



LL.M. in Law & Government
Civil Rights & Constitutional

AMERICAN  UNIVERSITY
WASHINGTON
COLLEGE OF LAW

All about the Concentration in Civil Rights & Constitutional Law

Students may obtain a Concentration in Civil Rights & Constitutional Law by completing 12 credits from the courses listed below. Students may also complete an in-depth study of a particular area within the concentration, a Specialization, by completing 12 credits from the particular specialization. Students who complete a concentration or specialization will receive a certificate from the Program on Law & Government.

Please note that not all courses are offered every semester and each semester new courses are added to the law school's scheduled classes. Students may also petition the Program to approve additional relevant courses, and certain courses from the Summer Institute on Law & Government will be approved each year. In certain situations and only upon obtaining prior approval from the Associate Director of the Program on Law & Government, externship credits may be applied to the specialization.

Approved Courses (not all courses are offered every semester)

LAW-605 First Amendment (4 hrs.) The history and a contemporary interpretation of this amendment. Completes a survey of basic constitutional law begun in LAW-503.


LAW-606 U.S. Legal History I (3 hrs.) Explores the interaction of American law and society primarily from the Revolutionary War and New Republic era through post-Civil War reconstruction, with a brief introductory overview of colonial developments. Examines the origins, evolution, and impact of major constitutional, statutory, and private law developments in this period. Specific topics include changes in understanding and operation of basic constitutional rights; the evolving scope of governmental power and relationship between federal and state authority; legal promotion and regulation of American economic life, particularly through the development and application of property, tort, and contract law; the changing legal and social status and activity of women, African-Americans, and industrial workers; evolving ideas and practices regarding crime and criminals; and the history of the legal profession.

LAW-635 National Security Law: International and National Issues (2 hrs.) Examination of theoretical approaches to national and international security from peace studies, international relations, and international law with an in-depth focus on the international law of conflict management, including norms of permissible and imper-

missible use of force; the law of war; international organizations such as the UN, the OAS, and NATO; arms control; norms for control of terrorism; the Nuremberg principles; and mechanisms for peaceful resolution of disputes. The course will also briefly survey intelligence and counter-intelligence law, national security and the First and Fourth Amendments, the War Powers Act, and the national security decision structure.

LAW-638 Juvenile Law: Children's Legal Rights (3 hrs.) Examines legal problems faced by children within the family, in foster care, in school, and in the criminal justice system. The class will consider legal issues such as formation of the family relationship, disintegration of the family through separation or divorce, propriety of state intervention in medical decision making affecting the child, authority of the state to remove a child from the home in cases of abuse and neglect, the state's response to a child's poverty or homelessness, the school's control over a student's freedom of expression, the school's obligation to offer the child an adequate education, and whether the death penalty should be applied to juveniles.

LAW-641 Federal Law on Indian Tribes (3 hrs.) Analyzes and challenges assumptions underlying the major themes in Indian law: that Indian tribes are not juridical entities in international law because their sovereignty is dependent on the United States government; that Indian tribal peo-



ple have a ward-guardian relationship with the government arising from this dependent status; and that Indian tribal property is justifiably treated differently from other property. In addition to sources of federal law dealing with Indians, the class will examine tribal court opinions and the developing international law regarding rights of indigenous peoples.

LAW-643 Federal Courts (3-4 hrs.) Focuses on the history, organization, jurisdiction, and operation of federal courts. Topics include the role of courts as counter-majoritarian institutions in protecting democratic rights.

LAW-673 Remedies (3 hrs.) Basic principles in damages, equity, and restitution. Application of those principles to torts and breach of contracts.

LAW-680 Law of the American Political Process (3 hrs.) Examines federal constitutional and statutory law governing the American political process. The purpose of the course is to define the basic constitutional principles of the American democratic system, master the essential rules of federal campaign and election law, and describe different potential theories of democracy as they have emerged in American legal history. Topics include the right to vote, legislative apportionment, the Voting Rights Act of 1965, political party primaries and procedures, ballot access and candidate qualifications, the Voting Rights Act of 1982, campaign finance and campaign speech and their relationship to the First Amendment, political action committees (PACs), political broadcasting, media access, and political patronage.

Law-682 Critical Race Theory (3 hrs.) Critical Race Theory is a diverse interdisciplinary field, which critiques the “objectivist” approach to the law and legal systems. Critical race scholars have sought to show that the law is socially constructed and as such is influenced by institutional and individual perspectives. Scholars have also argued that race, class, gender, and sexual orientation have always played a critical role in legal outcomes. This course examines the genesis of Critical Race Theory and explores its possibilities and limitations. Topics we will study include racial identity, the social construction of race, affirmative action, employment discrimination, identity performance, education, criminal justice, and racial profiling.

LAW-690 Education Law (3 hrs.) Examines elementary and secondary education. The initial

focus is the power of the state to compel a child to attend school and the constitutional and statutory framework within which the state regulates schooling. The course examines the educational opportunities an individual is entitled to receive from the state as embodied in federal and state constitutions and statutes. Concepts of equal education opportunity; equal resources; equal treatment regardless of race, sex, or handicap; and equal outcomes are analyzed. Uses and misuses of social science research in shaping legal outcomes also are examined.


LAW-705 Seminar: Advanced Civil Rights (2-3 hrs.) An analysis of contemporary constitutional problems in areas of civil rights and liberties.

LAW-707 Seminar: Advanced Constitutional Law (2-3 hrs.) Selected problems in constitutional law. Includes consideration of major recent decisions, as well as debates about modern constitutional theory.

LAW-715 Seminar: Disability and the Law (2-3 hrs.) Explores the ways in which the legal system deals (and has dealt) with people with disabilities in such areas as employment, education, housing, institutionalization, transportation, and health. Students look at historical and contemporary depictions of people with disabilities, case law, and statutes, including the Americans with Disabilities Act, the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act Amendments of 1988.

Law-795-005 Human Rights and Terrorism
Among the topics that students will explore are:
Can respect for human rights actually assist counter-terrorism efforts? Are past experiences with terrorism relevant to the contemporary terrorist threat? Should terrorist suspects ever be subjected to torture? What are the significance and consequences of the USA’s War on Terror? Have the enhanced powers of intelligence services world-wide and intelligence sharing contributed to serious human rights violations, such as torture? What impact have counter-terrorism measures had on the civilian justice system? Should military or special courts try terrorist suspects?

LAW-750 Special Education Law (3 hrs.) Teaches how to resolve disputes arising under the Individuals with Disabilities Education Act (IDEA) through mediation and due process pro-



cedures. Current issues in special education law are analyzed. These include the definition of an appropriate education and the concept of least restrictive environment (LRE).

LAW-812 Seminar: Elder Law: Policy and Practice (2 hrs.) Explores issues confronting the elder law practitioner and examines policy issues concerning law and aging in America. Students acquire a basic working knowledge of various elder law issues, including planning for incapacity, guardianship, social security, Medicare coverage, and long-term care planning. The seminar also focuses on public policy issues, such as autonomy versus the need for protective action, death and dying, and the extent of medical and income protection for the senior population.

LAW-822 Seminar: Law, Policy, and American Intelligence Activities (3 hrs.) Examines the legal controls on the conduct of foreign intelligence activities by the United States, beginning with a review of what intelligence is and how it is obtained. The seminar also considers the history of United States intelligence activities in war and peace. Selected competing policy interests are identified and discussed as well. Litigation concerns inherent in national security cases also are examined.

LAW-861 Seminar: Economic, Social, and Cultural Human Rights (2 hrs.) A close examination of the content and enforcement of the rights to food, water, housing, education, health, "social security," and work, grounded in the provisions of the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights. The course examines the increasing case law, both international and domestic, demonstrating the justiciability of these rights and the relationship of ESCRs to globalization and other economic issues.


LAW-873 Government Liability (3 hrs.) Examines the main theoretical stumbling block to civil litigation involving government employees and officials: the sovereign immunity doctrine. It will then focus on the three main statutory or jurisprudential exceptions to this immunity that relate to civil liability of government officials: the Federal Tort Claims Act, Section 1983 of the Civil Rights Act of 1871, and the line of cases, beginning with *Bivens*, that allow for law suits alleging the commission of constitutional torts by federal employees. The course will focus on the

theoretical underpinnings of these three categories of litigation and how they affect the broader theoretical construct of governmental immunity. In addition, the course will provide a specific analysis of how these cases actually are handled and of the important issues and strategies that attorneys on both sides of these cases must face.

LAW-883 State Constitutional Law (3 hrs.) Explores the issues and alternatives presented by state constitutional litigation. Among the topics considered are the nature of state constitutions, their relationship to the federal constitution, state constitutional interpretation, and unique interpretation issues.

LAW-913 Trial Advocacy: Litigating in the High-Tech Courtroom (2 hrs.) Technology has introduced rapid changes in the way evidence is presented at trial. It is now well recognized that jurors, as well as judges, retain and are persuaded more effectively by visual information, rather than the spoken word. This course will explore through lecture, demonstration, and discussion the accumulation, organization, and presentation of proof in the digital world. This will include an examination of evidentiary and procedural rules as they relate to visual advocacy, computer technology, and digital graphics. Students will also prepare and present visual evidence using the evidence camera and PowerPoint graphics in various trial segments (opening, closing, etc.) based upon case files created for teaching purposes by the National Institute of Trial Advocacy.

LAW-933 Civil Rights and Remedies (3 hrs.) Federal courts have for many years struggled with the use of factors like race, sex, and disability when crafting remedies for civil rights violations. When there has been discrimination against groups or persons based on race, national origin, sex, or disability, courts have had to use these factors when providing remedies for that illegal conduct. Normally, under the law, race, national origin, sex, or disability should not be a basis for determining whether a person gets a job, education, housing, or any other governmental or private benefit or service. When courts must craft remedies for discrimination that has denied people benefits or services based on race, national origin, sex, or disability, courts have had to take care in crafting such remedies so as not to affect other people unfairly based on their race, national origin, sex, or disability (or lack of dis-



ability). The course will discuss ever-changing legal landscape of the permissible uses of race, national origin, sex and disability in the context of current civil rights litigation in areas such as school desegregation, affirmative action, employment discrimination, housing discrimination, voting practices, and police misconduct, as well as laws regarding the treatment of persons with disabilities.


LAW-960 Military Justice (2-3 hrs.) Explores the nature and function of military justice today. Topics examined include the constitutional rights of military personnel; court-martial jurisdiction and offenses; trial and appellate structure and procedure; collateral review; the roles of commanders, Congress, the Supreme Court, and the president; command influence; the role of custom; punishment; and the correctional system. Current issues, such as those involving military commissions, command accountability, military justice on the battlefield, judicial independence, homosexuality, adultery, and fraternization, will be addressed. Throughout the course students will consider whether and how the military justice system can be improved. Using comparative law materials, they also will consider what, if anything can be learned from the experiences of other countries.

LAW-962 Advanced Intellectual Property: Intellectual Property and Human Rights (3 hrs.) Examines international intellectual property rules through the lenses of human rights law and development policy. The course will study how different intellectual property frameworks possess the capacity to overcome or perpetuate global inequality, underdevelopment, and access to essential goods and services. It will also study the strategies and tactics of global movements mobilizing around issues of access to medicines, textbooks, and other essential knowledge goods. It is highly recommended that students complete at least one course in intellectual property law or international law before enrolling in this class.

LAW-967 Immigration Issues: Employment and Family (2 hrs.) Specifically addresses family- and employment-based immigration topics and provides students with an in-depth, practice-oriented look at both the issues and the procedures involved in handling family- and employment-based immigration cases.

LAW-993 Adoption Law, Policy & Practice (3 hrs.) The course will examine the current legal

regime governing both domestic and intercountry adoption. It will also delve into historical and current policy debates in the field, and explore how the current practice of domestic and intercountry adoption adheres to, and deviates from, the purposes of the laws and regulations applicable to the field. The course will also explore issues of human rights and children's rights, exploring whether current law protects the interests of the parties, and how adoption necessarily involves complex issues of class, race, gender, and economic disparities. This course is practical and valuable for those who wish to practice family law, as well as those who serve populations of women that would consider placing children for adoption, and international populations that might be at risk of exploitation.



Criminal Law Specialization Courses

LAW-628 Criminal Procedure II (3 hrs.) Advanced study in the commencement of formal proceedings, the adversary system, and trial. Topics include bail; decision whether to prosecute; grand jury; preliminary hearing; speedy trial; joinder and severance; coerced, induced, and negotiated guilty pleas; discovery and jury trial; and double jeopardy. Prerequisite: Criminal Procedure I (LAW-508).

LAW-701 Seminar: Advanced Issues in Criminal Law (2-3 hrs.) An in-depth analysis of selected problems associated with the law of crimes.

LAW-702 Seminar: Death Penalty (2 hrs.) The moral, ethical, and legal development of the death penalty within the constitutional framework; the death penalty trial and its unique legal and tactical considerations; and the post-conviction process with an emphasis on federal and state comity considerations. Also includes international and comparative law dimensions of the application of capital punishment.

LAW-708 Seminar: Advanced Criminal Procedure (2 hrs.) Examines the historical development and practical impact of race and politics on the criminal justice system from initial street encounters with the police to the imposition of the death penalty. Selected case profiles, in-depth documentaries, and other materials are used to explore the problems of wrongful convictions and other miscarriages of justice. Students discuss and evaluate a variety of legislative and judicial reforms designed to eliminate and remedy the problems of racism in the criminal justice system.

LAW-713 Seminar: Political Crime and Terrorism (2 hrs.) Political crimes and terrorism, including treason, sedition, espionage, political dissent, civil disobedience, draft resistance, and political struggles of Native Americans, labor, and women; socio-psychological profile of the political offender; causes of political crime; governmental measures for the suppression of political crime and subversion, including surveillance, wiretapping, deportation, extradition, outlawing of political parties, detention camps, loyalty oaths, and conspiracy trials; and comparative and international aspects of political crime and terrorism.

LAW-729 Wrongful Convictions: Innocence and the Criminal Process (2 hrs.) Focuses primarily on the work of students participating in the Innocence Project; however, other students are

welcome. Students will consider the methods of challenging criminal convictions and the resources currently available. They will focus on the methods of criminal investigation, the use of forensic evidence, the weaknesses of eyewitness identification, the problems of jail house informants, and the importance of narrative in challenging criminal convictions. The seminar also will explore the cause and effect of wrongful convictions in the criminal justice system and the current debate regarding the significance of the number of wrongfully convicted people who have recently been exonerated.

LAW-740 Seminar: Post-conviction Remedies (3 hrs.) Examines the intellectual and emotional tensions between the finality of criminal convictions and sentences and the continuing availability of a forum in which to test them, especially by means of the celebrated writ of habeas corpus. Topics include the history and scope of the Great Writ, jurisdiction for the writ, exhaustion of state judicial remedies, procedural default, evidentiary hearings, appeals, and successive petitions. We will pay particular attention to the changes brought about by the Antiterrorism and Effective Death Penalty Act of 1996 and the USA Patriot Act of 2001. We will also consider some aspects of in forma pauperis proceedings and pro se litigation.

LAW-749 White-Collar Crime (2 hrs.) An examination of the substantive law of white-collar crime, as well as the practice, procedure, and strategy concerning federal white-collar criminal investigations and prosecutions. Topics include the definition of and theory behind white-collar crime; investigative techniques used to combat white-collar crime; grand jury law and practice; prosecutorial discretion; plea bargaining; grants of immunity, entrapment, privileges, and other common defenses; charging decisions and drafting of indictments; sentencing and the goals of punishment; and substantive law topics including conspiracy, mail and wire fraud, bribery and public corruption, false statements, perjury, obstruction of justice, computer and Internet fraud, and money laundering.

LAW-836 Seminar: Computer Crime (2 hrs.) Explores the legal issues that judges, legislators, and prosecutors are beginning to confront as they respond to the recent explosion in computer-related crime. In particular, students consider how crimes in cyberspace will challenge traditional

approaches to the investigation and prosecution of crimes that have evolved from our experience with crimes in physical space. Topics include the Fourth Amendment in cyberspace, the law of electronic surveillance, computer hacking, computer viruses, encryption, on-line economic espionage and intellectual property protection, cyber-terrorism, federal-state relations in the enforcement of computer crime laws, and civil liberties on-line.

LAW-850 International Criminal Law (3 hrs.) Surveys both substantive and procedural aspects of international and transnational criminal law. Examines historical origins as well as contemporary trends in the development of international crimes. Identifies the elements of major offenses including piracy, slavery, drug trafficking, terrorism, war crimes, environmental pollution, money laundering, genocide, and aircraft hijacking and explores the incorporation of international criminal law in domestic codes. Students examine the jurisdictional and enforcement responsibilities of international, transnational, and national agencies and tribunals. An overview of international and national enforcement mechanisms and techniques and of the procedures affecting the rights of offenders and victims is included.

LAW-860 Criminal Defense: Theory and Practice (3 hrs.) Taught through a combination of lecture, discussion, and simulation, the course is designed to teach the fundamentals of zealous, client-centered criminal defense advocacy. The first part of the semester will focus on the role of the criminal defense attorney, defense ethics, and selected legal issues in defense practice. The second part will focus on the application of defense theory and client-centered advocacy in the pretrial and trial context through simulated exercises, including the initial client interview, opening statements, direct examination, cross-examination, and closing arguments.

LAW-882 The Role of the Federal Prosecutor (2 hrs.) Explores the powers and responsibilities of the federal prosecutor. Focuses on how decisions are made by federal prosecutors throughout different stages of the criminal justice system, in light of legal, policy, practical, and ethical considerations. Using actual cases as well as federal statutes, guidelines, and other materials, the course will discuss the factors that influence the decisions and discretion of the federal prosecutor. The course also will examine the interaction be-

tween and among federal, state, and foreign jurisdictions, in particular the interests of competing sovereigns in the investigation and prosecution of criminal activity.

Gender and the Law Specialization Courses

LAW-619 Comparative Family Law This seminar will explore the differences and commonalities in the conceptualization and legal treatment of families in different legal traditions. It will focus on the relationship between blood and family, and sex and family, analyzing how different countries shape family law using those two concepts. In addition to comparing how different countries or systems deal with different issues on family law, the seminar will also explore the role of international courts and international law in the shaping of family law in areas such as marriage and cohabitation, parenting, violence, and property, among others.

LAW-636 Family Law (3 hrs.) An overview of the definitions of family, marriage, and divorce; the economic consequences of divorce; child placement; constitutional doctrine affecting the family; state intervention in the family; and the impact of gender on family law.

LAW-637 Domestic Violence Law (2 hrs.) Explores historical, anthropological, sociological, psychological, and legal aspects of battering. Topics include criminal law and process, family law, and alternative dispute resolution. Considers the historical, social, and cross-cultural context of domestic violence; social and legal reform efforts on behalf of battered women; battered women who kill their batterers; and theory and practice regarding battered women.

LAW-668 Employment Discrimination (3 hrs.) A survey of the major federal statutes prohibiting discrimination in the workplace, with special emphasis on practical problems encountered in litigation. The primary focus is on Title VII of the Civil Rights Act of 1964 and race discrimination. Discrimination on the basis of age, sex, national origin, or handicap will also be considered. Topics include statutory scope and coverage, establishing liability, defenses, remedies, affirmative action, and enforcement procedures.

LAW-691 Sex-Based Discrimination (3 hrs.) The application of the Constitution, Title VII, Title IX, and the Equal Pay Act to discrimination against men and women; historic, social, economic, and psychological factors.


LAW-720A Seminar: Advanced Family Law Theory and Policy (2-3 hrs.) An interdisciplinary examination of selected topics in family law from both theoretical and policy perspectives, with an

emphasis on race, class, and sexual orientation. Topics include legal responses to changing family structures and alternative methods of reproduction, state regulation of intimate human relationships, state intrusion into family life through the child abuse and neglect and welfare systems, and the effect of constitutional doctrine on the regulation of the family.

LAW-720B Seminar: Advanced Family Law Practice (2-3 hrs.) Provides an overview of the practice of family law with a substantive law emphasis on issues relating to child custody, spousal and child support, determination of property rights, and equitable distributions. Attention is also given to premarital agreements, marital settlement agreements, professional dealings with the client and opposing counsel, ethical considerations, tax, and other issues commonly involved in divorce cases.

LAW-725B Seminar: Gender, Cultural Difference, and International Human Rights (3 hrs.) Examines the application of international law to religious and cultural practices that have an impact on women's rights. The course focuses on the personal status laws governing rights in the family, legal capacity, and inheritance in a number of countries. Students consider concepts of culture in international law and the scope of laws protecting the right to engage in religious and cultural practices; concepts of gender equality in international law; and feminist analyses of the ways in which gender, race, class, and other factors intersect with religion and culture to shape women's de jure and de facto rights, with an emphasis on analyses by women in developing countries and women of color in the United States. Students also look at concepts of cultural difference, race, and gender in approaches to the practice of female circumcision and the concept of moral consensus as a cultural construct underlying restrictions on lesbian and gay rights in the United States and Europe. Examples include Islamic law, Hindu law, customary law in selected African countries, Jewish law, and Christian law as reflected in Irish constitutional law and canon law as incorporated in various legal systems.


LAW-815 Feminist Jurisprudence (3 hrs.) Feminist Jurisprudence will provide an opportunity to study the different strands of feminist theory. The course will examine the relationship of law to the experiences of women situated differently in the world; the relationship of sex and



gender as reflected in and influenced by law; cultural images of women and men that both shape and are shaped by the law; and institutional and social structures and practices that perpetuate inequality or subordination. The course will also consider the interaction of feminist theories with other critical traditions, including Critical Race Theory, Social Theories of Power and Wealth, Cultural Studies, and Clinical Theory. Students may take the course for two or three credits, depending upon the scope of the project/paper they undertake.

LAW-827 Seminar: Sexuality and the Law (3 hrs.) This seminar focuses on the government's regulation of sexuality, including sexual orientation and gender identity and expression. The course materials will cover constitutional law (including the doctrines of privacy, equal protection, freedom of expression and freedom of association) and statutory law (including employment law and family law). Topics to be covered may include the right to sexual privacy; theories of sexuality; military policies that discriminate based on sex and sexual orientation; government censorship of sexually explicit art; discrimination by private entities, primarily employers, on the basis of sex, sexual orientation, or gender identity and expression; and state control of family relationships, including marriage, custody and adoption. The course will also explore the intersection of race, gender, and sexual orientation.

LAW-889 Labor and Employment: Work, Family, and Equity (2 hrs.) Reviews the restrictions on employees' choice of time allocation and the problems those restrictions cause. Looks at the statutes from the point of view of determining whether any parts of the statutes could be adapted to regulate the workplace to allow employees more time with their families. Defenses and the employers' points of view will be considered. A variety of approaches, from leaves to childcare, and a variety of funding sources, from employers to governments, will be considered. Students will look at non-legislative solutions and will consider how restraints on time allocation have a disproportionate effect on women's pay and success and on men's ability to participate in family life.



Specialization in

Law, Politics and Legislation Core Courses

To obtain the specialization, students must complete at least 12 credits in the area of specialization, 7 of which credits must be Core Courses, as described below.

LAW-680 Law of the American Political Process (3 hrs.) Examines federal constitutional and statutory law governing the American political process. The purpose of the course is to define the basic constitutional principles of the American democratic system, master the essential rules of federal campaign and election law, and describe different potential theories of democracy as they have emerged in American legal history. Topics include the right to vote, legislative apportionment, the Voting Rights Act of 1965, political party primaries and procedures, ballot access and candidate qualifications, the Voting Rights Act of 1982, campaign finance and campaign speech and their relationship to the First Amendment, political action committees (PACs), political broadcasting, media access, and political patronage.

LAW-707 The Constitution in Times of Crisis/ Problems in the Democratic Process (2 hrs.) This seminar will deal primarily with the constitutional and other problems related to elections. It will focus on such matters as election finance, the Voting Rights act, gerrymandering, voter registration qualifications, and candidate selection, among other things. In addition it will consider certain anti-terrorism issues that have not been considered by the Supreme Court such as state secrets and redress for victims of official misconduct.

LAW-719 Health Law: Legislative and Regulatory Process and Health Care Reform (2 hrs.) This course focuses on the federal legislative, regulatory and lobbying processes in the health care arena. Specifically, the course takes three major pieces of recent health legislation (Stark, HIPAA privacy provisions, Medicare Prescription Drug Benefit) and traces the process of how these laws were developed, enacted, and then implemented through the regulatory agencies, and will include the lobbying process in the discussions. The course will also examine the recently enacted Health Care Reform law, and the unique legislative process Congress and the White House engaged in to pass the law. The course is intended to help students develop the necessary knowledge and analytical skills to understand, apply, and develop health laws and to practice effectively in

various aspects of the health care arena.

LAW-781 Seminar: Local Government Law (3 hrs.) An intensive theoretical and practical inquiry into the history, theory, meanings, and possibilities of local government in American society. This seminar combines a variety of techniques with fieldwork placement to immerse students in issues of local governance. Placements include the D.C. Corporation Counsel, D.C. City Council, D.C. Legal Aid Society, Delegate Eleanor Holmes Norton's office, and the Montgomery County Council.

LAW-788 Seminar: Federal Regulatory Process (3 hrs.) An overview of the regulatory process of government administration, including the rationale for regulatory programs and reasons for ending or deregulating them, how and why Congress creates or abolishes agencies, how agencies administer their statutory programs, and alternatives to traditional regulations. Students are introduced to several government-wide procedural statutes, such as the Administrative Procedure Act and the Freedom of Information Act. A unique element of the course is the participation of more than 20 guest lecturers from the legislative and executive branches, trade associations, and the private and public interest bars. The practical aspects of the regulatory process are emphasized.

LAW-821 Legislation/Legislative Process & Political Rhetoric

(2-3 hrs.) Provides an overview of federal and state legislative processes. Topics include statutory interpretation, legislative organization, the appropriations process, legislative ethics, and exercises in legislative drafting and negotiation.

LAW-891 Lobbying and the Legislative Process (2 hrs.) Addresses the constitutional basis for and history of paid lobbying; the legal and ethical restrictions and considerations a lawyer-lobbyist needs to consider; the role of money and politics in lobbying; and practical elements of how to be an effective lawyer-lobbyist.

LAW-935 Seminar: Congress, Law-Making, and Foreign Affairs (3 hrs.) Explores the various levers of law-making power in the foreign affairs field that are available for exercise by Congress to affect U.S. foreign policy, including the "power of the purse" (authorization and appropriations statutes), the congressional war power, the Senate's role in treaty-making, the enactment of international economic sanctions, border-control measures, the power to establish governmental offices and bodies, and the passage of nonbinding

"policy" resolutions. Special reference will be made to post-9/11 statutes and related legal developments. The seminar will emphasize basic skills and exercises in the drafting of foreign relations legislation.

**Non-Core Courses
(up to 5 credits of the following):**

LAW-601 Administrative Law (3-4 hrs.) A study of the structure, powers, and processes of administrative agencies that are the source of much of our nation's law. Topics include the delegation of power to agencies, the constitutional right to a hearing, agency procedures of adjudication and rule making, information law debates, judicial review of agencies, and administrative reform.

LAW-635-001 National Security in an Age of Terrorism (2 hrs.) Examination of the legal authorities, under international and U.S. law, for responding to, and preventing, terrorist attacks; the Foreign Intelligence Surveillance Act; other Fourth Amendment issues; and legal issues surrounding the detention, interrogation, treatment, and prosecution of detainees and suspected terrorists.

LAW-641 Federal Law on Indian Tribes (3 hrs.) Analyzes and challenges assumptions underlying the major themes in Indian law: that Indian tribes are not juridical entities in international law because their sovereignty is dependent on the United States government; that Indian tribal people have a ward-guardian relationship with the government arising from this dependent status; and that Indian tribal property is justifiably treated differently from other property. In addition to sources of federal law dealing with Indians, the class will examine tribal court opinions and the developing international law rights of indigenous peoples.

LAW-700 Government Information Law and Policy (3 hrs.) An examination of the operation of the Freedom of Information Act, the Privacy Act of 1974, and related laws and policies throughout the federal government -- including matters of national security, personal privacy, and law enforcement sensitivity. The class will also explore the intractable problem area of "pseudosecrecy," in which federal agencies have since 9/11 increasingly used document safeguarding labels such as "For Official Use Only (FOUO)," "Sensitive But Unclassi-

fied Information (SBU)," and "Controlled Unclassified Information (CUI)" to guard against information disclosure.

LAW-719 Privacy & Health Information Technology (2 hrs.) The face of health care and associated biomedical research and innovation have changed radically in the last decade -- in large part due to a revolution in the way that information is gained, stored, shared...and sometimes abused. This explosion of availability of data has resulted in a variety of new issues and twists on existing issues that challenge us to rethink the way that our health care system is organized, the ways in which health related information is and can be collected and used, the structure, pace and focus of the way in which we conduct clinical research to identify the next generation of medical advances, and the sometimes competing demands of the need for information for the greater good versus the right of privacy of the individual. This emerging area of health law encompasses a number of fascinating issues that occupy the front cover of newspapers each day, all of which will be discussed in this course.

LAW-722 Modern Legal Theory: Law & Social Movements (2 hrs.) This course will examine the relationship between law, justice and the social sciences, including political science, history, and sociology. Using the social sciences as a theoretical framework, the class will provide students with a helpful context for discovering that broad legal change does not occur simply through the work of lawyers applying legal reasoning. Instead, law evolves through a complex interaction of legal, political, economic, and social forces in the domestic and international realms. The course will place particular emphasis on the involvement of social movement actors in the evolution of constitutional and civil rights law. As such, several sessions of the course will examine the impact of feminism, the civil rights movement, anti-poverty actors, labor movement activists, and gay and lesbian advocacy upon law and legal institutions. In addition to these materials, students will examine legal sources, such as court rulings and statutes, in order to examine how politics informs legal analysis and policy. Also guest speakers from legal academia and public interest organizations will attend several sessions in order to present their experiences and

and research on creating legal change

LAW-795 Veterans Affairs Law (2 hrs.) As yet another generation of soldiers are discharged from the military, there is a tremendous need for veterans legal services. The array of benefits that have been promised to military veterans and their families are not easily obtained, and many veterans struggle to navigate the complicated system without the assistance of counsel. This course will introduce students to the bodies of law that govern the administration of veterans benefits. The course will focus the bulk of its attention on how veterans' claims are adjudicated through the Department of Veterans Affairs, the Court of Appeals for Veterans Claims and, ultimately, the United States Court of Appeals for the Federal Circuit. Through the course, students will be provided with the background necessary to serve effectively as much-needed pro bono counsel in the future.

LAW-795 Reproductive Rights and the Law (2-3 hrs.) In the U.S., abortion as a wedge issue (second only to race and followed closely by gay marriage) that dramatically impacts the allocation of power. One's position on abortion is one of the first assessments the public makes of candidates for offices in all branches of government. Moreover, new statutes seeking to regulate, protect or limit reproduction related activities are introduced in legislatures around the country on a weekly basis. Predictably, cases challenging those statutes are filed with equal regularity. What factors give rise to the predominant place this and other reproductive practices occupy in public discourse and jurisprudence? This is a socio-legal seminar designed to shed light on the relationship between law and reproductive processes by examining the ways in which the laws and policies related to reproduction arise from historically situated understandings of individual desire, technological advances and national projects. Additionally, seminar participants will also analyze the relevant doctrinal and theoretical frameworks in the U.S. for regulating and protecting individual interest in the reproductive process. In addition to the jurisprudential exploration, students will be introduced to a variety of interdisciplinary materials presenting the historical, political, economic and scientific components that inform the modern reproductive rights discourse in the United States.


LAW-805 Law of Information Privacy (2 hrs.)

This course will examine hot topics in information privacy law such as digital surveillance, the privacy implications of social networking technologies, electronic health records, cloud computing, online behavioral advertising, and the role of anonymity in a networked world. We will compare and contrast existing legal frameworks for privacy protection in the United States and European Union and discuss emerging privacy paradigms. Finally, we will introduce the law of information security through discussions of encryption, authentication, data breaches, cybersecurity, and critical infrastructure protection.

LAW-851 Global Warming Law & Policy (3 hrs.) This course begins with an overview of the causes and effects of global climate change and the methods available to control and adopt to it. We will then examine the negotiation, implementation and current status of the United Nations Framework Convention on Climate Change, its Kyoto Protocol, and the Copenhagen negotiations. Next we will review action and inaction of the U.S. Congress, the executive branch and the courts, as well as regional, state and municipal efforts. In particular we will focus on the Clean Air Act and the Endangered Species Act. The class will focus on the various legal mechanisms that are available to address climate change, including cap-and-trade schemes; carbon tax, command-and-control regulation; litigation; securities disclosures; and voluntary action. The roles of energy efficiency, renewable energy sources, nuclear power, coal, and forestry and agriculture will each be discussed. There will be examination of the implications for international human rights and international trade.

LAW-883 State Constitutional Law (3 hrs.) Explores the issues and alternatives presented by state constitutional litigation. Among the topics considered are the nature of state constitutions, relationship to federal constitution, state constitutional interpretation, and unique interpretation issues.

LAW-916 Law & Drug Policy (2 hrs.) This course is based on creative discussion of the legal aspects of drug policy. Course participants will use rigorous analysis to discern how legal principles have influenced efforts to control substance abuse and ways lawyers can play a positive role in policy development.



LAW-974 Secrecy Controversies (2 hrs.) Explores many of the most controversial current legal issues under the Freedom of Information Act and related statutes through in-depth analysis of both sides of each issue. This is a professional skills requirement course; students will gain experience in both written issue analysis and oral advocacy. The course will provide students with an extensive understanding of some of the most controversial legal and policy issues currently arising under the Freedom of Information Act, the Privacy Act of 1974, and the government information law and policy field overall. It begins with background instruction ensuring foundation familiarity with the concepts, policies, and statutory interrelationships involved. It then focuses on an array of significant, cutting-edge issues that currently define the legal and policy contours of this field.



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