday afternoon. The instructor will be available to confer with individual students in person prior to each Friday session, by e-mail at any time, or by appointment.

iii

FUTURE INTERESTS  
Professor Ruth Chevion

2 Credits  
Fall Semester

Eligibility: Open to second- and third-year students.  
Prerequisites: None  
Grading: Final examination 50%; weekly problem sets handed in in class 50%.

The area of law known as future interests deals with problems that arise from the fragmentation of ownership across time. When someone has the right to possess a property at some future time, or after an event that may or may not occur, there sometimes arise disputes between the present and future owners, or with parties who would take in default.

It is the lawyer's responsibility to avoid and litigate these disputes. The specializations that require a knowledge of future interests include wills and trusts, real property, charitable funding, environmental preservation, and corporate transfers.

This two credit course meets for two hours on Wednesday mornings from 10:30 to 12:30. The teaching method simplifies the area by reducing unnecessary historical detail, focusing instead on concepts. A steady stream of problem sets keeps student teacher dialogue on a practical plane. Special emphasis, though not inordinate time is devoted to areas covered most on the bar exam. Grades are based on a final exam and on the problem sets due in class.

Apart from the subject matter, the course is recommended for students who enjoy or need help in, doing hard-edged analytical problems.

iii

GRADUATE PROGRAMS RESEARCH & WRITING

3 Credits  
Fall Semester

Eligibility: Required of non-JD MIP/LLM students only.  
Prerequisites: None  
Grading: Writing Assignments and exam.

Will introduce the basic skills of legal analysis and relate it to how the U.S. legal system is organized, including principles of jurisdiction, basics of the Federal Rules of Civil Procedure, and strategic use of the sources of law. Will teach the sources of intellectual property authority and strategies of legal research. Three legal writing assignments form the primary basis for the course grade.

iii

HEALTH LAW SURVEY  
Professor Mitchell Simon

3 Credits  
Fall Semester

Eligibility: Open to second- and third-year students.  
Prerequisites: None  
Grading: Evaluation is based on: (1) oral presentations or written exercise (one third); and (2) a final exam (two thirds).

The goal of this course is to provide students with an overview of the major issues presented by the health care system. Specifically, issues addressed will include the legal basis for substitute decision making (e.g., guardianship, “the right to die”), the constraints of this power, informed consent, health planning, and cost containment.

Health care is delivered in this country through the complex interaction of private providers, governmental subsidy programs, and insurance payments. In addition to providing substantive knowledge on health issues, the evaluation of this “mixed system” of delivering services will provide a unique opportunity through which students can synthesize and expand their knowledge of other areas of the law, such as administrative, constitutional, and tort law.

iii

HEALTH POLICY - A RESEARCH & WRITING SEMINAR 3 Credits  
Professors David Frydman & Michelle Winchester Spring Semester

Eligibility: Enrollment is limited to eight (8) students. Open to second- and third-year students.  
Prerequisites: Successful completion of Health Law Survey suggested, but not required.  
Grading: Written work product.

The course is designed to provide an opportunity for intensive work on selected health law topics. Class time will be devoted to discussions and evaluation of ongoing projects. We will try to involve persons from other disciplines whenever possible. There also will be regular individual meetings with the instructor.

Each student or team of students will be required to develop a substantial written work to satisfy the course requirement. Students will work on projects sponsored by Franklin Pierce Law Center’s Institute for Health, Law and Ethics; prepare an article of publishable quality on a selected health law topic; or work on another project mutually agreed upon by the student and professor.

The goal of the course is to permit students to gain skills in legal analysis and writing, to contribute to the body of health law knowledge and to foster interdisciplinary communication.

iii

HEALTH LAW - REPRESENTING PROVIDERS OF HEALTH CARE 2 Credits  
Professors Cinde Warmington & Pat Haywood Spring Semester

Eligibility: Enrollment is limited to eight (8) students. Open to second- and third-year students.  
Prerequisites: Successful completion of Health Law Survey suggested, but not required.  
Grading: A series of in-class practical problems and a graded exam.

This two credit course will be designed to expose students to the specialized issues presented in representing health care providers, especially institutional providers. The course will be co-taught by Cinde Warmington, a former administrator of a hospital who now specializes in health law and, by Pat Haywood, General Counsel to Elliot Hospital.

The goals of the course would be to provide a survey of key topics in this field - e.g., issues in managed care contracting, exclusion of providers from networks, provider credentialing,

confidentiality of medical records, and the antikickback law (an extremely complex statutory scheme).

Students at the end of the course would be able to review and analyze moderately complex managed care contracts (and will also acquire general skills of contract review), will understand the main statutes governing provider representation (and here learn skills of statutory construction), and will understand the basic tools used by lawyers in this field.

iii

IMMIGRATION LAW  
Professor Maureen O'Sullivan

2 Credits  
Spring Semester

This is an alternative year course. It will be offered Spring 2001.

Eligibility: Open to all but first year students.  
Prerequisites: None  
Grading: The grade will be based on an in-class final exam, and a special project to be chosen by the student from a variety of options.

The course will provide a substantive framework for understanding the regulation of immigration, deportation and exclusion, relief from deportation, political asylum, and refugee admissions. It will also include a discussion of new immigration legislation, trends in federal court case law and other recent developments.

This course will also explore the major themes in the evolution of immigration law and policy. It will include an analysis of the social and political forces which have shaped that evolution and a discussion of the major events in recent immigration history.

iii

INFORMATION LIBERTIES  
Professor Susan Richey

2 Credits  
Spring Semester

Eligibility: Open to all but first-year students.  
Prerequisites: The course requires some background in U.S. Constitutional Law. If you have not taken U.S. Constitutional Law you must be willing to attend TA sessions devoted to basic concepts in the area.  
Grading: Classroom participation, a mid-semester paper analyzing a hypothetical problem, and a final exam.

The premise of this course is that information technology is changing the world around us in unfamiliar ways. Attempting to apply existing formal legal rules to new technologies may sometimes succeed, but there is no reason to think that it will succeed systematically. The goal of this course is to explore ways in which the new media is likely to drive changes in the law in order to address concerns of privacy, freedom of speech, and access to information.

In an effort to reduce duplication and enhance the efficient coverage of topics, there will be coordination between this course and E-Commerce and the Law taught by Professor Murphy. You will be required to sign up for both courses unless a waiver from one or the other course is obtained.

iii

IP & COMPETITION LAW IN THE EUROPEAN UNION  
Professor Bryan Harris

2 Credits  
Spring Semester

Eligibility: Open to all but first-year students.  
Prerequisites: Although the course may be taken on its own, it is complementary to the course on the Constitutional Law of the European Union, which will provide the context into which the present course fits.  
Grading: Paper

Lawyers who advise corporations trading in the Member States of the European Union (EU) need to be able to do so in the context of intellectual property law, unfair competition law and competition (or antitrust) law. These areas of law overlap to a large extent. The purpose of the course is to explain the general rules applying at EU level to the respective areas of law, with particular reference to the underlying policies governing the way in which the laws are made, interpreted and applied.

Although there will be a full discussion of the ways in which EU law impinges on patents, trademarks, design rights, copyright, and neighboring rights, the emphasis will be on the relationship between intellectual property rights on the one hand, and on the other hand, the competition rules, the rules on the free movement of goods and services and other requirements of EU law. The course is intended to complement more detailed and technical studies of the individual branches of intellectual property law.

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INTELLECTUAL PROPERTY LITIGATION  
Professor Buzz Scherr

3 Credits  
Spring Semester

This class meets prior to the start of the Spring semester.

Eligibility: Open to all but first-year students. Limited to 12 students. Selection by Professor.  
Prerequisites: Evidence, Trial Advocacy, Pretrial Patent Litigation, and Expert Witnesses & Scientific Evidence.  
Grading: Grade will be based on class performance and a possible paper. Credits count toward Spring Enrollment.

This course is a capstone course that culminates a progression of litigation-oriented courses begun in the second year. The core of the course will be an intensive five-day course between the first and second semesters, with periodic follow-up seminars throughout the second semester. Most of the course will be taught by IP litigators drawn from around the country. It will focus on the more advanced substantive, persuasion and lawyering skills necessary for one's development as a high-quality litigator in the IP realm.

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INTELLECTUAL PROPERTY MANAGEMENT  
Professor Karl Jorda

2 Credits  
Spring Semester

Eligibility: Open to all but first-year students.  
Prerequisites: None.  
Grading: Grade is based on two or more class problems or one class problem and a final exam.

Topics included are "harvesting" inventions, invention record practice, employer/employee law as it

relates to ownership of inventions and proprietary information, employed inventor incentive plans, dealing with inventors and their inventions, lab notebook keeping, various types of patent searches, criteria and procedures for decisions on whether to file patent applications in the U.S. and other countries or keep trade secrets, public disclosure problems, outside inventor problems, secrecy agreements, IP audits and due diligence investigations, avoiding infringement of the patents of others, policing and enforcing patents of your client or employer, patent infringement and litigation management, IP department organization and operation, dealing with corporate management of your client or employer, etc.

This course will also include overviews of Interference and Trademark practices with emphasis on hands-on aspects.

This course is intended for the sixth semester as it is designed as both a “capstone” course, building on all of the IP courses taken in the second and third years, and a “bridging” course spanning academic and real-life private or corporate practice. As such it is a very practical course on how to get a head start in pro-active counseling in intellectual property practice.

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INTELLECTUAL PROPERTY PRETRIAL PRACTICE  
Professor Chris Blank

3 Credits  
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Semester

Eligibility: Open to all but first-year students.  
Prerequisites: Civil Procedure  
Grading: Grades are based upon three exercises, class participation, and student capability.

Litigation is the course of last resort in resolving disputes amongst individuals and as such, should be ruled by rational rules, valuation, risk assessment and resolution. We know, of course, that the world does not operate as logically as some hope it would, and we must conduct ourselves in a world where decisions are made which are not always logical and the actions of others are not always predictable.

This course endeavors to provide a framework for dealing with the realities of litigation in the intellectual property realm by looking at this process from its inception. Just as armed conflicts are won off the battlefield, litigation is often won outside the courtroom. “Winning” at the litigation game requires numerous skills, many of which we will look at during the run of this course. Client counseling perspectives will be developed in in-class exercises as well as in written exercises. Strategic planning skills will be identified and used in prelitigation and trial drafting exercises. Risk assessment will be practice in valuation exercises.

Since I hope to teach by posing problems which are designed to be as realistic as possible given the constraints of a classroom and a law school setting, I expect students to undertake comprehensive analysis of the problems I pose in the course. Understanding of civil procedure is required and an ability to deal with evidentiary issues is desirable. All forms of IP are looked at and frameworks for resolution of problems in each of the fields are developed.

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INTELLECTUAL PROPERTY SURVEY  
Professor Craig Jepson

3 Credits  
Fall Semester

Eligibility: Open to all students who have not completed a course in Patents, Trademark, or Copyright law  
Prerequisites: None  
Grading: Evaluation will be by closed book, multiple-choice, short answer or essay.

We explore the need for, importance of, and history of intellectual property protection in the United States. We examine the fundamental policies animating intellectual property jurisprudence. We also look at the separate roles of state and federal courts in our systems for protecting intellectual property. Students will learn the basic principles and legal rules governing idea protection, the right of publicity, trade secrets, unfair competition, copyrights, trademarks, and patents. The course proceeds by lecture with discussions and exercises.

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IP UNDER THE COMMERCIAL AND BANKRUPTCY CODES 2  
Credits  
Summer Session  
Professor Thomas Ward

Looks at the intersection of IP law and commercial law. Perfection and priority of security interested in IP examined and compared with creative alternatives for financing the development and exploitation of IP.

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INTERNATIONAL BUSINESS TRANSACTIONS 1 Credit  
Spring Semester  
Professor Steve Males

Eligibility: Open to second- and third-year students.  
Prerequisites: None  
Grading: Examination

This mini-course will cover international sales and foreign investment. It will run during four weeks, more or less.

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INT'L AND COMPARATIVE COPYRIGHT LAW 1 Credit  
Spring & Summer Semesters  
Professor Silke von Lewinsky

Eligibility: Open to all but first-year students.  
Prerequisites: No prerequisites but some understanding of basic copyright law is desirable.  
Grading: Examination

This minicourse will cover the principal international conventions, namely, Universal Copyright, Berne, Rome, and Geneva, WIPO Copyright Treaty and WIPO Performances and Phonograms Treaty, including current problems in the international *copyright* arena in light of recent tendencies toward greater reciprocity and the emergence of new kinds of works (computer programs, data bases, multi-media works, etc.) and new rights (rental right, public lending right, digital transmission right, etc.) involving, in particular, problems due to new technologies. It will also deal with GATT/WTO/Trips, NAFTA, and bilateral treaties as a new mechanism in international copyright relations and copyright within the European Union (EU) including European Court of Justice jurisprudence and EU harmonization measures. Comparative copyright law in terms of principles, methods and problems as well as the differences between the system of copyright and the system of

“droit dauteur” will also be covered.

INT’L AND COMPARATIVE PATENT LAW

Professor Winfried Arnold

Eligibility: Open to all but first-year students.

Prerequisites: None

Grading: Examination

*iii*  
2 Credits  
Fall & Summer Semesters

This course has two components: international as well as a comparative patent law. Firstly, this course introduces the patent provisions of the Paris Convention, the Patent Cooperation Treaty, the patent part of NAFTA and the TRIPS Agreement of GATT/WTO, as well as the European Patent Convention. Secondly, this course will cover comparative patent law based more on functional than on country-by-country aspects. Nonetheless, important elements of and differences between the American, Japanese and European patent laws will be highlighted.

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INT’L AND COMPARATIVE TRADEMARKS LAW

Professor Jose Gomez Segade

Eligibility: Open to all but first-year students.

Prerequisites: No prerequisites but some understanding of basic trademark law is desirable.

Grading: The course grade will be determined from class participation (30 percent) and upon a one-hour, open-book final examination (70 percent).

1 Credit  
Spring Semester

This course will cover the major international conventions in the field of trademarks, namely, Paris Convention, Nice Agreement, Madrid Agreement and Madrid Protocol on International Registration of Trademarks, Trademark Law Treaty. It will also deal with GATT-TRIPS, as well as with NAFTA and other regional agreements worldwide. Another main issue of the course will be trademark law in the European Union (EU), including harmonization and Council Regulation on Community Trademark. The course will finish with some highlights of appellations of origin, mainly in Lisbon Agreement and in GATT-TRIPS.

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INT’L AND COMPARATIVE TRADEMARKS LAW

Professor Gerd Kunze

Eligibility: Open to all but first-year students.

Prerequisites: None

Grading: Examination

2 Credits  
Summer Semester

Explains the provisions relating to trademarks of the international and regional intellectual property treaties (such as the Paris Conventions, the GATT TRIPS Agreement, OAPI and ARIPO in Africa, NAFTA and the Andean Pact in America, trademark harmonization in Europe) and the 1994 Trademark Law Treaty, and gives a comprehensive introduction to the Madrid System for the international registration of marks and to the Community Trademark System.

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INT’L ECONOMIC REGULATION

Professor Bill Hennessey

1  
Credit  
Fall Semester

Eligibility: Open to all but first-year students.  
Prerequisites: None  
Grading: Examination

This course provides an introduction to some of the major US and international instruments and institutions regulating international business which a U.S. lawyer engaged in international commerce or a foreign lawyer with U.S. contacts is likely to encounter. A counterpart course, International Business Transactions in Spring 2001, will cover international sales of goods, documentation and letters of credit, foreign direct investment and expropriation, and international dispute resolution, which are not covered here. Other aspects of jurisdiction, not addressed here, are covered in Public International Law. Selections are illustrative and not comprehensive. Subsidies and dumping, customs valuation and classification proceedings in the U.S. Court of International Trade, and escape clause proceedings are in the casebook but cannot be covered in a course this narrow in scope. Covered topics include the General Agreement on Tariffs and Trade [GATT] and World Trade Organization, non-tariff barriers (environmental and health regulations and intellectual property), free trade areas such as NAFTA and customs unions, export control regimes under the Departments of State, Defense, and Commerce, the Foreign Corrupt Practices Act, Sections 301 of the Trade Act of 1974 and Section 337 of the Tariff Act of 1930.

iii

INT'L HUMAN RIGHTS  
Professor Richard Hesse

3 Credits  
Fall Semester

Eligibility: Open to second- and third-year students.  
Prerequisites: None  
Grading: Course evaluation is based on a formal class presentation and a term paper.

The differing visions of the role of individual rights in the world community presents a new source of international tension - between citizens of nations and their governments and between governments of nations. This course will examine the concept of "human rights" from the perspective of the law by which those rights are established and the institutional mechanisms available by which they are implemented. Special attention is given to the obligations imposed on the United States by its commitments to international human rights.

iii

INT'L TELECOMMUNICATIONS LAW  
Professor Arthur Levin

2 Credits  
Summer Session

Eligibility: Open to all but first-year students.  
Prerequisites: None  
Grading:

Emphasis on international telecommunications law and policy, including specific treatment of the new US Telecommunications Act, examination of different regional and national legal and regulatory approaches, as well as, international institutions in telecommunications (with emphasis on the ITU), and consideration of developments in wireless communications, management of the spectrum, global trade and telecommunications and legal issues of the internet and communications.

iii

INTER PARTES PRACTICE BEFORE THE USPTO  
Professor Fred McKelvey

1 Credit  
Spring Semester

Eligibility: Open to second- and third-year students and LLM candidates.  
Prerequisites: Evidence and a prior course in basic patent law or permission of the instructor.  
Grading: Papers

Detailed discussion of principles of conception, actual reduction to practice and diligence, as well as discovery, obtaining compelled testimony, presentation of evidence in an interference, presentation of a case-in-chief, objection to admissibility of evidence, obtaining testimony of a witness who does not speak English and presentation of final briefs. The course material is prepared by the instructor and may be purchased in the bookstore.

iii

INTRODUCTION TO EDUCATION LAW 1  
Credit  
Professors Kincaid, Redfield, Teague, Secor and others Summer Session

This is an overview of topics covered in the online courses and offers a face-to-face opportunity for students to interact with faculty. Students who have completed an online course or those who are currently taking one or planning to take one in the fall term are urged to attend. Each of the online faculty will present an introduction to his/her area.

iii

INTRODUCTION TO INTELLECTUAL PROPERTY 3 Credits  
Professor Tom Field Spring Semester

Eligibility: Designed primarily for first year students. Open to others with no formal IP background. Joint J.D.-M.I.P. students can credit the course toward the M.I.P.  
Prerequisites: None  
Grading: 70% final examination, 30% quizzes.

Objectives:

To introduce basic substantive requirements and procedures for obtaining, maintaining and enforcing patents, copyrights, trade secrets, trademarks and related subject matter. We explore underlying policy goals and conflicts internal and external to intellectual property. For example, the occasional tension between patent and copyright protection or between free speech and trademark protection. We also touch upon matters such as the extent to which “intellectual property” is “property” the responsibilities of various IP agencies and courts, and the relationship between state and federal governments.

iii

INTRODUCTION TO THE UNIFORM COMMERCIAL CODE 3 Credits  
Professor Joseph Dickinson Spring Semester

Eligibility: Open to second- and third-year students  
Prerequisites: None  
Grading: Grade is based on examination.

This course is offered as an introduction to the Uniform Commercial Code, and is recommended as a foundation for other courses offered in commercial law, including the courses in Commercial Paper and Debtor-Creditor Relations. The substantive focus of the course will be Articles 1 and 2,

and the creation and enforcement of security interests governed by Article 9. There will be emphasis on understanding the UCC as a statute which, as an integrated whole, regulates commercial transactions and requires facility with the tools of statutory construction and interpretation.

iii

IP RESEARCH COLLOQUIUM  
Professor Tom Field

3 Credits  
Spring Semester

Eligibility: Open to any graduate or J.D. student with some IP background. Up to 21 students may enroll. If the course is oversubscribed, preference will be given to those with the strongest IP background and commitment to research and writing.

Prerequisites: JD degree and some IP background.

Grading: Grades will be O-S-U, based on a paper (60%), presentations (30%) and participation (10%).

Required materials.

Fajans & Falk, *Scholarly Writing for Law Students* (1995) (preferably at least skimmed before the course begins); *Blue Book* (16<sup>th</sup> ed.). Other materials will be noted in the syllabus.

Methodology.

A quarter of the class meetings will cover research and writing topics to help participants go from focusing initial research; through drafting and organizing papers and follow-on research, to reorganizing and polishing papers. Remaining classes will be devoted to presentations of research in progress. Each participant will make two per term. The range of topics is expected to be large, but each participant is expected to contribute to others' progress.

iii

JUDICIAL OPINION DRAFTING  
Professor Bob Finn

3 Credits  
Spring Semester

Eligibility: Open to second- and third-year students. Limit 12.

Prerequisites: None. This class is recommended for judicial externs.

Grading: Papers

This seminar will explore opinion drafting in theory and practice. Although designed for any student who wishes to refine writing skills and study opinion theory, it will have special relevance for students interested in working as judicial externs and /or pursuing judicial clerkships following graduation. The course will be organized around two opinion-drafting assignments: (1) a memorandum and order on a motion for summary judgment for a United States District Judge; and (2) a majority opinion for a United States Appeals Court Judge to be completed on the basis of the records of real federal cases raising federal/constitutional issues. Weekly readings will explore topics of interest to judges and law clerks e.g., judicial candor; principled decision making; the elements of legal style; the holding/dictum distinction; and the judge/law clerk relationship. The course will also feature a visit from Judge Norman H. Stahl of the United States Court of Appeals for the First Circuit.

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