

HOWARD UNIVERSITY SCHOOL OF LAW
Spring 2017 UPPER-LEVEL COURSE
OFFERINGS (10/27/16)

I. Upper-Level Required Courses

Evidence (600-629) [4 credits]

*Prerequisite -Civil Procedure

Ross [M/T/Th 1:30 – 2:45 pm]

This course teaches the system of rules by which the admission of proof at the trial of a lawsuit is regulated, including judicial notice, hearsay, the qualifications and privileges of witnesses, the conduct of examinations, the competency, relevancy and materiality of evidence, legal presumptions and the burden of proof, and the functions of judge and jury. Evidence is a prerequisite for other courses such as the clinics. Consequently, students are strongly encouraged to take Evidence during the 2L year.

Legal Writing II (600-654) [2 credits]

*Prerequisite – Legal Reasoning, Research and Writing

§1 – Strickland [W 3:30 – 5:10 pm]

§2 – VanWye [F 10:00 am – 11:50 pm]

§3 – Bawa [F 10:00 am – 11:50 pm]

§4 – Farrar [W 3:30 – 5:10 pm]

§5 – Rosario-Lebron [W 3:30 – 5:10 pm]

This single-semester course builds upon and reinforces the reasoning, research, and writing skills taught in LRRW. It explores methods of persuasion both in speech and in writing. Students are required to research and write and rewrite an appellate brief on a relatively sophisticated problem. A final oral argument on the brief after participating in or observing numerous practice arguments concludes the course. While students are required to take this course during the 2L year, those 2L students with last names that begin with a letter from the second half of the alphabet should register for this course in the Spring 2016 semester.

Professional Responsibility (600-687) [3 credits]

§1 - Worthy [T/Th 4:00 – 5:20 pm]

§2 – Johnson [T/Th 11:00 am – 12:20 pm]

This course teaches the traditions of the legal profession, its obligations in a democratic society, including problems of charity practice, representation of minority groups, and unauthorized practice, fee determination, bar organization and function, and the canons of legal ethics and disciplinary action.

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

II. Electives

Administrative Law (600-623) [3 credits]

*Prerequisite -Constitutional Law I

Worthy [T/Th 1:30 – 2:45 pm]

This course considers the implementation of legislative policy through the administrative process and addresses the structure, functions, powers and procedures of administrative agencies and their relationship to the courts, with emphasis upon the regulations consistent with the protection of liberty under law.

Advanced Legal Research (600-625) [3 credits]

Ballard-Thrower [T/Th 11:00 am – 12:20 pm]

This course offers a detailed and comprehensive examination of all legal research resources in all formats, including an in-depth comparative study of manual and computerized research. The course combines class lectures with research assignments on general and specialized topics so that the student can develop a research strategy and analyze research results. Examinations are given.

Alternative Dispute Resolution (ADR) (Experiential) (600-638) [3 credits]

§1 – Watkins [W 6:00 – 8:40 pm]

§2 – Woods [Th 6:00 – 8:40 pm]

This course surveys the various methods for resolving disputes without formal litigation. Methods considered will include mediation, arbitration, summary jury trials, and negotiation. The theories for deciding when to choose which method and the procedural rules and tactical concerns governing each method will be the focus of class discussion. Students also will have the opportunity to practice some of the ADR techniques.

Commercial Paper (600-) [2 credits]

Nichols [T/Th 11:00 – 11:50 am]

This course concerns negotiable instruments and their position in modern commercial transactions, with special emphasis on commercial paper as payment devices in sales transactions.

Conflicts of Laws (600-637) [3 Credits]

*Prerequisites - Civil Procedure I, Constitutional Law I & II

Rogers [M/T/Th 1:30 – 2:20 pm]

This course presents the body of principles relating to transactions with elements in more than one state. The problem of choice of law will be examined with respect to marriage and divorce, property, contacts, wrongs, and procedure, with consideration given to constitutional issues, the jurisdiction of courts and the enforcement of foreign judgments.

Copyrights (600-684)[3 credits]

Jamar [T/Th 1:30 –2:45 pm]

This course covers the basics of copyright law with particular attention to issues of copyright-ability and problems of social justice raised by current copyright law. Key concepts such as copyrightable subject matter, the scope of exclusive rights, fair use, ownership issues, infringement, federal preemption of state actions, copyright enforcement and remedies, and international copyright issues are addressed.

Contemporary Developments: Bar Skills (600-819) [2 credits]

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

Foster [W 10:00 am-11:50 am]

This course will introduce students to all aspects of the bar examination (MBE, MPT and essays). Students will have multiple opportunities to practice different kinds of bar examination questions and will receive feedback regarding their performance on these questions. ***PLEASE NOTE: This course is not intended to replace the type of commercial bar preparation course successful bar examinees routinely take before sitting for the bar examination.***

Contemporary Developments: Business Organizations (600-) [4 credits]

Robinson [M/T/Th 1:30 – 2:45 pm]

This course introduces students to ways of structuring business relationships (agency, partnerships, corporations, limited liability companies, limited liability partnerships, etc.) and the substantive issues that arise from these forms of doing business. Topics include types of agency, fiduciary duties of agents, employees, partners, officers and board of directors, partnership rights, partners at loggerheads, corporate promoters, duties of officers and directors, tightly held corporations, inside information, mergers, acquisitions, and takeovers.

Contemporary Developments: Child, Family, and State (600-996) (Seminar/LWIII) [3 credits]

Robinson [T/Th 4:30 – 5:20 pm]

This course will examine the conflict between parents and the government in maintaining authority over children. The course will also consider the degree to which the law treats children as autonomous rights-bearing individuals and the degree to which it sees children as dependent objects of state and parental control. To that end, students will look at law and policy governing parent rights, child abuse and neglect, foster care, adoption (domestic and international), education, and juvenile justice. Alice Miller's works will be the analytical lens through which students will not only examine these issues, but also think about how laws can be changed laws and policies to create a better, non-violent world for children and families. A research paper is required in this course. There are no prerequisites for this course but students are strongly encouraged to have had Family Law.

Contemporary Developments: A Direct and Cross Examination of the Nation's Capital's Famous and Infamous Criminal Trials (600-) [3 credits]

Crichlow/Selden [T 6:00 – 8:00 pm]

This course will examine some of the most significant trials in the history of Washington, D.C. with a focus on the legal developments before, during, and after these trials, as well as the impact that they had on Washington, D.C., and the nation. Through a series of case studies, consideration will be paid to how the cases illustrate the evolving legal, social, and racial issues faced by the Nation's Capital. The course will also examine the evolving professional responsibilities, legal strategies, and ethical standards of Washington, D.C.'s lawyers and judges. Taught as a seminar with active classroom participation, the course provides a further opportunity to learn from judges, defense attorneys, and prosecutors.

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

Corporate Counsel Seminar (600-)

[2 credits]

Nixon [T 6:00 – 8:00 pm]

This course will focus on the role of a general counsel in a corporation. This course will introduce students to cutting edge legal issues that are relevant to a general counsel, or in-house corporate counsel. The course will build on real world examples that general counsel deal with on day-to-day basis. The course will begin with a discussion of corporate structure and the role of a board of director and management. The following topics will be included:

- The general counsel's role with outside counsel. The nature and scope of that relationship.
- The specific role of attorney-client privilege and work-product
- Internal corporate investigations and the implications for attorney-client privilege.
- The general counsel's role with the board of directors and the potential problems for a general counsel in this area.
- Indemnification and insurance of corporate officials.
- Insider trading and the policies
- Counseling corporate clients on intellectual property, especially when an employee is the inventor.
- Managing complex litigation and litigation expenses.
- Executive compensation.
- Compliance programs and the general counsel's role with regulatory agencies.
- What is the role of the general counsel in managing crisis?
- Foreign Corrupt Practices Act
- What are the international issues in dealing with global corporations?

The final grade will be based on an exam and class participation.

Contemporary Developments: Income Tax Accounting (600-) [3 credits]

Maloy [Th 6:00 pm – 8:40 pm]

Prerequisites – None (Background in accounting not required).

This course examines a broad range of subjects concerning the timing of income and deductions under the Internal Revenue Code, along with providing the fundamental accounting concepts necessary to master the subject matter. Topics include the cash and accrual method of accounting, requests to change methods of accounting, principles of income recognition, prepaid income, cash equivalency and constructive receipt, and certain special methods involving depreciation, estimated expenses, prepaid expenses, and expensing versus capitalizing costs. An understanding of these topics is essential in advising not only multinational enterprises but also small and midsize businesses. The course analyzes the topics from both a business perspective and a tax policy/tax administration perspective and provides an understanding of how the IRS and the Department of Treasury Office of Tax Policy promulgate rules and administer the tax system, along with an understanding of the choices taxpayers and their representatives face in considering planning and controversy matters related to the subject matter.

Contemporary Developments: Law and Practice of Modern Arbitration II (600-949) [3 credits]

*Prerequisite – Law and Practice of Modern Arbitration I

LaRue [T/Th 9:00 am – 10:50 pm]

This course focuses on the two primary bases for arbitration in the United States, the Federal Arbitration Act ("FAA") of 1925 and Section 301 of the Labor Management Reporting

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

Acting (the “LMRA”). The FAA is the underpinning for commercial arbitration and is the basis for statutory or employment arbitration as well. Until the widespread use of commercial arbitration in the 1980s, labor-management arbitration was in general use and became a central feature of labor-management relations. This use of labor-management arbitration was some forty years prior to the emergence of arbitration in commercial disputes.

One of the underlying themes for the course, therefore, is to explore the traditional view of labor arbitration as something special—a process apart, deserving legal treatment distinct from commercial arbitration. The course will use the law of labor-management arbitration to lay out the four key issues in arbitration, irrespective of whether the reference is to labor-management arbitration or to commercial arbitration. Those issues are: (1) the preemptive effect of the relevant federal law on arbitration; (2) the issue of enforceability of the arbitration provisions contained in the contract (collective bargaining agreement or commercial contract); (3) the manner and mode of determining when a particular disputed matter is within the scope of the agreement to arbitrate; and (4) the standards for judicial vacatur of arbitration awards. These four core elements will be explored in the context of commercial and statutory arbitration as well as labor-management arbitration.

Contemporary Developments: Law Practice Management (600-932) [2 credits]

Patel [Th 6:00 – 7:40 pm]

This course introduces students to the business aspects of the legal profession including the marketplace for legal services in today’s economy. The topics addressed will include: forms of law practice (including non-traditional alternatives), strategic planning, client development (marketing, client intake, conflicts), law office management, financial accounting, and risk management. Each student will create and present a business development and practice management plan. The goal of the course is to give each student a running start with a business development plan and specific strategies for developing their practice, regardless of the type of the substantive area or environment in which they choose to practice.

Contemporary Developments: Regulated Money Management (600-) [3 credits]

Barbash/Berman [F 10:00 am – 1:00 pm]

This course provides an introduction to the law and practice relating to mutual funds, investment advisers, and other money managers subject to federal regulation. Central to the course is study of the provisions of the Investment Advisers Act of 1940 and its companion statute, the Investment Company Act of 1940. The course addresses important threshold questions of which persons and entities meet the definition of investment adviser and investment company and the consequence of meeting the definitions. Among the specific topics considered during the semester will be: registration with the Securities and Exchange Commission of investment advisers and investment companies; advertising and disclosure obligations of those entities; conflicts of interest involved in the investment management business; the fiduciary obligations of investment advisers; prohibitions on certain affiliated transactions entered into by investment companies; and governance and compliance of investment advisers and investment companies.

Various types of investment companies and advisory services will be discussed throughout the semester, including closed-end funds, money market funds and exchange-traded funds. During the latter portion of the semester, students will have the opportunity to engage in two sessions designed to illustrate practice issues that regularly arise in the regulated investment management business.

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

Contemporary Developments: Supreme Court Jurisprudence (Seminar/LWIII) (600-) [3 credits]
Crooms-Robinson/Francois [M/Th 1:00 – 2:30 pm]

This course is an experiential seminar, in which students work in-role to adjudicate a selected sample of cases currently pending before the United States Supreme Court. At the beginning of the semester, students are provided with the actual briefs that have been filed with the Court and for which oral arguments have been scheduled. Over the course of the semester, students in the role of “Justices” review the briefs, research the authorities cited therein, and meet as a court during regularly scheduled conference sessions to consider cases in turn, vote on an outcome, and assign drafters of majority and concurring and dissenting opinions. With each completed set of written opinions, students reconvene with faculty in seminar meetings to reflect on the decisions and the issues they raised. While the selection of cases for the course will necessarily vary depending on the Supreme Court’s current docket, it is expected that the course will take up cases in constitutional law, criminal law, civil liberties, civil procedure, federalism and administrative law. The pedagogical goal of the course is to use the Court’s docket not only as a tool for teaching theories of legal interpretation, analytical reasoning, writing skills and oral presentation, but also as a means of examining the Court’s institutional role in addressing questions of social and political import and controversy. Like the theoretical ideal of Supreme Court itself, the course benefits from and welcomes a diverse range of student backgrounds, philosophies and perspectives.

Contemporary Developments: Workforce Development (Seminar/LWIII) (600-925) [3 credits]
cunningham [T/Th 3:00 – 4:20 pm]

The Workforce Development seminar considers the question: How can lawyers/advocates improve the systems of public education to assist youth have the system has failed or is in danger of failing? The course does not presuppose that there is one correct answer. Instead, by exploring the problems that have created and maintained disparities in education, the course aims to begin to equip students with the skills to develop models for possible solutions. Students in the course may have the opportunity to engage in restorative justice programs in DC public schools. This may involve engaging with students involved in disciplinary matters and assist them in resolving them using non-traditional means.

Corporations (600-640) [3 credits] **Nichols [M/T/Th 9:00 – 9:50 am]**

This course introduces the modern law of private corporations, including corporate organization, finance and management, dissolution, merger and reorganization, the rights and duties of subscribers, directors, shareholders and creditors.

Creditors’ and Debtors’ Rights and Remedies/Bankruptcy (600-641)[3 credits]

*Prerequisite – Contracts

Bruckner [T/Th 1:30 – 2:45 pm]

Nearly every person and company in America has debt. Debt finances home purchases, educations, business investment, and more. But what happens when households or businesses do not pay their debts? This course focuses on the state and federal laws that govern the relationships between borrowers (debtors) and their creditors when debtors cease paying their debts. The course is particularly focused on consumer bankruptcy under chapters 7 and 13 of the Bankruptcy Code, which is one the largest social insurance programs in the United States. Empirical research suggests that bankruptcy protection increases annual earnings and employment, and decreases mortality rates. Yes, bankruptcy saves lives! Come learn how.

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

Grades are based primarily on a final examination, but there are also several drafting exercises spread throughout the semester.

Criminal Procedure (600-642) [3 credits]

Williams [T/Th 4:00 – 5:20 pm]

This course covers primarily pre-trial constitutional issues of criminal procedure and some significant discussion of the exclusionary rule and related statutes. Topics covered include searches and seizures, confessions, line-ups and photo-spreads, the right to counsel, and grand jury representation.

Criminal Investigation and Trial Procedure (600-) [3 credits]

Kurland [T/Th 11:00 am – 12:20 pm]

This course covers primarily trial and post-trial criminal procedure doctrines, as well as some pretrial doctrines not covered in Criminal Procedure. Topics covered will include bail, speedy trial, guilty pleas, joinder and severance, grand jury, jury selection, effective assistance of counsel, sentencing, double jeopardy, and collateral attack. Criminal Procedure is not a prerequisite. This course is highly recommended for those contemplating criminal practice.

Education Law (600-727) [3 credits]

Cunningham [M/T/Th 11:00 – 11:50 am]

Education Law will focus on the constitutional and statutory law that both constrains and empowers public elementary and secondary schools. The course will explore public education from two perspectives: that of the school and that of the student. From the school's perspective, the course will cover the First, Fourth and Fourteenth Amendments' grants of authority to and constraints of power of public schools, including establishment of religion, curriculum choices, searches and seizures, and antidiscrimination. From the students' perspective, the course will explore their rights of equal protection, due process, freedom of speech, special education accommodations, and access to an adequate or high quality education. This will entail analysis of the same above referenced constitutional amendments, but will also include Title VI of the Civil Rights Act of 1964, Title IX of Rev. August 2012 93 the Education Amendments of 1972, Individuals with Disabilities Education Act, state constitutional education clauses, and the Leave No Child Behind Act.

Energy Law (600-) [3 credits]

Simms [T/Th 4:00 – 5:20 pm]

Entertainment Law (600-645) [3 credits] **Ivory/Woods [W 9:00 am – 12:00 pm]**

This course explores the protection of intellectual property, contractual problems, statutory protection, and tax implications, examining business relationships in the entertainment field.

Environmental Justice (Seminar) (600-653) [3 credits]

Neal/Pair/Wilson [Th 6:00 – 9:00 pm]

This course will focus on the interaction of the environmental and the civil rights laws as they relate to the issues of human health safety and welfare for minorities and our communities. In the course, we will trace and analyze the history of hazardous waste sitting in the majority and minority communities, the results of the application of the environmental laws and the various civil rights laws of the sitting problem and the recent involvement of the Executive and EPA to police agency action in sitting hazardous waste facilities in our communities. Based upon our assigned readings, information from the lectures and seminar discussion, we will attempt to crystallize the relevant issues and devise alternative solutions to those

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

issues. The student will be required to submit a paper oriented toward finding a solution to some aspect of the multifaceted problem of environmental justice.

Family Law (600-647) [3 credits]

Olivares [M/T/Th 3:00 – 3:50 pm]

This course concerns the formation and dissolution of family relations, including marriage, annulment, judicial separation and divorce, and rights and duties of spouses and domestic partners, as well as those of parents and children.

Federal Courts [3 credits]

*Prerequisites- Civil Procedure, Constitutional Law I

LaRue [T/Th 1:30 – 2:45pm]

This course critically examines the structure and authority of the federal courts. With a particular emphasis on the role the federal courts have historically played in vindicating federal constitutional and statutory rights, the course focuses on the persistent tensions that have arisen between the federal courts, the other branches of the federal government, and the States. Topics will generally include: the origins and scope of the power of federal judicial review, justifiability, the statutory and constitutional bases for federal court jurisdiction, Congress' role in controlling the jurisdiction of the federal courts, the power of the federal courts to review state high court decisions and to enjoin state court proceedings, and civil rights litigation pursuant to Section 1983.

Federal Income Taxation of Individuals (600-662) [3 credits]

Smith [T/Th 3:30 – 4:45 pm]

This course is an introductory study of the federal taxation of individuals. Topics examined include identification of the taxpayer, concepts of gross income, deductions, exemptions, adjusted gross income, and credits. Consideration will be given to the goals of the tax law and the interaction of the legislative, executive, and judicial branches of the government in the making, interpreting, and administering of the tax law.

Housing Litigation (Experiential)(600-725) [3 credits]

Andrews [W 6:00 – 8:40 pm]

This course will provide an overview of current federal and state housing programs and will examine the major housing rights of low-income persons, including tenant's rights, the rights of mortgage loan and rental applicants. The course will also examine the litigator's roll in representing different parties involved in HUD programs, parties involved in discrimination suits and will examine how lawyering skills are utilized and essential to address systemic violations of housing rights, such as racial and other forms of discrimination in the provision of shelter, housing, and neighborhood revitalization. The class will study the role of the lawyer-lobbyist in shaping and promoting housing laws, as well as the administrative lawyer in representing clients before HUD and other federal and state agencies. The course will require students to draft and submit pleadings, investigative plans, testing analysis and debriefing memos and other written materials that will chart the progress of a housing discrimination case, from its initial stages through some aspects of actual litigation.

Immigration Law (600-656) [3 credits]

Olivares [T/Th 11:00 am – 12:20 pm]

This course surveys the major laws and issues relating to immigration law and policy.

Independent Study (600-700) (LWIII) [2 credits]

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

Crooms-Robinson [F 9:00 – 9:50 pm]

See the requirements for Independent Study in the Student Affairs Guide. Permission is required to register and receive credit for independent study.

International Economic Law (600-667) (LWIII/Seminar) [3 credits]

Echols [T/Th 1:30 – 2:45 pm]

This course studies the nature, sources, and origin of international economic law and its impact on national law and policy. It covers Selected multilateral agreements, such as the General Agreement on Tariffs and Trade, as well as the laws and disputes resulting from their implementation. Particular attention is paid to the role of multilateral institutions such as the International Monetary Fund, World Bank, and the United Nations. The specific focus of the course may vary from year to year.

International Law of Human Rights (600-672) (Seminar/LWIII) [3 credits]

Johnson [T/Th 9:00 – 10:15 am]

This seminar introduces students to international human rights law. Case studies will be used to explore topics including: (1) fundamental human rights norms such as universality, indivisibility, non-discrimination, and equality; (2) the scope of government obligations to respect, protect, and promote human rights; (3) international, regional and national mechanisms to implement, enforce and monitor human rights treaty compliance; and (4) the role of civil society in implementing, enforcing and monitoring human rights treaty compliance. The course will use case studies from around the world and focus on the connection between the United Nations and the African American struggle for full citizenship and human rights between 1944 and 1955, as an example of how disenfranchised groups have used human rights to advance their claims for rights domestically.

Introduction to Intellectual Property (600-) [3 credits]

Mtima [M/T/Th 4:30 – 5:20 pm]

Introduction to Patent Law (600-686) – [3 credits]

Burwell [T 6:00 – 8:40 pm]

This course is an introduction to U.S. Patent Law. Topics to be covered will include patentable subject matter, problems of utility, novelty, non-obviousness, disclosure and enablement. The course will conclude with a study of problems of infringement and remedies thereof.

Islamic Law (600-) – (Seminar/LWIII) [3 credits]

Motala [T/Th 3:00 – 4:20 pm]

There is growing interest in Islam and Islamic law in the west. The term *Shariah* is commonly used to describe the divine law of the Quran and Sunnah (sayings and actions of the Prophet). All sources of Islamic law and jurisprudence commence with the Quran and Sunnah. There is a corpus of this divine law that partakes of generality, ambiguity or a level of abstraction. When a rule cannot directly be extracted from the Quran or Sunnah, it requires the endeavor of the scholar (*faqih*) using *ijtihad* (independent reasoning) to provide concrete meaning. The course will explicate the use of *ijtihad* (independent reasoning) in deducing Islamic rulings, the conditions for the use of *ijtihad* and its application using methods of interpretation including *Ijma* (consensus), *qiyas* (analogical reasoning), *istihsan* (equity), *maslahah mursalah* (considerations of public interest), *urf* (custom), *istishab* (presumption of continuity) and *sad al dhara* (blocking the means).

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

The Islamic scholars in furthering *ijtihad* have developed a science to studying the *Shariah*, called *fiqh*. This seminar will introduce *fiqh* - the science of the human activity of the scholars, engaged in *ijtihad* to deduce the law. Historically, in Sunni Islam, the scholars have used different methods and emphasized different tools to study and give meaning to the law resulting in four primary schools of *fiqh*. The study of the methodology, tools and criteria employed to extract legal rulings is termed *usul ul fiqh*. The course will engage the methodologies and tools of interpretation. It will also consider the concept of commands and prohibitions in Islam.

The class will also look at certain substantive issues in Islam including the Islamic concept of a state and governance including *shura* (mutual consultation) in relation to democracy and accountability of rulers; human rights; equality; gender; the economic system in Islam; socio-economic rights; apostasy; the laws of warfare; and criminal law.

Students will be required to write a paper on Islamic law. There may be in class quizzes to test the students' knowledge concerning the substantive areas covered.

Legal Drafting (600-) (Experiential) [3 credits]

Coaxum [T 6:00 – 8:40 pm]

This course teaches drafting techniques for non-litigation settings. Steps in the drafting process, canons of construction, style considerations, the plain language movement, and principles of organization are taught through textual readings, class discussion, and the study of legal documents. Students are required to complete selected drafting exercises.

Race, Law and Change (Seminar) (600-689) [3 credits]

Carr [M/W 6:00 -7:20 pm]

This course considers the impact of race on the development of American law legislative reforms and judicial doctrines, current civil rights issues, and examines the various judicial, legislative, and administrative strategies that will be most effective in vindicating and advancing civil rights.

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

Refugee Law (Seminar/LWIII) (600-) [3 credits]

McKanders [T/Th 9:00 – 10:15 am]

This course will examine national and domestic foundations of refugee law and policy. The beginning of the course will focus on the origins of refugee law, the institutional framework of refugee protection, and the history of U.S. refugee policy. During the course, students will examine the definition of refugee, focusing on the grounds for asylum claims and persecution. We will analyze the procedural and evidentiary requirements to obtain refugee status and critique the methods for limiting access to refugee status. Specific focus will be given to enforcement; refugee crisis; gender asylum claims; modifications to the refugee process throughout the world post 9/11; the detention of asylum seekers; and the rights of asylum seekers. Grading will be based on a final paper, as well as a class presentation and class participation.

Remedies (600-692) [3 credits]

Rogers [M/T/Th 9:00 – 9:50 am]

This course provides a substantive and procedural integration of equitable and legal remedies, including extraordinary writs and focusing primarily upon damages and other relief for the enforcement of contract, tort and trust rights.

Sales (600-751) [3 credits]

*Prerequisite: Contracts

Echols [T/Th 6:00 – 7:20 pm]

This is a course in advanced private law. It principally deals with the sales aspect of commercial transactions governed by Article 2 of the Uniform Commercial Code. This course also explores different ways in which private law statutes promote social policy, and provides students an opportunity to engage in rigorous statutory analysis. Coverage includes: contract formation and readjustment; general obligations of the buyer and seller; contract performance; risk of loss; warranties; breach, repudiation and excuse; remedies; and federal legislation affecting these issues. While the focus of the course is on sales law under Article 2, reference will also be made to analogous provisions of U.C.C. Article 2A, “Leases” and the United Nations Convention on Contracts for the International Sales of Goods (“CISG”).

Secured Transactions (600-791) [3 credits]

Thomas [T/Th 11:00 – 12:15 pm]

This course surveys the law of raising funds by granting security interests in personal property. Security interests affect the creditor’s rights if the debtor is unable to repay the loan; as a result, they significantly affect the terms on which capital can be raised. They affect industries ranging from traditional manufacturing to high tech start-ups; they also play a role in consumer loans. The course focuses primarily on Article 9 of the Uniform Commercial Code, but also considers the federal Bankruptcy Code, the federal intellectual property statutes, and other state and federal laws that are applicable.]

Securities Regulation II (600-694) - [3 credits]

*Prerequisites - Securities Regulation I or Broker/Dealer Regulation or Corporations

Crawford [W/Th 6:00 – 7:20 pm]

Securities Regulation II explores all aspects of the U.S. Securities & Exchange Commission’s (“Commission”) enforcement process, from both the government and private practitioner’s perspective, with emphasis on the Commission’s procedures in first conducting an investigation and then either settling or litigating an enforcement action. Through selected examples of significant enforcement actions, the course will stress the private practitioner’s counseling

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

considerations at strategic junctures in the enforcement process. The variety of actions available to the Commission, in different venues, and the breadth of related remedies available in those actions, will be a particular focus, as will the issues that arise in litigating an enforcement action. Also, this course will include discussion and analysis of current, cutting-edge issues in securities regulation, litigation of enforcement actions, developments in self-regulatory organization enforcement, and criminal prosecutions under the federal securities laws. Finally, this course will provide an excellent opportunity to meet and establish relationships with leading private practitioners in the securities industry and senior members of the Commission's staff.

Social Media & The Law (Seminar) (600-) – [3 Credits]

Herbert [T/TH 1:30 – 2:45 pm]

Social Media and the Law is a paper seminar that allows the student to fulfill upper class legal writing requirements. This paper seminar will examine how legal principles such as privacy, copyright, property, contracts, freedom of speech, and defamation apply to social media and the internet. Students will parse state and federal social media case law regarding social media sites such as Twitter, Facebook, Google+, MySpace, and Pinterest to explore, e.g., the law of privacy, the Fair Use Doctrine, the Computer Fraud & Abuse Act, the Federal Rules of Evidence, defamation, and libel.

The first weeks of the seminar are foundational; they will involve readings and classroom lectures re: various areas of law. These weeks will lay the general groundwork for pertinent legal principles to consider when assessing social media conduct and content. Additionally, during these weeks, students will be required to meet with the professor in order to identify, draft, refine, and finalize an original paper topic. Students will rely on class discussion and out-of-class research to form the basis of both an in-class presentation and a final paper, written in accordance with Howard University School of Law Legal Writing III requirements. Students will have the opportunity to consult with Professor Herbert and select an approved paper topic. Students will also have the opportunity to submit drafts. Additionally, students will be able to meet with Professor Herbert during scheduled office hours during the drafting and preparation stages of their work. During the last weeks of the semester, each student will prepare and conduct a classroom discussion based on their final paper.

Trial Advocacy - Civil (Experiential) Skills)(600-703) – [2 Credits]

*Prerequisites - Civil Procedure; Legal Reasoning, Research and Writing I)

Christian/Lee[T 6:00 – 8:00 pm]

This semester course includes a demonstration of the civil trial of an action and common trial techniques; provides participation in simulated pre-trial practice, leading and strategy It is oriented toward providing a laboratory experience in the presentation and introduction of evidence.

Wills, Trusts and Estates (600-651) [4 credits]

McFarlane [T/Th 6:00 – 7:50 pm]

This course addresses the doctrines of the law of interstate succession, wills, trusts, future interests and fiduciary administration which shape the non-commercial transmission of management of wealth at death or during life.

- Mini Courses (**January 30 – March 3, 2017**)

MC: World Food Law (600-) [1 credit]

Echols [T/Th 4:00-5:20pm]

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

III. Clinics and Externships

You can only register for clinics or externships with the approval of either the Clinical Program or the supervising professor. Please note that only one-semester clinics are listed in this document.

▪ Clinics

Civil Rights Clinic I & II (Experiential) (600-721) [6 credits]

*Prerequisite – No prerequisite for Civil Rights Clinic I; Civil Rights Clinic I is a prerequisite for Civil Rights Clinic II

McKanders [W 2:30 pm– 4:20 pm]

The Civil Rights Clinic (CRC) litigates on behalf of indigent clients in civil rights and social justice cases. Students in the clinic represent pro se plaintiffs in federal and state appeals before the United States Court of Appeals for the D.C. Circuit, the United States Court of Appeals for the Fourth Circuit, and the District of Columbia Court of Appeals. Cases include a range of civil rights matters such as employment and housing discrimination, police brutality, denial of full voting rights, unconstitutional prison conditions, and procedural barriers that preclude indigent litigants from effective access to the courts. Students work with faculty in classroom-seminar and clinical-practice settings to review the trial court record, prepare the appendix for appeal, consult with client, research and write the appellate briefs, and prepare and conduct oral argument when such argument is granted by the court. The pedagogical goal of the Clinic is for students and faculty to critically examine the analytical and linguistic challenges of effective courtroom advocacy, the legal and strategic considerations of the appellate process, the ethical and professional obligations of client representation, and the social and political implications of civil rights advocacy.

Intellectual Property/Trademark Clinic I & II (Experiential) (600-811) [3 credits]

*Prerequisite: Trademark Law; IP/TM Clinic I is a prerequisite for IP/TM Clinic II

Terrell [W 1:30 – 3:20 pm]

Howard University is 1 of only 16 law schools selected to participate in the United States Patent and Trademark Office's (USPTO) Law School Clinic Certification Pilot Program. The Intellectual Property and Trademark Clinic (IPTC) was created as a result of this partnership. Each successful IPTC applicant must separately apply to the USPTO's Office of Enrollment & Discipline for their temporary practice number. The IPTC has two (2) components. The classroom component includes in-depth discussions on the federal trademark registration process. For the experiential component, under strict supervision, the student-attorneys represent actual clients (i.e., individuals and/or small businesses) in their attempts to secure trademark registrations with the USPTO.

Investor Justice and Education Clinic I & II (Experiential) (600-810) [4 credits]

*Prerequisite: IJEC I is a prerequisite for IJEC II

Sanders [W 3:30 – 4:50 pm]

The Investor Justice and Education Clinic (IJEC) continues Howard University School of Law's (Howard Law) historic mission of being on the cutting-edge in the fight for civil rights by facilitating economic parity for minorities and the traditionally disadvantaged. IJEC was established with a grant from FINRA, which recognized that Howard Law was uniquely situated to provide critical investment skills and knowledge and legal representation to the traditionally disadvantaged. IJEC is the only such clinic in the greater Washington DC area and will utilize a two-pronged approach to facilitate economic parity for minorities and the traditionally disadvantaged: (1) it will provide legal

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

services to investors who do not have the financial resources to obtain legal counsel and (2) it will provide investor education and community outreach to traditionally underserved communities.

- Externships

General Externship (Experiential) (600-706) (Pass/Fail) [4 credits]

Mazumder [W 1:30 – 3:20 pm]

The General Externship Program provides second and third year law students with exciting and varied learning opportunities in the work world through law-related field work. Students are placed with governmental or administrative agencies, public interest or legal service provider organizations, and members of the judiciary. Students work for one semester in a field placement under the supervision of an attorney, and participate in an Externship class, which draws upon their work experience and enriches their understanding of the law, legal institutions, and the role of lawyers. The goal of the Externship class is to encourage student reflection on the practice of law, strengthen basic lawyering skills, and sensitize students to issues involving ethics and responsibilities. Classroom requirements include weekly attendance at the Externship class and the maintenance of a reflective journal of the student's field work activities.

Advanced Externship (Experiential) (Pass/Fail) [2 credits]

*Prerequisite – General Externship

Mazumder [W 1:30 – 3:20 pm]

The Advanced Externship is for students who wish to participate in an externship for a second term and allows them to further develop their legal skills and cultivate relationships with potential employers. If this is a continuing placement, students should be receiving more advanced research projects and increased responsibility with their employer than with the General Externship. The course would consist of regular meetings with the externship professor, weekly journal submissions, and a final paper.

Internal Revenue Service Externship (Experiential) (Pass/Fail)(600-738) [4 credits]

Thomas [W 8:00 – 8:50 am]

The seminar course exposes students to the practices, policies and procedures of the IRS, as well as the substantive tax laws that govern the work of the Service. Externs secure a field placement with the IRS' General Counsel's Office here in Washington, DC and are assigned to work on a variety of projects. Howard IRS Externs focus on excellence in governmental and public interest lawyering, social justice issues and professional responsibility. These key components are echoed in the work done at the field placement, as well as during the weekly 75-minute required classroom seminars. The IRS Externship is a four (4)-credit course graded on a Pass/Fail basis. Students are required to work 15-20 hours per week for at least 13 weeks (or other requirement set by the Professor). Students may not get paid for any portion of the field placement for which they are receiving credit. Evaluation will be based on the student's performance at the placement site (by the law school supervisor and the field supervisor), participation in classroom seminars, periodic reviews of the student's journal, written work and/or other assignments by the supervising professor.

HOWARD UNIVERSITY SCHOOL OF LAW
FALL 2016 UPPER-LEVEL COURSE OFFERINGS
(10/27/16)

SEC Externship (Pass/Fail) (600-726) [4 credits]

Sanders [W 1:00 – 2:50 pm]

You can only register for this course with the approval of Prof. Sanders and after being accepted to the SEC Honors Program. Externs are assigned to one of the Commission's Divisions or Offices at its headquarters in Washington, D.C. where they are matched to specific Commission staff to work on projects such as investigations of industry and issuer practices, administrative and civil enforcement actions, drafting of proposed statutes and rules, and analyzing international securities regulations and rules and must establish a working schedule with their supervisors. Externs are required to attend educational seminars taught by senior Commission staff and prominent members of the private securities bar on a weekly basis. The SEC Externship provides an exceptional opportunity to learn about aspects of securities law and practice otherwise unavailable at HUSL. HUSL Externs will be exposed to excellence in governmental and public interest lawyering, which facilitates development of insights into the skills required for lawyering unobtainable in a conventional classroom. Additionally, students are required to attend and participate in a weekly 120 minute class taught at the School of Law. The class focuses on a variety of issues and topics including, but not limited to, an overview of the mission and operations of the SEC, ethics in securities law practice, development of lawyering skills, problems arising at the placement site, discussion of other issues relating to placements and career opportunities for securities lawyers.

Students are required to work 15-20 hours per week for at least 13 weeks. Students may not get paid for any portion of the field placement for which they are receiving credit. Evaluation is based on the student's performance at the placement site (by the law school supervisor and the field supervisor), participation in classroom sessions, periodic reviews of the student's journal, and other assignments by the professor.