

2012-2013 COURSE CATALOG

(8-22-12)

TABLE OF CONTENTS

| | |
|---|----------|
| THE HASTINGS CURRICULUM | 1 |
| INTRODUCTION | 1 |
| AN OVERVIEW | 1 |
| CHOOSING PARTICULAR COURSES..... | 1 |
| CHANGING YOUR MIND | 1 |
| NARROWING THE CHOICES..... | 2 |
| AMERICANS WITH DISABILITIES ACT (ADA)..... | 2 |
| FIRST YEAR CURRICULUM | 2 |
| CIVIL PROCEDURE I (4 UNITS) – FALL/SPRING – (LAW*105)..... | 2 |
| CONSTITUTIONAL LAW I (3 UNITS) – SPRING – (LAW*120) | 2 |
| CONTRACTS I (4 UNITS) – FALL/SPRING – (LAW*110) | 2 |
| CRIMINAL LAW (4 UNITS) – FALL/SPRING – (LAW*115) | 2 |
| LEGAL ANALYSIS (2 UNITS) – SPRING – (LAW*141)..... | 2 |
| LEGAL WRITING & RESEARCH (3 UNITS) – FALL – (LAW*131) | 3 |
| MOOT COURT (2 UNITS) – SPRING – (LAW*970)..... | 3 |
| PROPERTY (4 UNITS) – FALL/SPRING – (LAW*125)..... | 3 |
| TORTS (4 UNITS) – FALL/SPRING – (LAW*130)..... | 3 |
| STATUTORY COURSES (3 UNITS) | 3 |
| <i>Education Law – Spring (LAW*188)</i> | 3 |
| <i>Employment Discrimination Law – Spring – (LAW*180)</i> | 3 |
| <i>Environmental Law – Spring – (LAW*181)</i> | 4 |
| <i>Federal Income Taxation – Spring – (LAW*182)</i> | 4 |
| <i>Legislation, Statutory Interpretation, and the Administrative State – Spring – (LAW*184)</i> | 4 |
| UPPER CLASS CONCENTRATIONS | 4 |
| CIVIL LITIGATION AND DISPUTE RESOLUTION | 4 |
| <i>A. Required Courses (not fewer than 14 units)</i> | 5 |
| <i>B. Qualifying Electives (not fewer than 3 courses and not fewer than 8 units)</i> | 5 |
| CRIMINAL LAW | 5 |
| <i>A. Required Courses (11-12 units)</i> | 6 |
| <i>B. Qualifying Electives (10-11 units, and not fewer than 4 courses)</i> | 6 |
| <i>C. Writing Requirement</i> | 6 |
| GOVERNMENT LAW | 6 |
| <i>A. Required Courses: (12-14 units)</i> | 6 |
| <i>B. Recommended Courses: Students must take a minimum of 5 units of these courses</i> | 7 |
| <i>C. Qualifying electives: (For the remaining units)</i> | 7 |
| INTELLECTUAL PROPERTY LAW | 7 |
| <i>A. Required Courses (11-13 units)</i> | 7 |
| <i>B. Qualifying IP and IP-related Electives (9 – 11 units)</i> | 8 |
| INTERNATIONAL AND COMPARATIVE LAW | 8 |
| <i>A. Required Courses (8 units)</i> | 8 |
| <i>B. Qualifying Electives (12 units)</i> | 8 |
| LAW AND HEALTH SCIENCES | 9 |
| <i>A. Required Courses (14 units)</i> | 10 |
| <i>B. Qualifying Health and Science Courses, Seminars, and Clinics and Related Electives(7 units)</i> | 10 |

| | |
|---|-----------|
| SOCIAL JUSTICE LAWYERING..... | 11 |
| A. <i>Required Courses (5 units)</i> | 11 |
| B. <i>Distributional Requirements</i> | 11 |
| C. <i>Qualifying Electives</i> | 11 |
| TAXATION..... | 13 |
| A. <i>Required Courses (13 units)</i> | 13 |
| B. <i>Qualifying Tax and Tax-Related Electives (7 units)</i> | 13 |
| C. <i>Non-Tax Electives (maximum of 3 units toward 20-unit minimum)</i> | 13 |
| ENROLLMENT PROCEDURES..... | 13 |
| FOR J.D. STUDENTS..... | 13 |
| FOR LL.M. AND MSL STUDENTS..... | 14 |
| HOW 2L AND 3L CLASS STATUS IS DETERMINED..... | 14 |
| REQUIRED COURSES..... | 14 |
| ETHICS..... | 14 |
| I. <i>Legal Ethics & the Practice of Law (3 units) – Fall/Spring – (LAW*490)</i> | 14 |
| II. <i>Professional Responsibility (2 units) – Spring – (LAW*529)</i> | 14 |
| III. <i>Roles & Ethics in Practice (3 units) – Fall – (LAW*550)</i> | 14 |
| WRITING REQUIREMENT..... | 15 |
| PROFESSIONAL SKILLS REQUIREMENT..... | 15 |
| GPA LECTURE COURSES..... | 15 |
| ADMINISTRATIVE LAW (3 UNITS) – FALL/SPRING – (LAW*216)..... | 15 |
| ADVANCED LEGAL RESEARCH AND ANALYSIS (3 UNITS) – SPRING – (LAW*227)..... | 15 |
| ADVANCED NEGOTIATION: ART OF THE DEAL (2 OR 3 UNITS) – SPRING – (LAW*236)..... | 15 |
| ADVANCED NEGOTIATION: MULTI-PARTY, MULTI-ISSUE, AND GROUP PROCESSES (3 OR 4 UNITS) – SPRING – (LAW*422)..... | 16 |
| AMERICAN LEGAL HISTORY: COLONIAL AMERICA TO CIVIL WAR (3 UNITS) – FALL – (LAW*406)..... | 16 |
| ANIMAL LAW (3 UNITS) – FALL – (LAW*238)..... | 16 |
| ANTITRUST (3 OR 4 UNITS) – FALL/SPRING – (LAW*240)..... | 16 |
| ARBITRATION (3 UNITS) – SPRING – (LAW*245)..... | 16 |
| BANKRUPTCY & CREDITORS’ REMEDIES (3 UNITS) – FALL – (LAW*320)..... | 17 |
| BUSINESS ASSOCIATIONS AND INTRODUCTION TO FEDERAL SECURITIES LAW (4 UNITS) – FALL/SPRING – (LAW*314)..... | 17 |
| CALIFORNIA CIVIL PROCEDURE (2 OR 3 UNITS) – FALL/SPRING – (LAW*246)..... | 17 |
| CHILDREN & THE LAW (2 OR 3 UNITS) – SPRING – (LAW*251)..... | 17 |
| CIVIL PROCEDURE II (3 UNITS) – FALL/SPRING – (LAW*275)..... | 17 |
| COMMUNITY PROPERTY (2 OR 3 UNITS) – FALL/SPRING – (LAW*264)..... | 17 |
| COMPARATIVE LAW (3 UNITS) – FALL/SPRING (LAW*272)..... | 18 |
| COMPLEX LITIGATION (3 UNITS) – FALL – (LAW*276)..... | 18 |
| CONFLICT OF LAWS (3 UNITS) – FALL/SPRING – (LAW*280)..... | 18 |
| CONSTITUTIONAL LAW II (3 OR 4 UNITS) – FALL/SPRING – (LAW*290)..... | 18 |
| CONSUMER TRANSACTIONS (3 UNITS) – FALL – (LAW*299)..... | 18 |
| COPYRIGHT LAW (3 UNITS) – FALL – (LAW*308)..... | 18 |
| CORPORATE FINANCE (3 UNITS)-SPRING – (LAW*315)..... | 18 |
| CORPORATIONS (3 OR 4 UNITS) – SPRING – (LAW*311/312)..... | 18 |
| CRIMINAL PROCEDURE (3 OR 4 UNITS) – FALL/SPRING – (LAW*328)..... | 19 |
| CRIMINAL PROCEDURE: THE ADJUDICATIVE PROCESS (3 UNITS) – SPRING – (LAW*332)..... | 19 |
| DATA PRIVACY AND THE LAW (2 UNITS) – FALL – (LAW*230)..... | 19 |
| DISABILITY LAW (2 UNITS) – SPRING – (LAW*335)..... | 19 |
| DOMESTIC VIOLENCE (3 UNITS) – SPRING – (LAW*350)..... | 19 |
| E-DISCOVERY (2 UNITS) – SPRING – (LAW*301)..... | 20 |
| ELDER LAW (3 UNITS) – SPRING – (LAW*303)..... | 20 |
| EMPLOYMENT DISCRIMINATION (3 UNITS) – FALL – (LAW*352)..... | 20 |
| EMPLOYMENT LAW (3 UNITS) – FALL – (LAW*435)..... | 20 |

| | |
|--|----|
| ENTERTAINMENT LAW (2 UNITS) – SPRING – (LAW*355)..... | 21 |
| ERISA: A LABOR LAW PERSPECTIVE (2 UNITS) – SPRING – (LAW*353) | 21 |
| EVIDENCE (3 OR 4 UNITS) FALL/SPRING – (LAW*368)..... | 21 |
| FAMILY LAW (3 OR 4 UNITS) – FALL/SPRING – (LAW*336) | 21 |
| FEDERAL COURTS (3 UNITS) – FALL/SPRING – (LAW*376)..... | 21 |
| FEDERAL CRIMINAL LAW (3 UNITS) - SPRING – (LAW*338) | 21 |
| FEDERAL INCOME TAXATION (3 UNITS) – FALL/SPRING – (LAW*540)..... | 22 |
| FEDERAL INCOME TAXATION OF CORPORATIONS & PARTNERSHIPS (4 UNITS) – FALL – (LAW*542) | 22 |
| FEDERAL INCOME TAXATION OF REAL ESTATE & OTHER INVESTMENTS (3 UNITS) –SPRING – (LAW*541) | 22 |
| FEDERAL AND INTERSTATE WATER RESOURCES (3 UNITS) – FALL – (LAW*372)..... | 22 |
| FINANCIAL CRISES AND THE REGULATION OF FINANCIAL INSTITUTIONS (2 UNITS) – SPRING – (LAW*386) | 22 |
| FOOD AND DRUG LAW (3 UNITS) – SPRING (LAW*377) | 22 |
| GENDER AND THE LAW (3 UNITS) – FALL – (LAW*212)..... | 23 |
| HEALTH LAW (4 UNITS EACH) – FALL/SPRING | 23 |
| HEALTH LAW I (4 UNITS) – FALL – (LAW*217)..... | 23 |
| HEALTH LAW II (4 UNITS) – SPRING – (LAW*317)..... | 23 |
| IMMIGRATION LAW (3 UNITS) – FALL – (LAW*400)..... | 23 |
| INSURANCE (2 OR 3 UNITS) – SPRING - (LAW*408)..... | 23 |
| INTELLECTUAL PROPERTY (4 UNITS) – FALL/SPRING – (LAW*412) | 23 |
| INTELLECTUAL PROPERTY UNDER STATE LAW: TRADE SECRETS AND EMPLOYEE MOBILITY (2 UNITS) – SPRING – (LAW*508) | 24 |
| INTERNATIONAL BUSINESS TRANSACTIONS (3 UNITS) – FALL – (LAW*416)..... | 24 |
| INTERNATIONAL AND COMPARATIVE INTELLECTUAL PROPERTY (2 UNITS) – SPRING – (LAW*414) | 24 |
| INTERNATIONAL ENVIRONMENTAL LAW (3 UNITS) – SPRING – (LAW*418)..... | 24 |
| INTERNATIONAL HUMAN RIGHTS (3 UNITS) – FALL – (LAW*417) | 25 |
| INTERNATIONAL TRADE LAW AND POLICY (3 UNITS) – SPRING – (LAW*415) | 25 |
| INTRODUCTION TO CHINESE LAW (3 UNITS) –FALL – (LAW*248) | 25 |
| INTRODUCTION TO LAW (4 UNITS) – FALL – (LAW*162)..... | 25 |
| JURISPRUDENCE (2 UNITS) –FALL/ SPRING – (LAW*432)..... | 25 |
| LABOR LAW (3 UNITS) – SPRING – (LAW*447)..... | 25 |
| LAND USE REGULATION (2 OR 3 UNITS) – SPRING – (LAW*456)..... | 26 |
| LAW AND ECONOMICS (3 UNITS) – SPRING – (LAW*450) | 26 |
| LAW OF BANKING AND FINANCIAL INSTITUTIONS (3 UNITS) – FALL – (LAW*325)..... | 26 |
| LAW, PSYCHIATRY AND THE MENTAL HEALTH SYSTEM (2 UNITS) – SPRING (LAW*457) | 26 |
| MARITIME LAW (3 UNITS) – SPRING – (LAW*224)..... | 26 |
| LEGISLATIVE PROCESS (3 UNITS) – FALL – (LAW*480)..... | 26 |
| MERGERS AND ACQUISITIONS (3 UNITS) – SPRING – (LAW*440) | 26 |
| MODERN BIOETHICS: FROM NUREMBURG TO THE “OCTOMOM” AND BEYOND (3 OR 4 UNITS) – FALL – (LAW*231)..... | 27 |
| NON PROFIT ORGANIZATIONS (3 UNITS) – FALL – (LAW*485)..... | 27 |
| PATENT LITIGATION (2 UNITS) – SPRING – (LAW*510) | 27 |
| PATENTS AND TRADE SECRETS (3 UNITS) – FALL – (LAW*505) | 27 |
| PERSONAL INJURY LITIGATION (2 UNITS) – SPRING – (LAW*512)..... | 27 |
| PUBLIC HEALTH LAW (3 UNITS) – FALL – (LAW *520) | 27 |
| PUBLIC INTERNATIONAL LAW (3 UNITS) – SPRING – (LAW*535)..... | 27 |
| RACE, RACISM AND AMERICAN LAW (3 UNITS) – FALL – (LAW*203)..... | 28 |
| REFUGEE LAW & POLICY (3 UNITS) – SPRING – (LAW*428)..... | 28 |
| REMEDIES (3 UNITS) – FALL/SPRING – (LAW*552) | 28 |
| SALES AND LEASES OF GOODS (3 UNITS) – FALL/SPRING – (LAW*558) | 28 |
| SCIENCE IN LAW (3 OR 4 UNITS) – FALL – (LAW*570)..... | 28 |
| SECURED TRANSACTIONS (3 UNITS) – SPRING – (LAW*565)..... | 28 |
| SECURITIES REGULATION (3 OR 4 UNITS) – SPRING – (LAW*568)..... | 29 |
| SEXUALITY AND THE LAW (2 UNITS) – SPRING – (LAW*206)..... | 29 |
| STATE AND LOCAL GOVERNMENT LAW (3 UNITS) – FALL – (LAW*598) | 29 |

| | |
|--|-----------|
| STATE AND LOCAL TAXATION (3 UNITS) – SPRING – (LAW*597) | 29 |
| STATUTORY INTERPRETATION AND BILL DRAFTING (3 UNITS) – SPRING – (LAW*215) | 29 |
| TAX PROCEDURE (3 UNITS) – FALL – (LAW*590)..... | 29 |
| TAXATION OF FAMILY WEALTH TRANSFERS (3 OR 4 UNITS) – SPRING – (LAW*543)..... | 29 |
| TRADEMARKS AND UNFAIR COMPETITION (3 UNITS) – SPRING – (LAW*582)..... | 30 |
| U.S. TAXATION OF FOREIGN TRANSACTIONS & INVESTMENTS (3 UNITS) – SPRING – (LAW*544) | 30 |
| VENTURE CAPITAL & THE START-UP TECHNOLOGY AND EMERGING GROWTH COMPANY (2 UNITS) – SPRING – (LAW*318) | 30 |
| WATER LAW (3 UNITS) – SPRING – (LAW*551)..... | 30 |
| WILLS & TRUSTS (3 OR 4 UNITS) – FALL/SPRING – (LAW*583)..... | 30 |
| GPA SEMINARS..... | 30 |
| ACCOUNTABILITY IN INTERNATIONAL HUMAN RIGHTS LAW SEMINAR (2 UNITS) – SPRING – (LAW*732) | 31 |
| ADVANCED BUSINESS LAW SEMINAR (2 UNITS) – SPRING – (LAW*730) | 31 |
| ADVANCED LEGISLATIVE PROCESS SEMINAR (2 UNITS) – SPRING – (LAW*763) | 31 |
| ADVANCED TOPICS IN INTERNATIONAL LAW SEMINAR (2 UNITS) – FALL – (LAW*720) | 31 |
| ALTERNATIVE DISPUTE RESOLUTION SEMINAR (2 UNITS) – FALL – (LAW*740)..... | 31 |
| AMERICAN WEST: LAW, CULTURES & THE ENVIRONMENT SEMINAR (2 UNITS) – SPRING – (LAW*710) | 32 |
| ASIAN PACIFIC AMERICANS AND THE LAW SEMINAR (2 UNITS) – SPRING – (LAW*735) | 32 |
| BIOETHICS, LAW & HEALTHCARE DECISIONMAKING SEMINAR (2 UNITS) – SPRING – (LAW*719) | 32 |
| BUSINESS BANKRUPTCY AND CORPORATE REORGANIZATION SEMINAR (2 UNITS) – SPRING – (LAW*637) | 32 |
| BUSINESS PLANNING SEMINAR (2 UNITS) – SPRING – (LAW*761) | 32 |
| CAPITAL PUNISHMENT SEMINAR (2 UNITS) – FALL – (LAW*770) | 33 |
| CASE STUDIES IN CONTRACT LAW SEMINAR (2 UNITS) – SPRING (LAW*759) | 33 |
| CHINA AND THE INTERNATIONAL LEGAL ORDER SEMINAR (2 UNITS) – FALL – (LAW*783) | 33 |
| CHINA-BUSINESS LAW AND ECONOMIC RIGHTS SEMINAR (2 UNITS) – SPRING – (LAW*743)..... | 33 |
| CIVIL LITIGATION CONCENTRATION SEMINAR (2 UNITS) – FALL – (LAW*793) | 33 |
| CIVIL RIGHTS SEMINAR (2 UNITS) – SPRING – (LAW*764) | 33 |
| CLASS ACTION SEMINAR (2 UNITS) – SPRING – (LAW*727)..... | 33 |
| COMPARATIVE CIVIL PROCEDURE SEMINAR (2 UNITS) – SPRING – (LAW*612) | 34 |
| CORRECTIONS AND CRIMINAL JUSTICE: LEGAL POLICY, PRACTICE, AND REFORM SEMINAR (2 UNITS) – SPRING – (LAW*605) | 34 |
| COURTS AS A POLITICAL ACTOR SEMINAR (2 UNITS) – FALL – (LAW*744) | 34 |
| CRIMINAL LAW & THEORY CONCENTRATION SEMINAR (2 UNITS) – SPRING – (LAW*757)..... | 34 |
| CRIMINAL PUNISHMENT SEMINAR (2 UNITS) – SPRING – (LAW*728)..... | 34 |
| CRITICAL RACE THEORY SEMINAR (2 UNITS) - SPRING - (LAW*734)..... | 35 |
| CURRENT PROBLEMS IN CONSTITUTIONAL LAW SEMINAR (2 UNITS) – SPRING – (LAW*753) | 35 |
| CURRENT STATE & LOCAL GOVERNMENT PROBLEMS SEMINAR (3 UNITS) – FALL/SPRING - (LAW*780)..... | 35 |
| CYBERLAW SEMINAR(2 UNITS) – SPRING – (LAW*751) | 35 |
| DIGITAL MEDIA LAW (2 UNITS) – SPRING – (LAW*776) | 35 |
| DISPUTE SYSTEM DESIGN SEMINAR (2 UNITS) – SPRING – (LAW*785) | 36 |
| EMPLOYMENT LAW SEMINAR: WORK/FAMILY ISSUES (3 UNITS) – SPRING – (LAW*752)..... | 36 |
| ENVIRONMENTAL LAW SEMINAR (2 UNITS) – FALL – (LAW*782)..... | 37 |
| ESTATE PLANNING SEMINAR (2 UNITS) - FALL – (LAW*790)..... | 37 |
| FILM AND THE LAW SEMINAR (2 UNITS) – FALL – (LAW*756)..... | 37 |
| FORENSIC EVIDENCE SEMINAR (2 UNITS) – SPRING – (LAW*703) | 37 |
| GENETICS: ISSUES IN LAW AND POLICY SEMINAR (2 UNITS) – SPRING– (LAW*791)..... | 37 |
| GOVERNMENT LAWYER CONCENTRATION SEMINAR (2 UNITS – 1 PER SEMESTER) – FALL/SPRING – (LAW*680)..... | 38 |
| INTELLECTUAL PROPERTY CAPSTONE CONCENTRATION SEMINAR (2 UNITS) – SPRING – (LAW*731) | 38 |
| INTELLECTUAL PROPERTY LICENSING SEMINAR (2 UNITS) – FALL/SPRING – (LAW*707)..... | 38 |

| | |
|--|-----------|
| INTERNATIONAL COMMERCIAL ARBITRATION SEMINAR (2 UNITS) – FALL – (LAW*786)..... | 38 |
| INTERNATIONAL NEGOTIATION AND DISPUTE SETTLEMENT SEMINAR (2 UNITS) – SPRING – (LAW*789) | 39 |
| INTRODUCTION TO JAPANESE LEGAL SYSTEM SEMINAR (2 UNITS) – FALL – (LAW*754) | 39 |
| LAW AND BIOSCIENCE SEMINAR (3 UNITS) – FALL – (LAW*706) | 39 |
| LAW & BUSINESS IN JAPAN SEMINAR (2 UNITS) – SPRING – (LAW*726)..... | 39 |
| LAW AND HEALTH SCIENCES CONCENTRATION SEMINAR (2 UNITS – 1 UNIT PER SEMESTER) – FALL/SPRING – (LAW*750)..... | 38 |
| LAW OF THE HUMAN BODY SEMINAR (2 UNITS) – FALL – (LAW *631) | 40 |
| LAW PRACTICE MANAGEMENT SEMINAR (3 UNITS) – SPRING – (LAW*651) | 40 |
| PATENT PROSECUTION SEMINAR (2 UNITS) – SPRING – (LAW*712)..... | 40 |
| POLITICAL ECONOMY OF LAW SEMINAR (2 UNITS) – FALL- (LAW*748)..... | 41 |
| PROSECUTING INTERNATIONAL PRICE-FIXING CARTELS (2 UNITS) – FALL – (LAW*799) | 41 |
| PUBLIC LAND & NATURAL RESOURCES SEMINAR (2 UNITS) – FALL – (LAW*760) | 41 |
| PUBLIC FINANCE SEMINAR (2 UNITS) – SPRING – (LAW*796)..... | 41 |
| PUBLIC POLICY ADVOCACY SEMINAR (2 UNITS) – FALL – (LAW*797)..... | 41 |
| RESEARCH SEMINAR ON CAREER OF ROGER TRAYNOR (2 UNITS) – FALL/SPRING – (LAW*609) . | 42 |
| SOCIAL JUSTICE LAWYERING CONCENTRATION CORE SEMINAR (2 UNITS – 1 UNIT PER SEMESTER) – FALL/SPRING – (LAW*777) | 42 |
| SOCIOLOGY OF THE CRIMINAL JUSTICE SYSTEM SEMINAR (2 UNITS) – FALL – (LAW*794)..... | 42 |
| SPECIAL EDUCATION LAW SEMINAR (2 UNITS) – SPRING – (LAW*715)..... | 42 |
| TAX CONCENTRATION SEMINAR (2 UNITS – 1 UNIT PER SEMESTER) – FALL/SPRING – (LAW*714) | 43 |
| TAX POLICY SEMINAR (2 UNITS) – SPRING – (LAW*718)..... | 43 |
| TELECOMMUNICATIONS LAW SEMINAR (2 UNITS) – FALL – (LAW*617) | 43 |
| TERRORISM AND THE LAW (2 UNITS) – FALL-(LAW*746)..... | 43 |
| TRADEMARK PROSECUTION SEMINAR (2 UNITS) – SPRING – (LAW*737)..... | 43 |
| TRANSNATIONAL ENFORCEMENT OF LABOR STANDARDS (2 UNITS) – SPRING – (LAW*652) | 43 |
| TRANSNATIONAL HUMAN RIGHTS SEMINAR (2 UNITS) – SPRING (LAW*652) | 44 |
| VOTING RIGHTS SEMINAR (2 UNITS) – SPRING – (LAW*693)..... | 44 |
| WATER RESOURCES SEMINAR (2 UNITS) – SPRING – (LAW*716) | 44 |
| WOMEN’S HEALTH AND THE LAW (2 UNITS) – SPRING – (LAW*784)..... | 44 |
| WRONGFUL CONVICTION SEMINAR (2 UNITS) – FALL – (LAW*755) | 44 |
| NON-GPA COURSES..... | 45 |
| APPELLATE ADVOCACY (2 UNITS) – FALL – (LAW*820/821)..... | 45 |
| CALIFORNIA LOCAL GOVERNMENT LAW (2 UNITS) – SPRING – (LAW*859) | 45 |
| COMMERICAL CONTRACT WRITING (2 UNITS) – SPRING – (LAW*879)..... | 45 |
| COMMUNITY LAW: TEACHING THE CONSTITUTION (3 UNITS) – FALL – (LAW*860) | 46 |
| CRITICAL STUDIES I: SELECTED PROBLEMS (2 UNITS) – FALL – (LAW*861)..... | 46 |
| CRITICAL STUDIES II: LEGAL DRAFTING FOR THE PERFORMANCE TEST – (2 UNITS) – SPRING - (LAW*863)..... | 46 |
| EFFECTIVE REPRESENTATION IN MEDIATION – INTRODUCTORY (1 UNIT) – SPRING – (LAW*849) | 46 |
| EFFECTIVE REPRESENTATION IN MEDIATION – ADAVANCED (1 UNIT) – SPRING – (LAW*889) | 46 |
| EMOTIONS, MINDFULNESS, AND THE LAW (3 UNITS) – SPRING – (LAW*882) | 47 |
| ESTATE DRAFTING SPRING (1 UNIT) – SPRING – (LAW*873) | 47 |
| FACILITATION FOR ATTORNEYS (1 UNIT) – FALL/SPRING – (LAW*829) | 47 |
| FINANCIAL BASIC FOR LAWYERS (2 UNITS) – FALL – (LAW*881) | 47 |
| HASTINGS TO HAITI (2 UNITS) – SPRING – (LAW*874) | 48 |
| INTERNATIONAL AND FOREIGN LEGAL RESEARCH (2 UNITS)– FALL – (LAW *880)..... | 48 |
| INTERVIEWING AND COUNSELING (2 UNITS) – FALL – (LAW*812) | 48 |
| JUDICIALLY SUPERVISED SETTLEMENT CONFERENCE (1 UNIT) – FALL – (LAW*846)..... | 48 |
| LEGAL ANALYSIS (2 UNITS) – FALL – (LAW*142)..... | 48 |
| MEDIATION (3 UNITS) – FALL/SPRING – (LAW*802)..... | 49 |
| NEGOTIATION & MEDIATION: PROCESS & PRACTICE (3 OR 4 UNITS) – FALL/SPRING – (LAW*837)..... | 49 |
| NEGOTIATION & SETTLEMENT (3 UNITS) – FALL/SPRING – (LAW*838) | 49 |

| | |
|--|-----------|
| PRE-TRIAL PRACTICE (CIVIL) (2 UNITS) – FALL/SPRING – (LAW*842) | 49 |
| PROBLEM SOLVING & PROFESSIONAL JUDGMENT IN PRACTICE (3 UNITS) – SPRING – (LAW*862) | 49 |
| PUBLIC HEALTH & HOMELESSNESS: INTERSECTIONS OF LAW AND HEALTH CARE (2 UNITS) – FALL – (LAW*854) | 50 |
| REAL ESTATE TRANSACTIONS (2 UNITS) – SPRING – (LAW*875)..... | 50 |
| REPRESENTING SPANISH-SPEAKING WORKERS IN EMPLOYMENT AND LABOR LITIGATION (1 UNIT) – SPRING – (LAW *868) | 50 |
| TRIAL ADVOCACY I (2 UNITS) – FALL/SPRING – (LAW*831/833)..... | 50 |
| TRIAL ADVOCACY II (3 UNITS) – FALL/SPRING – (LAW*832) | 50 |
| TRIAL ADVOCACY II (2 UNITS) – SPRING – (LAW *834) | 51 |
| TRIAL ADVOCACY (INTENSIVE) (4 UNITS) – SPRING – (LAW*857)..... | 51 |
| TRIAL OBJECTIONS (2 UNITS) – FALL/SPRING – (LAW*804)..... | 51 |
| CLINICS | 51 |
| CIVIL JUSTICE CLINIC AND CIVIL JUSTICE CLINIC FIELDWORK – INDIVIDUAL REPRESENTATION CLINIC – FALL/SPRING – (LAW*902/903)..... | 52 |
| CIVIL JUSTICE CLINIC AND CIVIL JUSTICE CLINIC FIELDWORK – SOCIAL CHANGE LAWYERING: COMMUNITY GROUP ADVOCACY CLINIC – SPRING – (LAW*929/930) | 52 |
| CIVIL JUSTICE CLINIC AND CIVIL JUSTICE CLINIC FIELDWORK – COMMUNITY ECONOMIC DEVELOPMENT CLINIC – FALL/SPRING – (LAW*927/928)..... | 53 |
| CIVIL JUSTICE CLINIC & CIVIL JUSTICE CLINIC FIELDWORK – MEDIATION CLINIC – FALL/SPRING – (LAW*925/926) | 53 |
| CRIMINAL PRACTICE CLINIC AND CRIMINAL PRACTICE CLINIC FIELDWORK – FALL/SPRING – (LAW*910/911) | 53 |
| ENVIRONMENTAL LAW CLINIC AND ENVIRONMENTAL LAW CLINIC FIELDWORK – SPRING – (LAW*913/914) | 54 |
| IMMIGRANTS’ RIGHTS CLINIC AND IMMIGRANTS’ RIGHTS CLINIC FIELDWORK – FALL – (LAW*907/908)..... | 54 |
| INNOVATION LAW CLINICS – FALL/SPRING | 54 |
| BIOENTREPRENEURSHIP CLINIC – FALL/SPRING – (LAW*992/993)..... | 55 |
| <i>START-UP TECHNOLOGY CLINIC – FALL/SPRING – (LAW*994/995)</i> | <i>55</i> |
| <i>SOCIAL ENTERPRISE & NONPROFIT LAW MODULE – SPRING – (LAW*996/997).....</i> | <i>55</i> |
| LEGISLATION CLINIC (3 PARTS – 13 UNITS TOTAL) – SPRING | 56 |
| <i>Fieldwork – (LAW*923).....</i> | <i>56</i> |
| <i>Advanced Legislative Process Seminar – (LAW*763).....</i> | <i>56</i> |
| <i>Bill Drafting and Statutory Interpretation – (LAW*215).....</i> | <i>57</i> |
| LOCAL GOVERNMENT LAW CLINIC AND LOCAL GOVERNMENT LAW CLINIC FIELDWORK – SPRING – (LAW*918/919)..... | 57 |
| MEDICAL-LEGAL PARTNERSHIP CLINIC FOR SENIORS CLINIC AND MLP FOR SENIORS FIELDWORK – FALL/SPRING – (LAW*935/936)..... | 57 |
| REFUGEE & HUMAN RIGHTS CLINIC – FALL/SPRING – (LAW*931/932)..... | 58 |
| WORKERS' RIGHTS CLINIC – FALL/SPRING – (LAW*921/922)..... | 58 |
| EXTERNSHIPS..... | 59 |
| ALTERNATIVE DISPUTE RESOLUTION EXTERNSHIP PROGRAM – FALL/SPRING – (LAW*959/958) | 59 |
| JUDICIAL EXTERNSHIP PROGRAM | 59 |
| CLASSROOM COMPONENT – FALL/SPRING (LAW*899) | 59 |
| FIELDWORK – (LAW*940)..... | 59 |
| DESIGNATED PRE- OR CO-REQUISITE COURSES FOR JUDICIAL EXTERNS | 59 |
| LEGAL EXTERNSHIP PROGRAM – FALL/SPRING (LAW*933/934) | 60 |
| OTHER PROGRAMS | 60 |
| SCHOLARLY PUBLICATIONS (UP TO 2 UNITS)..... | 60 |
| CLIENT COUNSELING TEAM (1 OR 2 UNITS) – SPRING – (LAW*978)..... | 60 |

| | |
|--|-----------|
| INTERSCHOLASTIC COMPETITION BOARD – MOOT COURT (LAW*971) | 61 |
| INTERSCHOLASTIC COMPETITION – MOOT COURT (LAW*973) – FALL/SPRING | 61 |
| INTERSCHOLASTIC COMPETITION BOARD - ALTERNATIVE DISPUTE RESOLUTION (LAW*974) – FALL/SPRING | 62 |
| INTERSCHOLASTIC COMPETITION – CLIENT COUNSELING TEAM (1 OR 2 UNITS) – SPRING – (LAW*978)..... | 62 |
| INTERSCHOLASTIC COMPETITION – ALTERNATIVE DISPUTE RESOLUTION (1 UNIT PER SEMESTER*) – (LAW*977) – FALL/SPRING | 62 |
| INTERSCHOLASTIC COMPETITION - TRIAL TEAM (2 UNITS PER SEMESTER) – (LAW*979) – FALL/SPRING..... | 63 |
| INDEPENDENT STUDY | 63 |
| EXCHANGE PROGRAMS AND STUDY ABROAD OPPORTUNITIES | 63 |
| EDUCATIONAL OBJECTIVES OF THE FOREIGN EXCHANGE AND STUDY ABROAD PROGRAMS: .. | 63 |
| PROGRAMS..... | 64 |
| Argentina – Austral University, Buenos Aires – Latin American Law..... | 64 |
| Australia – University of New South Wales – Law | 64 |
| China – Peking University Law School, Beijing – Chinese Law..... | 64 |
| China – Shanghai Jiao Tong University KoGuan Law School -- Chinese Law..... | 64 |
| Denmark – University of Copenhagen – European Union Law..... | 64 |
| France – University of Paris, II (Université Panthéon-Assas Paris II)..... | 64 |
| Germany – Bucerius Law School, Hamburg – International Business Law | 64 |
| Germany – Freie University, Berlin – E.U. Business Law..... | 64 |
| Hungary – Central European University, Budapest – Comparative Law, Human Rights and Business Law .. | 64 |
| Israel – Tel Aviv University – Law..... | 65 |
| Italy – Bocconi University, Milan—International Business Law | 65 |
| Italy – The International University College of Turin –Political Economy and Law | 65 |
| Japan – Waseda University, Tokyo – Law | 65 |
| The Netherlands – Leiden University – International or E.U. Law | 65 |
| Spain – Deusto University, Bilbao – International and European Law..... | 65 |
| Spain – IE (Instituto de Empresa) Law School, Madrid – International Business Law..... | 65 |
| United Kingdom – The School of Oriental and African Studies Law Faculty at the University of London – Law and Development | 65 |
| U.S.A. – The Vermont Law School, Royalton, Vermont – Environmental Law..... | 65 |
| APPLICATION PROCESS | 65 |
| INDEPENDENT STUDY ABROAD..... | 65 |
| JOINT DEGREE PROGRAM | 66 |
| LL.M. PROGRAM | 66 |
| LL.M. LEGAL RESEARCH & WRITING (2 UNITS) – FALL – (LAW*132) | 66 |
| INTRODUCTION TO UNITED STATES LEGAL SYSTEMS (2 UNITS) – FALL – (LAW*161) | 66 |
| MASTER OF STUDIES IN LAW PROGRAM | 66 |
| Required Courses:..... | 66 |
| MSL SEMINAR (2 UNITS – 1 UNIT PER SEMESTER) – FALL/SPRING – (LAW*604) | 66 |
| MSL LEGAL WRITING AND RESEARCH (2 OR 3 UNITS) – FALL – (LAW*133) | 67 |
| INTRODUCTION TO LAW (4 UNITS) – FALL – (LAW*162)..... | 67 |
| AREAS OF STUDY AND PRACTICE | 67 |
| ADMINISTRATIVE & PUBLIC LAW | 67 |
| GPA Lecture Courses..... | 67 |
| Seminars, Non-GPA Courses & Clinics..... | 67 |
| Faculty Counselors | 68 |
| ADVOCACY & LITIGATION | 68 |
| GPA Lecture Courses..... | 68 |

| | |
|---|-----------|
| <i>Seminars, Non-GPA Courses & Clinics</i> | 68 |
| <i>Faculty Counselors</i> | 68 |
| BUSINESS & COMMERCIAL | 68 |
| <i>GPA Lecture Courses</i> | 68 |
| <i>Seminars, Non-GPA Courses & Clinics</i> | 69 |
| <i>Faculty Counselors</i> | 69 |
| CRIMINAL LAW & PROCEDURE | 69 |
| <i>GPA Lecture Courses</i> | 69 |
| <i>Seminars, Non-GPA Courses & Clinics</i> | 69 |
| <i>Faculty Counselors</i> | 69 |
| ENVIRONMENTAL LAW AND NATURAL RESOURCES | 69 |
| <i>GPA Lecture Courses</i> | 69 |
| <i>Seminars, Non-GPA Courses & Clinics</i> | 69 |
| <i>Faculty Counselors</i> | 69 |
| FAMILY LAW | 70 |
| <i>GPA Lecture Courses</i> | 70 |
| <i>Seminars, Non-GPA Courses, & Clinics</i> | 70 |
| <i>Faculty Counselors</i> | 70 |
| INTELLECTUAL PROPERTY | 70 |
| <i>GPA Lecture Courses</i> | 70 |
| <i>Seminars, Non-GPA Courses & Clinics</i> | 70 |
| <i>Faculty Counselors</i> | 70 |
| INTERNATIONAL LAW | 70 |
| <i>GPA Lecture Courses</i> | 70 |
| <i>Seminars, Non-GPA Courses & Clinics</i> | 70 |
| <i>Faculty Counselors</i> | 71 |
| LAW AND HEALTH SCIENCES | 71 |
| <i>GPA Lecture Courses</i> | 71 |
| <i>Seminars, Non-GPA Courses</i> | 71 |
| <i>CLINICS</i> | 71 |
| <i>Faculty Counselors</i> | 71 |
| LEGAL PHILOSOPHY & SYSTEMS | 71 |
| <i>GPA Lecture Courses</i> | 71 |
| <i>Seminars, Non-GPA Courses & Clinics</i> | 71 |
| <i>Faculty Counselors</i> | 71 |
| PERSONAL INJURY LAW | 71 |
| <i>GPA Lecture Courses</i> | 71 |
| <i>Seminars, Non-GPA Courses & Clinics</i> | 72 |
| <i>Faculty Counselors</i> | 72 |
| TAXATION | 72 |
| <i>GPA Lecture Courses</i> | 72 |
| <i>Seminars, Non-GPA Courses & Clinics</i> | 72 |
| <i>Faculty Counselors</i> | 72 |
| PROFESSIONAL SKILLS COURSE LIST | 72 |
| BAR EXAMINATION REQUIREMENTS | 73 |
| <i>MULTISTATE BAR EXAMINATION</i> | 73 |
| <i>(MBE)</i> | 73 |
| <i>CALIFORNIA</i> | 73 |
| <i>HAWAII</i> | 73 |
| <i>NEVADA</i> | 74 |
| <i>NEW YORK</i> | 74 |

THE HASTINGS CURRICULUM

INTRODUCTION

This catalog contains descriptions of courses, seminars and clinics that will be offered in 2012-2013. Please see the 2012-2013 Course Schedule for the most current listing of the particular courses available each semester, along with their specific times, rooms and instructors on the Hastings website. Updates to this catalog may also be found on the website after the June 2012 printing.

When planning your personal curriculum, keep in mind that you must complete 86 units and six semesters in residence, pass all required courses, and earn a cumulative grade point average of at least a 2.0 in order to receive a Juris Doctor degree conferred by the Regents of the University of California. Information regarding the number of units a student can be enrolled in each semester can be found in the July 2012 Academic Regulations and Other Rules Applicable to Students.

AN OVERVIEW

The practice of law is virtually unlimited in its breadth and diversity. The Hastings curriculum responds to that diversity by offering a large number of courses, including those that are fundamental to all forms of practice as well as those that reflect increased specialization. The first-year curriculum incorporates the fundamental courses best suited for introductory purposes. Other important "core" courses include: Constitutional Law, Corporations, Criminal Procedure, Evidence, Federal Income Taxation, Professional Responsibility, and Wills & Trusts. Students enroll in these courses during their second and third years. Other specialized courses are taken during the second and third years. Please note that prerequisites have been established for many specialized courses. Accordingly, you should plan your schedule carefully to achieve an appropriate sequence and allow for the optimum selection of courses.

CHOOSING PARTICULAR COURSES

Your goal in planning a class schedule should be to select a combination of courses that will provide insight into several areas of substantive law, advocacy, and research. No single field of law can be understood or practiced to the exclusion of all others. Thus, even though you may intend to specialize in a particular field, you should make additional selections outside that field to acquire the breadth of knowledge and variety of skills needed for effective representation of your clients. For example, a student interested in general private practice may wish to become familiar with subjects as diverse as administrative law, federal jurisdiction, family law, selected aspects of commercial

and corporate law, taxation, criminal procedure, wills and trusts, consumer protection, and real property security. Further, nearly all students should plan to take some courses that provide training in advocacy skills, even if they do not intend to pursue a litigation career, since those basic skills apply to many of a lawyer's functions. Much of the practice of law involves the important tasks of research and counseling, skills that are of equal applicability in any type of legal career. Courses that study those skills therefore are particularly pertinent.

The perfect combination of substantive courses is not easily predicted; students who plan on a particular career while in law school frequently later find themselves deeply involved in fields they once considered remote. Thus, criminal law practitioners are likely to find that their cases involve problems of tax law and accounting, while corporate lawyers may find a need for knowledge of fields such as labor, antitrust, legislation, and administrative law. These unforeseen changes in career plans reinforce the need to acquire an education that spans many areas and provides a basis on which to practice in a variety of circumstances.

Bar examination requirements are described in a separate heading at the back of this book. As discussed there, designation of a course as "required by the bar" does not mandate you take it; however, many bar requirements duplicate the second-year "core" courses, and others may be desirable on their own merits. You must decide which courses best fit your long range career plans and the general goal of a broad education.

CHANGING YOUR MIND

A common experience among law students is that a significant change in their perceptions of law practice will occur sometime in the first two years of school. Students enter law school with varied -- and sometimes inaccurate -- impressions of the law, and later find that their perceptions of the content and work setting of various fields have been substantially influenced by course work and faculty members. Many students discover new areas of interest, which may displace other areas in which they previously had expected to be interested. Exposure to types of practice is affected further by placement interviews, externships and clinical placements, and part-time employment. Finally, interest in various types of work settings also is affected by each student's relative success in particular types of substantive courses, research experiences, and advocacy training. Don't let this distress you. You should expect that your career plans may shift, sometimes dramatically, before graduation. You should try to maintain considerable breadth among the courses you choose, both to maximize the opportunity for change and broader exposure, and to explore specialized areas as your interests develop.

NARROWING THE CHOICES

Your greatest problem in planning your personal curriculum will be to reduce the number of courses to a feasible workload. Information on elective courses is set out under separate headings. Looking at those materials as they relate to the areas of study and practice described in the back of this catalog may provide some insights for that process.

AMERICANS WITH DISABILITIES ACT (ADA)

Hastings is obligated to comply with Title II of the Americans With Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504) and other federal and state laws and regulations pertaining to persons with disabilities. The College Disabled Student Initiated Grievance Procedure may be used to address disputes concerning the accommodations process and other forms of discrimination based on disability, alleged to have occurred in any College program or activity. To obtain a copy of the grievance procedure or for more information regarding the procedure, please contact The Office of Student Services, (415) 565-4876, or the College's ADA/Section 504 Coordinator, Marie Hairston, (415) 581-8868.

FIRST YEAR CURRICULUM

The first year curriculum offers the foundation for future legal study; over the first year, students gain the breadth of knowledge and key lawyering skills necessary for any type of legal career. This initial framework of knowledge and analytical skills is essential groundwork for the well-educated lawyer.

The entering class is divided into sections that remain together throughout the first year. All first-year sections follow the same curriculum consisting of the following 30 units: Civil Procedure, Constitutional Law, Contracts, Criminal Law, Legal Writing & Research, Moot Court or Legal Analysis, Property, Torts, and a statutory course.

CIVIL PROCEDURE I (4 UNITS) – FALL/SPRING – (LAW*105)

Civil Procedure I explores civil litigation from the inception of a suit through trial and appeal. This course typically considers service of process, pleadings, discovery, pretrial, trial itself (with or without a jury), appellate review and preclusion. This course will also introduce personal and subject matter jurisdiction, and the "Erie Problem".

CONSTITUTIONAL LAW I (3 UNITS) – SPRING – (LAW*120)

Constitutional Law I introduces and examines the structural provisions of the Constitution of the United

States. The course focuses particularly on the provisions of the original Constitution, while later courses in Constitutional Law examine the rights-granting provisions of the Constitution, including especially the Bill of Rights and the Fourteenth Amendment. Topics covered in this course include judicial review and limits on judicial power, federalism and the powers of Congress, the dormant commerce clause, and the separation of powers.

CONTRACTS I (4 UNITS) – FALL/SPRING – (LAW*110)

This course introduces and explores the function of contracts in a free enterprise economy. It covers the evolution and application of common law doctrines and, where applicable, those provisions of the Uniform Commercial Code governing the contracts process, including mutual assent, consideration, reliance, conditions, interpretation of contract language, performance and breach, remedies, impossibility and frustration, beneficiaries, and assignments.

CRIMINAL LAW

(4 UNITS) – FALL/SPRING – (LAW*115)

The purpose of this course is to introduce the principles and objectives of the criminal law and to explore its utility and limitations as a means of social control. The course covers general common law elements and principles, including *actus reus* and *mens rea*; general defenses, including insanity, ignorance and mistake, duress, self-defense, defense of others and of property, necessity, and entrapment; the criminal capacity of children and of corporations; theories of liability for various parties to crime; and vicarious strict liability. The focus is on the major common law felonies of theft, homicide, and rape; the inchoate offenses of conspiracy, attempt and incitement; and modern extensions of criminal liability by legislation.

LEGAL ANALYSIS

(2 UNITS) – SPRING – (LAW*141)

This course will develop and refine legal writing and analytical skills that are necessary for solving problems across the curriculum. These skills include, in part, the ability to understand, organize, and apply the law to fact patterns. The class will explore methods to brief, outline, and write exams in various substantive law contexts drawn from first year courses. The students will develop skills in fact discrimination and analysis, issue spotting, rule analysis, rule application and argumentation, organization, and use of precise and concise language. Statutory interpretation will be explored. Weekly writing assignments and in-class written exercises assist students to develop an effective and consistent approach for solving legal problems. Grading is based on Pass/Fail.

Enrollment: Need instructor's permission and/or advice of the Associate Academic Dean.

LEGAL WRITING & RESEARCH (3 UNITS) – FALL – (LAW*131)

This course, taught by practicing attorneys and student teaching assistants, emphasizes clear, precise writing and reasoning. Subjects covered include library skills, state and federal research, development of research strategies, citation format, and presentation of legal information.

This course is a pre-requisite for Moot Court.

MOOT COURT (2 UNITS) – SPRING – (LAW*970)

Prerequisite: Legal Writing & Research

This course will be taught during the spring semester of the first year for those not taking Legal Analysis; for those taking Legal Analysis, Moot Court must be taken during the spring semester of the second year.

This course, taught by practicing attorneys and student members of the Moot Court Board, introduces written and oral appellate advocacy. Moot Court topics are chosen from real cases pending before an appellate or supreme court. Students research the law and write an appellate brief on behalf of one of the parties, complete a videotaped practice of their oral argument, and perform a formal oral argument before a three-panel judge.

PROPERTY (4 UNITS) – FALL/SPRING – (LAW*125)

This course introduces and examines concepts of property ownership, possession, and transfer. It includes acquisition and protection of personal property; estates in land including present, concurrent, and future interests; leasehold estates; easements, covenants, and private controls of land use; some aspects of real property transfers, including deeds, descriptions, recording and priority, and the real estate contract; and an introductory treatment of nuisance, zoning and other public controls of land use.

TORTS (4 UNITS) – FALL/SPRING – (LAW*130)

This course examines the body of law directed toward the compensation of individuals for injuries to their protected legal interests. It includes liability for negligence and for intentional interference with person or property, and liability without fault (“strict liability”). Covered are doctrines including duty, breach of duty, causation, damages, and defenses. Other issues covered may include nuisance, misrepresentation, defamation, and alternative compensation schemes.

STATUTORY COURSES (3 UNITS)

An unusual aspect of Hastings’ first year curriculum is the Statutory Elective. The purpose of the elective program is to introduce students to an area of law that is dominated by complex regulatory statutes, which in turn are administered primarily by regulatory agencies. The current statutory offerings are Education Law, Employment Discrimination, Environmental Law, Federal Income Taxation, and Immigration Law. In addition to their focus on the substantive law in these areas, first year electives are designed to expose students to important topics of contemporary law, such as the drafting and enactment of statutes, agency interpretation and implementation of statutes and regulations, judicial review of agency actions, principles of deference, and an introduction to the separation of powers doctrine and related aspects of constitutional law.

The statutory courses are offered during the spring semester. Enrollment in the individual courses is conducted during the fall semester.

Education Law – Spring (LAW*188)

This course focuses on selected statutes in the California Education Code and the United States Code illustrating four major aspects of legislative law: (1) the legislative process; (2) intergovernmental checks and balances exercised by the judicial and executive branches in interpreting and implementing statutes and the California constitution; (3) principles of statutory construction and interpretation essential to reading statutes correctly; and (4) application of statutes to areas of contemporary interest in public education including student rights to free expression, home schooling, school safety, employment issues, and the relationship between state and federal law in the area of special education. The course will culminate in a mock expulsion hearing in which students will work in small groups to prepare for a hearing conducted in compliance with the statutory procedures and substantive law in the California Education Code, providing an opportunity to practice advocacy skills in an administrative setting.

Employment Discrimination Law – Spring – (LAW*180)

This course examines the major federal statutes that prohibit employment discrimination—including Title VII of the Civil Rights Act of 1964, the Equal Pay Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act—and the various entities and mechanisms involved in their enforcement. The course will cover the legal theories and remedies available for employment discrimination claims, as well as the interplay between legislative, judicial, and administrative actors in the development of anti-discrimination law. Areas of focus will include statutory drafting, judicial interpretation of statutory terms, procedural regulations and guidance, and administrative

exhaustion. This course counts as a qualifying elective for the Social Justice Lawyering Concentrations area.

Environmental Law – Spring – (LAW*181)

This course includes an introduction to administrative law and judicial review of agency action (standing, private rights of action, substantive standards of judicial review and principles of statutory interpretation), an intensive study of complex regulatory and resource management statutes (e.g. the National Environmental Policy Act, the Clean Water Act, and the Endangered Species Act), federal/state relations, and alternative approaches to pollution control and management of natural resources.

This course counts as a qualifying elective for the Social Justice Lawyering Concentrations area.

Federal Income Taxation – Spring – (LAW*182)

The basic income tax course lends itself to the assemblage of 12-15 discrete problems, each requiring interpretation of a complex statute but dealing with issues sounding in common experience, such as employee fringe benefits, charitable contributions, interest deductions, casualty losses, spousal and child support arrangements, business expense deductions, sale of a personal residence, disposition of commercial real estate, and the tax treatment of other investment transactions. These topics can be studied with near-exclusive reference to statutory, legislative history, and administrative materials.

This course counts as a requirement for the Taxation Concentrations area.

Legislation, Statutory Interpretation, and the Administrative State – Spring – (LAW*184)

This course aims to introduce students to basic principles of legislative drafting, the legislative process, judicial interpretation of legislation, and agency implementation of legislation. The course covers separation of powers principles, potential delegation issues, and provides a framework for students to appreciate the centrality of the administrative state in the design of our legal system. Although no “substantive” area of law is the sole focus of this statutory elective, the tools students will learn in the course will have wide application in their academic and professional lives.

This course is not a prerequisite for the Legislation Clinic. Prior enrollment in the upper division Legislative Process course is required for the Legislation Clinic.

This course does not count as a qualifying elective for the Social Justice Lawyering Concentrations area.

UPPER CLASS CONCENTRATIONS

Hastings offers eight upper class concentrations. The eight areas of concentrated study are: Civil Litigation and Dispute Resolution, Criminal Law, Government Law, Intellectual Property, International and Comparative Law, Law and Health Sciences, Social Justice Lawyering, and Taxation. The purpose of the upper class concentration program is to permit students to focus their studies in an integrated manner. The faculty designated these eight areas based on student interest and faculty resources and expertise.

The courses that comprise each of the areas of concentration are set forth below. In addition, with the permission of the advisor for the particular area of concentration and if consistent with the Academic Regulations, students may receive unit credit toward fulfillment of the concentration for relevant classes taken at another law school or as part of an approved joint degree program. Moreover, with the approval of the faculty advisor, students may receive unit credit toward fulfillment of the concentration requirement for relevant independent studies, law journal writing, and interscholastic moot court competitions sponsored by the College.

The Records Office will maintain a list of the advisors for each of the fields of concentrated study, as well as an enrollment form for participation in the program.

CIVIL LITIGATION AND DISPUTE RESOLUTION

Hastings has long enjoyed a particularly strong reputation for scholarship and training in the civil litigation and alternative dispute resolution fields. The Civil Litigation and Dispute Resolution Concentration offers students a chance to focus their studies in this area with an eye towards joining fellow alumni who rank among the most successful judges, litigators and mediators in the nation. The concentration's requirements include core courses, participation in a clinical program, judicial externship or advanced trial advocacy, and exposure to alternative dispute resolution. Students must also complete at least three electives from the breadth of relevant courses the Hastings faculty has approved for the concentration. The concentration provides the general litigation and dispute resolution skills and knowledge required in practice, as well as opportunities to apply classroom learning in simulated and real-world environments. The electives allow students to focus on areas of law corresponding to their individual interest and desired blend of theory and practice.

Perhaps the most important requirement is the capstone Civil Litigation and Dispute Resolution Concentration Seminar, which must be taken in the fall of the student's third year of law school. The seminar fosters a sense of community among students with a shared interest in civil

litigation and dispute resolution, and between concentrators and faculty and others engaged in research and practice in the civil litigation and dispute resolution fields.

Advisor: Professor David Levine

Total Units Required: 22

A. Required Courses (not fewer than 14 units)

Civil Litigation Concentration Seminar (2)
Civil Procedure II (3)
Evidence (3 or 4)
Trial Advocacy I (2) or Trial Advocacy (Intensive) (4)

-- and one course from each of the following two groups:

I. Alternative Dispute Resolution courses:

Arbitration (2)
Alternative Dispute Resolution Seminar (2)
Negotiation & Mediation: Process & Practice (4)
Negotiation & Settlement (2)

II. Advanced Advocacy/Clinical courses:

ADR Externship (5-6)
Civil Justice Clinic (Individual) (8)
Civil Justice Clinic (Mediation) (6)
Environmental Law Clinic (8)
Immigrants' Rights Clinic (6)
Judicial Externship (6 or more)
Trial Advocacy II (2 or 3)

B. Qualifying Electives [not fewer than 3 courses and not fewer than 8 units]

Administrative Law (3)
Advanced Alternative Dispute Resolution: Conflict, Emotion, Mindfulness, and "Lie Detection" Seminar
Advanced Evidence Seminar (2)
Advanced Legal Research (3)
Advanced Negotiation: Art of the Deal (2 or 3)
Advanced Negotiation: Multi-Party, Multi-Issue & Group Processes (4)
Appellate Advocacy (2)
Bankruptcy & Creditors' Remedies (3)
Business Bankruptcy and Corporate Reorganization Seminar (2)
California Appellate Process (3)
California Civil Procedure (2 or 3)
Civil Rights Law (3)
Class Actions Seminar (2)
Comparative Civil Justice Seminar (2)
Comparative Civil Procedure Seminar (2)
Complex Litigation (3)
Consumer Transactions (3)
Disability Law (2)
Dispute Systems Design (2)

Domestic Violence Law (3)
E-Discovery (2)
Effective Representation in Mediation (1)
Empirical Research & the Civil Rulemaking Process Seminar (2)
Employment Discrimination (3)
Facilitation for Attorneys (1)
Federal Courts (3)
Federal Income Taxation (3 or 4)
Federal Pretrial Litigation (2)
Financial Basics for Lawyers (2)
Insurance (2 or 3)
Intellectual Property Under State Law: Trade Secrets & Employee Mobility (2)
International Negotiations Dispute Seminar (2)
Judicial Elections & the Role of the Judiciary In American Democracy (2)
Judicial Externship (maximum of 3 units counted as elective; may not be used as elective if used as required course)
Judicial Process Seminar (2)
Judicial Settlement Conf. (1)
Legal Ethics: Practice of Law (3)
Litigating Class Action Employment (2)
Mass Justice Seminar (2)
Mediation (3)
Patent Litigation (2)
Personal Injury Litigation (2)
Pre-Trial Practice (2)
Problem Solving & Professional Judgment in Practice (3)
Remedies (3)
Representing Low Wage Workers Seminar (2)
Roles & Ethics in Practice (4)
Science in Law Seminar (2)
Scientific Method for Lawyers (3 or 4)
Tax Procedure (3)
Transnational Human Rights Seminar (2)
Trial Objections (2)

(Additional courses from required lists I and II may count as electives with the permission of the concentration advisor.)

CRIMINAL LAW

The criminal law concentration is designed to help students prepare for criminal law practice by providing a broad and integrated curriculum of theory, doctrine, and practice. All students must take the building blocks of the curriculum, Criminal Law and Evidence. Students are then given an opportunity to apply their knowledge in a clinic or the Legal Externship Program and Fieldwork that provides work in a criminal law clinical or field setting. Finally, students select from an array of electives and participate in the Criminal Law & Theory Concentration Seminar where they delve into cutting edge issues facing today's criminal lawyer.

Please note that the required Concentration Seminar may

be offered in only the Fall or Spring semester; students should plan accordingly.

Advisors: Professors Kate Bloch, Rory Little and Aaron Rappaport

TOTAL UNITS REQUIRED: 22

A. Required Courses (11-12 units)

Criminal Procedure (3 or 4)

Evidence (3 or 4)

A clinic or the Legal Externship Program and Fieldwork that provides work in a criminal law clinical or field setting (2 or more units)

Criminal Law & Theory Concentration Seminar (2)

B. Qualifying Electives (10-11 units, and not fewer than 4 courses)

Advanced Criminal Law Seminar: Issues in Criminal Defense (2)

California Appellate Process (3)

Capital Punishment Seminar (2)

Child Maltreatment in Context: Seminar (2)

Comparative Criminal Justice Seminar (2)

Corrections and Criminal Justice: Legal Policy, Practice and Reform Seminar (2)

Criminal Practice Clinic (counts as two courses toward the concentration requirement)

Criminal Procedure: Adjudicative Process (3)

Criminal Punishment Seminar (2)

Comparative Criminal Justice Seminar (2)

Domestic Violence (3)

Federal Criminal Law (3)

Forensic Evidence Seminar (2)

Judicial Externship (applicable to the concentration if the externship involves criminal issues to a substantial degree)

International Criminal Law (3)

International War Crimes Prosecution Seminar (2)

Jurisprudence (2)

Jury Instructions Seminar (2)

Juvenile Justice Seminar (2)

Law and Morality Seminar (2)

Law, Psychiatry, and Mental Health System (2)

Legal Interpretation: The Language of Jury Instructions (2)

Legislation Clinic (applicable to the concentration if the clinic involves criminal issues to a substantial degree)

Local Government Law (applicable to the concentration if the clinic assignment involves criminal issues to a substantial degree)

Post-Conviction Remedies (2)

Prosecuting International Price-Fixing Cartels Seminar (2)

Race, Racism, and American Law (3)

Roles and Ethics in Practice (4)

Scientific Method for Lawyers (3)

Science and Law Seminar (2)

Sociology of Criminal Justice Seminar (2)

Theoretical Criminology (2)

Terrorism and the Law Seminar (2)

Trial Advocacy I (civil or criminal) (2)

Trial Advocacy II (civil or criminal) (2 or 3)

Trial Advocacy (Intensive) (4)

Trial Objections (2)

Wrongful Convictions Seminar (2)

C. Writing Requirement

Students must successfully complete a paper that satisfies the writing requirement and that is substantially related to criminal law, criminal procedure, or criminal theory. The paper may be produced for any course or independent project. The Advisors of the concentration will have the authority to determine whether the student's topic satisfies the requirement. Students are encouraged to seek an Advisor's approval of their topic prior to embarking on a writing project.

GOVERNMENT LAW

The government law concentration is directed at students who want to pursue a career within government, with a firm representing government agencies or with a non-profit that regularly interacts with government. The concentration benefits students by offering them a predefined way to specialize in government law and charting the path to gain the expertise they need; by informing them of needs they may not be aware of; and by creating a community of students interested in government law that will provide support and connections. It will improve the appeal of our students to employers within the government or employers that work regularly with government agencies by providing them with a brand/label that will communicate to potential employers that they have expertise in government law. Students graduating from the concentration should:

- know the roles lawyers fill in government structures and the related ethical issues;
- understand the processes and procedures used by legislatures, regulators, and other government officials and the interaction among these actors.
- learn ways to gain detailed information about the specific government bodies they will work with;
- be familiar with one or more areas of substantive law particularly important to government lawyers.

Advisor: Professor David Jung

TOTAL UNITS REQUIRED: 22

A. Required Courses: (12-14 units)

Administrative Law (3)

Constitutional Law II (3 or 4)

Government Lawyer Concentration Seminar (2 – materials in fall, paper in spring)

A substantial clinical or significant supervised work experience representing a branch or agency of the federal, state or local government. (4-6 units or equivalent, as approved by concentration advisor).

Approved clinics include:

- Legislation Clinic
- Local Government Law Clinic
- Environmental Law Clinic (with approval of concentration advisor).
- Group Representation Clinic
- A relevant externship approved by the concentration advisor can substitute for this requirement.

B. Recommended Courses: Students must take a minimum of 5 units of these courses:

Legislative Process (3)
State and Local Government Law (3)
Statutory Interpretation and Bill Drafting (3)
Land Use Regulation (2 or 3)
Public Finance Seminar (2)
Current State & Local Government Problems Seminar (3)
Community Economic Development Seminar (2)
Comparative Regulation Seminar (2)
Public Policy Advocacy Seminar (2)
Advanced Legislative Process Seminar (2)

C. Qualifying electives: (For the remaining units)

American Indian Law (3)
Animal Law (3)
Biodiversity (3)
California Local Government Law (2)
California Water Resources (3)
Climate Change: Law, Policy and Business (2)
Education Law (3)
Elder Law (3)
Election Law Seminar (2)
Empirical Research and the Civil Rulemaking Process Seminar (2)
Employment Discrimination (3)
Employment Law (3)
Environmental Law (3)
Environmental Law Seminar (2)
Federal Courts (3)
Federal Income Taxation (3)
Federal and Interstate Water Resources (3)
Financial Crises and the Regulation of Financial Institutions (2)
Food and Drug Law (3)
Health Care Finance, Administration, & Policy (3)
Health Law I (4)
Health Law II (4)
Immigration Law (3)
Labor Law (3)
Land Trusts and Conservation Easements Seminar (2)

Land Use Regulation (2 or 3)
Military Law Seminar (3)
Public Health Law (3)
Public Lands and Resources Law (3)
Refugee Law & Policy (3)
Takings and the Environment Seminar (2)
Terrorism and the Law (2)
Water Resources Seminar (2)

INTELLECTUAL PROPERTY LAW

The Intellectual Property Concentration is designed to better prepare students who wish to practice in the intellectual property field. It is also designed to create a sense of community among committed intellectual property students and the intellectual property faculty, facilitating networks for support and encouragement during students' time at UC Hastings and beyond, into their careers. UC Hastings' connections with Silicon Valley's technology conglomeration, California's art and entertainment industries, and San Francisco's vibrant intellectual property firms uniquely position it to offer perspectives from all aspects of the practice. IP concentration students are offered courses taught by practitioners from boutique and multi-national firms and in-house counsel, in addition to full-time UC Hastings faculty.

Students are first required to learn the basics: Copyright, Trademarks, and Patents.

Students may then take courses from the array of electives and skills-based offerings. These electives enable students to gravitate toward one area of Intellectual Property law, such as Patents, while the required courses guarantee that they will be competent to practice in other intellectual property fields, as is likely to occur during the course of their careers.

The Concentration culminates during a student's third year with the IP Concentration Capstone Seminar. The Concentration Capstone is designed to integrate what students have learned in the core and elective courses and invite them to consider what lies ahead. The seminar explores the challenges posed by globalization and technological advances that will shape intellectual property law during the next several decades, and considers how the current intellectual property regime is likely to change in response.

Advisors: Professors Ben Depoorter, Robin Feldman, or Jeffrey Lefstin

TOTAL UNITS REQUIRED: 22

A. Required Courses (11-13 units)

I. Core regime courses:

- (a) Copyright Law (3)
 - Patents & Trade Secrets (3)
 - Trademarks & Unfair Competition (3)
- or -
- (b) Intellectual Property (4) and at least one of the courses listed under (a)

II. At least one licensing or prosecution course:

- Intellectual Property Licensing Seminar (2)
- Patent Prosecution Seminar (2)
- Trademark Prosecution Seminar (2)

III. Intellectual Property Capstone Concentration Seminar (2)

B. Qualifying IP and IP-related Electives (9 – 11 units). Classes that are taken to meet the concentration core requirement may not also be counted toward the elective requirement.

I. IP Electives:

- Advanced Issues in Copyright Law Seminar (2)
- Advanced Topics in Patent Law (2)
- Antitrust & Intellectual Property Seminar (2)
- Art Law Seminar (2)
- Copyright Law (3)
- Cyberlaw Seminar (2)
- Data Privacy Law (2)
- Digital Media Law (2)
- Entertainment Law (2)
- European Trademark Law Seminar (2) – offered in Spring 2009 only
- Genetics: Issues in Law & Policy Seminar (2)
- ILC BioEntrepreneurship Clinic (10)
- ILC Start-Up Technology Clinic (12)
- ILC Social Enterprise & Nonprofit Law Clinic (6)
- Intellectual Property Licensing Seminar (2)
- Intellectual Property Under State Law: Trade Secrets & Employee Mobility (2)
- International & Comparative Intellectual Property (2)
- International Patent Law Seminar (2)
- Intersection of Human Rights, Economic Development and Intellectual Property Seminar (2)
- Law & Bioscience Seminar (3)
- Modern Bioethics: From Nuremberg to the “Otomom” and Beyond (3 or 4)
- Patent Litigation (2)
- Patent Prosecution Seminar (2)
- Patents and Trade Secrets (3)
- Social Media Law (2)
- Trademark Prosecution Seminar (2)
- Trademarks and Unfair Competition (3)
- Venture Capital & the Start-Up Company (2)

II. Non-IP elective (a maximum of ONE of the following elective courses may be counted toward meeting the elective requirement:

- Administrative Law (3)
- Antitrust (3 or 4) (a student may not count both Antitrust and Antitrust & IP towards electives)
- Biodiversity Law (3)
- Bioethics Law & Society Seminar (2)
- Business Associations (4)
- Corporations (3 or 4)
- Federal Courts (3)
- Health Law (3)
- International Business Transactions (3)
- Law and Economics (3)
- Political Economy of Law Seminar (2)
- Telecommunications Law Seminar (2)

INTERNATIONAL AND COMPARATIVE LAW

For students who are interested in a career in international law, completing the international and comparative law concentration will help to distinguish them from other job applicants and will give them a broad knowledge of the subject area. The international and comparative law concentration allows students the flexibility of taking courses either in international trade and business, public international law and human rights, or comparative law. Many students in the concentration choose to go abroad on one of the school’s foreign exchange programs.

Students are required to take Public International Law, Comparative Law, and the Advanced Topics in International Law Seminar and to write a paper of publishable quality on some aspect of international or comparative law. The concentration adviser may waive one of the three required courses for students who are studying abroad, if they have completed an equivalent course.

Advisor: Associate Dean Joel Paul

TOTAL UNITS REQUIRED: 20

A. Required Courses (8 units)

- Comparative Law (3)
- Public International Law (3)
- Advanced Topics in International Law Seminar (2)

B. Qualifying Electives (12 units)

- Biodiversity Law (3)
- China – Business Law & Economic Rights Seminar (2)
- China and International Legal Order Seminar (2)
- Climate Change: Law, Policy & Business Seminar (2)
- Comparative Antitrust Law (2 or 3)
- Comparative Constitutional Law Seminar (2)
- Comparative Corporate Governance Seminar (2)
- Comparative Regulation (3)
- Comparative Regulation Seminar (2)

Conflict of Laws (3)
 European Trademark Law (2)
 Immigrants' Rights Clinic (4)
 Immigration Law (3) - (first-year statutory and upper level course)
 International Business Transactions (3)
 International Commercial Arbitration Seminar (2)
 International & Comparative Intellectual Property (2)
 International & Comparative Perspectives on Health Law (3)
 International Environmental Law (3)
 International & Foreign Legal Research (2)
 International Criminal Law (3)
 International Environmental Law Seminar (2)
 International Human Rights (3)
 International Negotiations & Dispute Settlement Seminar (2)
 International Trade Law & Policy (3)
 International War Crimes Prosecution Seminar (2)
 Intersection of Human Rights, Economic Development and Intellectual Property Seminar (2)
 Introduction to Chinese Law (3)
 Introduction to European Union Law Seminar (2)
 Introduction to Japanese Legal System Seminar (2)
 Islamic Finance and Transactions Seminar (2)
 Islamic Law (3)
 Issues in Public & Global Health (3)
 Law & Business in Japan Seminar (2)
 Law & Development Seminar (2)
 Law & Social Anthropology Seminar (2)
 Law & the Japanese American Internment Seminar (2)
 Legal Reform in East Asia (2)
 Maritime Law (2 or 3)
 Military Law Seminar (3)
 National Security and Foreign Relations (2 or 3)
 Political Economy of Law Seminar (2)
 Prosecuting International Price-Fixing Cartels Seminar (2)
 Refugee and Human Rights Clinic (6)
 Refugee Law & Policy (3)
 Reparation for Injustices Domestic & International Seminar (2)
 The United Nations System (3)
 Terrorism and the Law Seminar (2)
 Transnational Human Rights Seminar (2)
 Transnational Law (3)
 U.S. Taxation of Foreign Transactions & Investments (2)

Participation in a foreign exchange program may count for up to 12 credit hours of the elective course requirement, with the approval of the Advisor.

LAW AND HEALTH SCIENCES

The Law & Health Sciences Concentration provides students with an opportunity to pursue a focused and integrated course of study on issues at the intersection of law, medicine and science. As the debate over health

care reform intensifies, as new medical technologies raise a host of ethical challenges, and as scientific evidence becomes more pervasive in our courtrooms, the need for lawyers trained with an understanding of both our health care system and scientific methods is greater than ever. Concentrating in Health Sciences at Hastings offers students a fundamental understanding of the U.S. health care system and basic scientific principles necessary for work in this area.

The foundation for this understanding begins with three required courses: Health Law I will focus on issues of quality control, provider-patient relationships, and liability in the health care environment. Health Law II will focus on the financing and regulation of the American health care industry, the cost of health care, barriers to access to health care, and bioethics. Science in Law examines the ways in which scientific research has been used by courts and legislatures and equips students to bring a sophisticated understanding of science and scientific research to their future work in law and health sciences. The third required course, the Health Sciences Concentration Seminar examines important themes and emerging issues related to health sciences and the law with the help of experts from UCSF and Hastings.

There is a wide array of courses related to both health and science now available at Hastings to round out the upper-level concentration requirements. The course offerings include, but are not limited to: Disability Law, Elder Law, Food & Drug Law, Global Health Law and Policy, Modern Bioethics, and Public Health Law. Specialized seminars are offered on subjects related to Bioethics & Health Care Decisionmaking, Child Maltreatment, Forensic Evidence, Genetics, Law & the Human Body, Psychiatry & Law, Public Health & Homelessness, Human Reproductive & Genetic Technologies, and Women's Health & the Law.

Beginning in Fall 2012, students can also register for the Medical-Legal Partnership for Seniors, a 6-unit clinic that involves provision of services to seniors within specific UCSF-affiliated medical settings. Further information about the program can be found on page 56. Students interested in the Clinic should plan to complete its prerequisites (Elder Law; Wills and Trusts) prior to enrolling in the Clinic. Other clinical opportunities are available as well. In addition, students can elect to take up to six units of coursework at UCSF.

Concentrators can participate in research and service opportunities that arise from networking in the Consortium's broader community of scholars. Faculty members at Hastings and UCSF are engaged in a wide range of research projects and are eager to involve concentrators.

CONCENTRATION REQUIREMENTS¹:

Concentrators are required to take 21 units of course work related to law and health sciences. All concentrators must successfully complete the year-long concentration seminar in Law and Health Sciences. It is recommended that students complete this seminar during their third year of law school, although second years will be permitted to enroll. Students in the seminar will prepare a scholarly research paper which satisfies the Hastings writing requirement and the Law & Health Sciences Concentration writing requirement. Students completing the Concentration must also take Health Law I, Health Law II, and the Science in Law. The remaining credits can be satisfied by electives from the class lists below, or from courses taken at UCSF (if approved by the Concentration Advisor). At least four of the units must be taken from courses, clinics, or seminars listed in Section B.I. An additional three units can be taken from offerings in Section B.II.

Advisor: Professor Lois Weithorn

TOTAL UNITS REQUIRED: 21

A. Required Courses (14 units)

Law and Health Sciences Concentration Seminar (2)

(This is a year-long course, one unit per semester. Successful completion of the paper satisfies the Hastings writing requirement. Students are encouraged to enroll in this Seminar in their third year.)

- and -

Health Law I (4)

Health Law II (4)

Science in Law (4)

B. Qualifying Health and Science Courses, Seminars, and Clinics and Related Electives (7 units)

I. Health and Science Electives (students must take a minimum of four (4) units from this list of courses, seminars or clinics) [Students may use up to 6 credit

¹ **Important Note:** The concentration requirements were modified in 2012. The requirements set forth here apply to Concentrators in the Class of 2014 and thereafter. Concentrators in the Classes of 2012 and 2013 must satisfy the requirements set forth in the 2011-12 Academic Catalog. Students in the Class of 2013 who did not take Health Law during the 2011-12 academic year can satisfy that requirement by taking Health Law I (offered Fall 2012). Students in the Class of 2013 who did not take Scientific Methods for Lawyers in 2011-12 can satisfy that requirement by taking Science in Law (3 or 4 units). Please direct any questions about the requirements to the Concentration Advisor.

hours of UCSF classes (which convert to 4 Hastings units) toward this requirement with the approval of the Concentration Advisor]

Courses:

Disability Law (3)

Elder Law (3)

Food and Drug Law (3)

Global Health Law & Policy (3)

Health Care Finance, Administration & Policy (3)

Law, Psychiatry & the Mental Health System (2)

(students may take this course OR Psychiatry & Law Seminar)

Modern Bioethics: From Nuremburg to the “Octomom” and Beyond (3 or 4)

Personal Injury Litigation (2)

Public Health Law (3)

Seminars:

Advanced Medical Liability Seminar (2)

Bioethics, Law & Healthcare Decisionmaking Seminar (2)

Child Maltreatment in Context Seminar (2)

Forensic Evidence Seminar (2)

Genetics: Issues in Law & Policy Seminar (2)

Germes, Globalization and Governance Seminar (2)

Law and Biosciences (LAB Project Seminar) (3)

Law and the Human Body Seminar (2)

Psychiatry & Law Seminar (2) (students may take this course OR Law, Psychiatry & the Mental Health System)

Public Health & Homelessness Seminar (2)

Social, Legal & Ethical Implications of Human

Reproductive & Genetic Tech. Seminar (2)

Sociology of the Criminal Justice System Seminar (2)

Women’s Health & the Law (2)

Clinics:

Medical-Legal Partnership for Seniors (6) (students may apply up to 4 units may be applied toward the concentration requirements)

Civil Justice Individual Representation Clinic—Social Security Disability subject area *only* (students may apply up to 4 units toward concentration requirements)

Law & Health Sciences related externship (student *must* be registered to receive academic credit for this externship under the Hastings Legal Externship Program *and* the externship must be approved by the Concentration Advisor as sufficiently related to Law & Health Sciences) (students may apply up to 2 units toward concentration requirements)

II. Science and Health Related Electives (students may apply no more than three (3) units from this list toward the concentration requirements)

Administrative Law (3)

Children & the Law (2)

Domestic Violence Law (3)

Education Law (3)

Employment Discrimination (1st yr. elective OR Employment Law Seminar (3) (OR other employment law offering approved by concentration advisor)
 ERISA: A Labor Law Perspective (2)
 Family Law (3 or 4)
 Insurance Law (2 or 3)
 Law and Economics (3)
 Law & Social Anthropology Seminar (2)
 Mediation or Negotiation (up to 3 units of any Hastings Mediation or Negotiation course)
 Problem Solving and Professional Judgment (3)
 Public Policy Advocacy Seminar (2)
 Race, Racism & American Law (3)
 Sexuality and the Law (2)
 Special Education Law Seminar (2)

SOCIAL JUSTICE LAWYERING

The Social Justice Lawyering Concentration prepares students for careers (or pro bono efforts) by immersing them in both the theory and practice of lawyering for and with under-represented clients and communities. Reflecting the Hastings faculty's deep commitment to social justice, the concentration's rich array of more than 90 qualifying classes are taught by over thirty full-time Hastings faculty members, augmented by adjunct faculty drawn from many of the Bay Area's (and U.S.'s) preeminent public interest lawyers. The cornerstone of the concentration is its year-long seminar that enables students in their second year of law school to deepen their understanding of and commitment to social justice practice and to forge supportive ties with peers and faculty who affirm and share a passion for lawyering that acts on one's values and vision of the world as it should be (and can become). The concentration's distributional requirements ensure that all concentrators are exposed to at least one substantial clinical experience (where they can engage hands-on in real-world lawyering and reflect upon the experience to refine a personal vision of the sort of lawyer they aim to become), a dispute resolution skills class, and a class exploring the roles that race plays in our society.

Advisor: Professor Ascanio Piomelli

MINIMUM TOTAL UNITS REQUIRED: 21

A. Required Courses (5 units)

Social Justice Lawyering Concentration Core Seminar (2)
 Constitutional Law II (3-4)

B. Distributional Requirements

At least 1 class in each of the three following categories:

1. Substantial clinical or guided lawyering experience (**5-12 units**)

Civil Justice Clinic - Community Economic Development Clinic (8)
 Civil Justice Clinic - Individual Representation Clinic (8)
 Civil Justice Mediation Clinic (6)
 Civil Justice Clinic – Social Change Lawyering: Community Group Advocacy Clinic (8)
 Criminal Practice Clinic (12)
 Environmental Law Clinic (8)
 Immigrants' Rights Clinic (6)
 Legal Externship Program (5)
 Legislation Clinic (8)
 Local Government Clinic (5)
 Refugee & Human Rights Clinic (6)

2. Negotiation/Dispute Resolution (**3-4 units**)

Negotiation & Mediation: Process & Practice (3-4)

Negotiation & Settlement: Process & Practice (3)

3. Exploration of race (**2-3 units**)

American Indian Law (3)

Asian Pacific Americans & the Law Seminar (2)

Critical Race Theory and American Constitutionalism (3)

Critical Race Theory Seminar (2)

Law & the Japanese American Internment Seminar (2)

Race, Racism & American Law (3)

- C. Qualifying Electives [not less than 2 courses and not less than 6 units, except for students who complete a 12-unit clinic, who must only complete 1 qualifying elective of not less than 2 units] Note: Classes preceded by an asterisk cannot be counted as a qualifying elective if they are being used to fulfill a distributional requirement.**

I. Courses and GPA Seminars

Administrative Law (3)

Advanced Criminal Law Seminar: Issues in Criminal Defense (2)

Advanced Dispute Resolution: Culture, Identity & Discrimination (2)

Advanced Legislative Process (2)

Advanced Negotiation: Multi-Party, Multi-Issue & Group Processes (3)

*American Indian Law (3)

American West: Law, Culture & the Environment (2)

Animal Law (3)

Antitrust (3 or 4)

*Asian Pacific Americans & the Law Seminar (2)

Biodiversity Law (3)

Bioethics, Law and Healthcare Decision-making Seminar (2)

California Local Government (2)

California Water Resources (3)

Capital Punishment Seminar (2)
 Child Maltreatment in Context: Seminar (2)
 Civil Rights Seminar (2)
 Class Actions Seminar (2)
 Climate Change: Law, Policy and Business Seminar (2)
 Community Economic Development Seminar (2)
 Comparative Antitrust Law (2 or 3)
 Comparative Constitutional Law Seminar (2)
 Comparative Regulation Seminar (2)
 Complex Litigation (3)
 Constitution of the Family Seminar (2)
 Constitutional Law II (3)
 Constitutional Theory Seminar (2)
 Consumer Transactions (3)
 Corrections & Criminal Justice: Legal Policy, Practice and Reform Seminar (2)
 Courts as a Political Actor Seminar (2)
 Criminal Procedure (3 or 4)
 Criminal Punishment Seminar (2)
 *Critical Race Theory Seminar (2)
 Current Problems in Employment Seminar (2)
 Current State & Local Government Problems Seminar (2)
 Data Privacy (2)
 Disability Law (2)
 Domestic Violence (3)
 Employment Discrimination (first-year statutory or upper-class course) (3)
 Employment Law Seminar: Work/Family Issues (3)
 Environmental Law (first-year statutory course) (3)
 Environmental Law Seminar (2)
 Federal Courts (3)
 Federal & Interstate Water Resources (3)
 Food & Drug Law (3)
 Gender and the Law (3)
 Health Care Finance, Administration & Policy Law (3)
 Immigration Law (first-year statutory and upper-class course) (3)
 International Environmental Law Seminar (2)
 International Criminal Law (3)
 International Human Rights (3)
 International Human Rights Seminar (2)
 International War Crimes Prosecution Seminar (2)
 Intersection of Human Rights, Economic Development and Intellectual Property Seminar (2)
 Issues in Public and Global Health (3)
 Juvenile Justice Seminar (2)
 Labor Law (3)
 Land Trusts and Conservation Easements Seminar (2)
 Land Use Regulation (2 or 3)
 *Law & the Japanese American Internment Seminar (2)
 Law of Lending (2 or 3)
 Law of the Employment Relationship (3)
 Law, Psychiatry & the Mental Health System (2)
 Legal History of Immigrants in the United States Seminar (2)

Legal Implications of Climate Change Seminar (2)
 Legislative Process (3)
 Litigating Class Action Employment Cases Seminar (2)
 Modern Bioethics: From Nuremburg to the “Octomom” and Beyond (3 or 4)
 Non-Profit Organizations (3)
 Post-Convictions Remedies Seminar (2)
 Prosecuting International Price-Fixing Cartels Seminar (2)
 Psychiatry & Law Seminar (2)
 Public Finance Seminar (2)
 Public Health & Homelessness (2)
 Public Interest Law Seminar (2)
 Public Land & Natural Resources (3)
 Public Policy Advocacy Seminar (2)
 *Race, Racism & American Law (3)
 Refugee Law & Policy (3)
 Remedies (3)
 Reparation for Injustices: Domestic and International Seminar (2)
 Representing Low Wage Workers Seminar (2)
 Sexuality and the Law (2)
 (The) Social, Legal, and Ethical Implications of Human Reproductive and Genetic Technologies Seminar (2)
 Sociology of the Criminal Justice System Seminar (2)
 Special Education Law Seminar (2)
 State and Local Government Law (3)
 State and Local Taxation (3)
 State Constitutional Law Seminar (2)
 Takings and the Environment Seminar (2)
 Tax Policy Seminar (2)
 Terrorism and the Law (2)
 Theoretical Criminology (2)
 Transnational Human Rights Seminar (2)
 Water Resources Seminar (2)
 Wrongful Convictions Seminar (2)

II. Clinics and Externships

*Civil Justice Clinic - Community Economic Development Clinic (8)
 *Civil Justice Clinic - Individual Representation Clinic (8)
 *Civil Justice Mediation Clinic (6)
 *Civil Justice Clinic - Social Change Lawyering: Community Group Advocacy Clinic (8)
 *Criminal Practice Clinic (12)
 *Current Issues in Criminal Practice and Criminal Practice Externship (5-6)
 *Environmental Law Clinic (8)
 *Immigrants’ Rights Clinic (6)
 *Legal Externship Program (4-5)
 *Legislation Clinic (8)
 *Local Government Clinic (6)
 *Refugee & Human Rights Clinic (6)
 Workers’ Rights Clinic (3)

TAXATION

The Tax Concentration is intended to provide students with an opportunity to pursue a focused and integrated course of study regarding taxation. The required concentration courses, Federal Income Taxation, Corporate & Partnership Tax, and Taxation of Family Wealth Transfers, are designed to ensure that students develop a broad understanding of key aspects of the United States system of taxation. The concentration electives enable students to deepen their understanding of specific tax issues, such as tax policy, taxation of foreign transactions, and taxation of non-profit organizations.

The concentration culminates with the year-long Tax Concentration Seminar, which is team-taught by all of the members of the tax faculty. Students participate in the Tax Concentration Seminar during their third year of law school. The seminar is intended to enable students to gain perspective on the overall tax system, provide students with an opportunity to write a significant paper on a tax-related topic of their choice, and foster a sense of community among students and faculty interested in taxation.

In extraordinary circumstances, the concentration adviser, in consultation with the Academic Dean, may waive one of the required courses (other than the Tax Concentration Seminar) for a student who has completed equivalent graduate-level coursework. Courses taken on a Credit/No Credit basis will not count towards the tax concentration; provided, however, that the concentration adviser may allow a student who has taken a “Qualifying Tax/Tax-Related Elective” or a “Non-Tax Elective” on a Credit/No Credit basis during the 2012-13 school year to count that course toward the concentration.

Advisors: Professors Heather Field and Susan Morse

TOTAL UNITS REQUIRED: 20*

A. Required Courses (13 units)*

Federal Income Taxation (first-year statutory or upperclass course) (3)

Federal Income Taxation of Corporations & Partnerships (4)

Tax Concentration Seminar (2)

Taxation of Family Wealth Transfers (3 or 4)*

*From time to time, Taxation of Family Wealth Transfers will be offered as a 3-unit course. Any student taking the 3-unit Taxation of Family Wealth Transfers will only be required to complete 12 hours of “Required Courses” and 19 total units in order to complete the Tax Concentration.

B. Qualifying Tax and Tax-Related Electives (7 units)

Advanced Issues in Corporate and Partnership

Taxation (2)

Business Planning Seminar (2)

Employee Benefits & ERISA (2)

ERISA: A Labor Law Perspective (2)

Estate Planning Seminar (2)

Federal Income Taxation of Real Estate & Other Investments (3)

Land Trusts & Conservation Easements Seminar (2)

Nonprofit Organizations (2 or 3)

State and Local Taxation (2 or 3)

Tax Policy Seminar (2)

Tax Procedure (3)

U.S. Taxation of Foreign Transactions & Investments (2 or 3)

Independent Study (1 or 2) (with permission of Tax Concentration Coordinator)

C. Non-Tax Electives (maximum of 3 units toward 20-unit minimum)

Advanced Business Law Seminar (2)

Advanced Corporate Law (2)

Advanced Negotiation: Art of the Deal (2 or 3)

Bankruptcy & Creditors’ Remedies (3)

Business Bankruptcy & Corporate Reorganization (2)

China – Business Law & Economic Rights Seminar (2)

Corporate Finance (3)

Financial Crises & Regulation (2)

Hedge Funds & Investment Management (2)

International Business Transactions (3)

Law & Business in Japan Seminar (2)

Law & Economics Seminar (2)

Law of Banking and Financial Institutions (3)

Mergers & Acquisitions (3)

Political Economy of Law Seminar (2)

Public Finance Seminar (2)

Securities Regulation (3)

Venture Capital & the Start-Up Technology Company (2)

ENROLLMENT PROCEDURES

FOR J.D. STUDENTS

For Fall classes, registration will occur over a one-week schedule in mid-June. Third year students (3Ls) will select their schedules followed by second year (2L) students. For Spring classes, registration will occur over a two-week schedule in November, with 3Ls registering first, followed by 2Ls. First year students will be given an opportunity to select their statutory elective and Moot Court or Legal Analysis course during registration for Spring semester. In both semesters, waitlisting will not be permitted until after general registration has ended.

Each student will be given registration appointments based on the first initial of his/her last name.* During your appointment, you will have three hours to log onto WebAdvisor and register for your classes. If you miss the appointment or wish to make changes to your course

selections, you may log on again between 6:00 p.m. and 11:59 p.m. on that same day. There will also be a “catch-up day” to register or make changes to your schedule from 9:00 a.m. until 4:00 p.m. at the end of the registration period for each class. However, course enrollment is first-come, first-served, so if you miss your initial registration appointment, you may be closed out of some classes.

Each semester you will register with the same registration group (classmates with the same last initial), but we will switch the order in which the groups register so that each group will have a chance for an early registration appointment.

*You will continue to register with this same group each semester even if your last name changes.

FOR LL.M. AND MSL STUDENTS

For Spring classes, LL.M. and MSL students will register at the same time as 3L students. All LL.M. and MSL students should log onto WebAdvisor during this time to register for their pre-approved course schedules. If you fail to register within this time period, you will not be able to register online again until the Add/Drop period begins.

For Fall classes, LL.M. and MSL students will select their courses in the week prior to 3L registration.

HOW 2L AND 3L CLASS STATUS IS DETERMINED

Second- and third-year students are classified according to the total number of units that will be earned at the end of the semester in which pre-registration occurs (including transfer units for students for whom an official transcript has been received). Students must earn at least 22 units to be classified as a 2L and at least 54 units to be classified as a 3L.

See Registration General Info on the Records Office homepage for more detailed information and instructions.

REQUIRED COURSES

In addition to the first year curriculum, each student must pass a course in professional responsibility and write a paper that satisfies the College’s “writing requirement.”

ETHICS

There are three courses that satisfy the professional responsibility requirement. All three courses are GPA lecture courses.

I. Legal Ethics & the Practice of Law (3 units) – Fall/Spring – (LAW*490)

A review of the basic California and ABA rules and the

ethical principles behind them through a discussion of actual practice problems. Ethical principles are introduced through these problems as they actually occur in practice - as real-world ethical dilemmas. This course also emphasizes the practical and economic realities which can affect a lawyer’s behavior, the tensions between traditional notions of ethical behavior and society’s larger sense of morality, and the conflict between the duty to advocate for the client and to act for the public good. This course is intended to provide more in-depth and broader coverage than the 2-unit Professional Responsibility course.

NOTE: Students who enroll in this course may not enroll in Professional Responsibility (2 units), or Roles & Ethics in Practice (4 units).

II. Professional Responsibility (2 units) – Spring – (LAW*529)

A survey of the history, structure and responsibilities of the legal profession, with a view toward examining how should lawyers behave, not just what must they do. Emphasis on the attorney-client relationship; the attorney’s duties to client, court and public in various roles; regulating the profession; and judicial ethics. Materials include the ABA Code of Professional Responsibility, the ABA Rules of Professional Conduct, and the California State Bar Act and Rules of Professional Conduct.

NOTE: Students who enroll in this course may not enroll in Legal Ethics & the Practice of Law (3 units), or Roles & Ethics in Practice (4 units).

III. Roles & Ethics in Practice (3 units) – Fall – (LAW*550)

An introduction to legal ethics as well as some of the tasks, roles and relationships of law practice, this course satisfies the professional responsibility requirement. While students will become familiar with the body of rules that govern professional conduct in the legal profession, classroom examination of specific rules will be selective and related to lawyer decision-making in specific practice contexts. Against a background of information on the legal profession and the varied careers it offers, the course will use simulated problems drawn from both criminal and civil practice to introduce students to recurrent ethical issues in those contexts, as well as to some of the skills involved in client interviewing, fact development, and negotiation. Students will be required to write one paper, participate in frequent in-class role-plays and other exercises, and to take part in a videotaped simulation outside of class. These activities will account for 45% of the grade, with 25% of the grade based on an objective examination on the rules of professional responsibility, and 30% on a take-home essay exam calling for thoughtful analysis of the types of ethical issues encountered in practice.

NOTE: Students who enroll in this course may not enroll

in Legal Ethics & the Practice of Law (3 units), or Professional Responsibility (2 units).

WRITING REQUIREMENT

All students are required to complete a substantial writing project under faculty supervision prior to graduation. This requirement may be satisfied either by successful completion of a qualifying seminar or a 2-unit independent study project. All topics must be approved by the faculty member supervising the project. Additionally, students must submit a draft prior to turning in the final product. The professor must certify that the student's paper fulfills the writing requirement, and the student must receive a grade of C or better.

PROFESSIONAL SKILLS REQUIREMENT

Each student shall, after the first year, take and receive a passing grade in one or more courses focusing on development of professional skills – e.g., trial and appellate advocacy, alternative methods of dispute resolution, counseling, interviewing, negotiating, problem solving, factual investigation, organization and management of legal work, and legal drafting.

Students may not use the same course to satisfy both the writing requirement and the professional skills requirement.

See page 72 for course list.

GPA LECTURE COURSES

GPA lecture courses provide the foundation for a student's education at Hastings, and all California Bar Examination subjects not covered in the first year curriculum are taught as lecture courses. More than 50% of the grade a student earns in a GPA lecture course must be based on an anonymously graded exam; some lecture courses are graded entirely on an exam while others are graded on the basis of an exam and some combination of a paper or other projects assigned by the professor. Grades earned in GPA lecture courses are considered in calculating a student's GPA. Unlike seminars and non-GPA courses, GPA lecture courses are generally not limited in enrollment.

ADMINISTRATIVE LAW (3 UNITS) – FALL/SPRING – (LAW*216)

An introduction to the laws controlling executive branch agencies of government. Major topics include delegation of power to agencies, modes of agency action (adoption of rules, case-by-case enforcement, and choice between modes of action), control of agencies by the legislative branch (through budget, oversight, advise and consent, and veto), control by the judicial branch (limitations and scope of judicial

review), and public access and influence (freedom of information, open-meeting laws).

ADVANCED LEGAL RESEARCH AND ANALYSIS (3 UNITS) – SPRING – (LAW*227)

Satisfies professional skills requirement.

The goal of this course is to continue to develop students' ability to think critically about legal problems and to solve those problems by learning how to formulate an efficient, thorough legal research strategy. The course will cover the legal resources available, both in print and on-line, in the areas of statutory and legislative materials, case law, regulations and regulatory decisions, court rules and other litigation-related publications, treatises and other secondary sources, standard transactional documents, foreign and international law, and non-legal materials frequently used in conjunction with legal research. The course will require students to formulate and apply research strategies to fact-based problems, and to use legal analysis to refine and improve research results. A laptop computer with wireless Internet access is essential. For more information on Hastings' wireless network, see <http://www.uchastings.edu/infotech/wireless/index.html>

NOTE: Students who have taken Advanced Legal Research (3 units) as a non-GPA course may not enroll in this course.

ADVANCED NEGOTIATION: ART OF THE DEAL (2 OR 3 UNITS) – SPRING – (LAW*236)

Prerequisites: Negotiation & Mediation: Process & Practice (LAW*837) or Negotiation & Settlement (LAW*838)

This advanced course in deal making builds on the concepts and skills covered in the basic courses on negotiation. Class sessions will explore the many dimensions of deal making with the goal of providing students with proven and innovative approaches to creative problem solving and consensus building in a business context. Topics to be developed include how negotiators set up, design and implement deals in rapidly changing environments. The first part will focus on strategic and analytical tools to identify parties' interests, assess barriers to agreement, and create and claim value. The second part will examine the psychological and interpersonal aspects of players involved in deal making, including the organization as a whole and the negotiator/lawyer. Group discussions will include a topical study of perception, leverage, emotion, trust, decision-making, leadership, ethics, and social intelligence. The third and last part will integrate the learning and allow students to practice "the art of the deal" in complex negotiation role plays involving multiple parties, issues and emotions.

ADVANCED NEGOTIATION: MULTI-PARTY, MULTI-ISSUE, AND GROUP PROCESSES (3 OR 4 UNITS) – SPRING – (LAW*422)

Prerequisite: Negotiation & Mediation: Process & Practice, Negotiation & Settlement, Mediation (Family emphasis), or permission of the instructor.

This course builds on the concepts and skills covered in the basic courses on negotiation. It will focus on the complexities of multi-party, multi-issue and team negotiations; how groups function; the role and significance of party constituencies; political and ethical aspects of large-scale negotiations, etc. Classroom instruction will rely on group discussion of case studies, simulation exercises, and small group work assignments. There will be required readings for all classes, out of class exercises, and a number of individual and group written assignments, in addition to a final examination.

This class is limited to 16 students.

AMERICAN LEGAL HISTORY: COLONIAL AMERICA TO CIVIL WAR (3 UNITS) – FALL – (LAW*406)

This course will explore major themes in American legal history from the British colonization of North America to the beginning of the Civil War. Through the use of original documents and secondary sources students will study the history of the framing of the state and federal constitutions (including British and colonial antecedents and nineteenth century conflicts over the nature of constitutionalism), the development of property, contract, and tort law in eighteenth and nineteenth century America, the legal history of the settling of the American West (including law on the overland trail, the effect of Spanish and Mexican law on western legal development, and the legal aspects of Anglo displacement of indigenous populations), and the legal status of women and African Americans -- both slave and free -- before the Civil War. While this course will be taught using lectures, class participation will be expected and encouraged. A background in American history is not required. Students' grades will be based upon an examination.

ANIMAL LAW (3 UNITS) – FALL – (LAW*238)

A survey of the law's understanding and treatment of animals by looking at the development of federal and state policies towards wild, domestic, and companion animals. Specific topics may include the history of animal law, the concept of animals as property, the application of tort and remedies law to injuries by and to pets, protection of animals by cruelty and other laws, and constitutional issues raised in cases involving

animals. The legal changes effected by practitioners in the field of animal law have implications for developing concepts of tort law, environmental law, criminal law, constitutional law and even wills and trusts. As a result, the course will incorporate legal concepts from other fields, encourage critical thought and new approaches to doctrines developed in other areas, and address a broadened integration of the realities of animals and society with the particularities of the law.

ANTITRUST (3 OR 4 UNITS) – FALL/SPRING – (LAW*240)

This course deals with the structure and practice of industry and with the regulation by law to promote such goals as optimum allocation of resources, dispersion of economic power, encouragement of efficiency and technological advance, and promotion of consumer interests. Extended consideration is given to the requirement of competition under the antitrust laws and to the exemptions from this requirement. Principal topics include: monopoly, mergers, vertical integration, joint enterprises, price-fixing, market-sharing, boycotts, price discrimination, tie-in sales, exclusive dealing, and franchising. Patent, copyright, and labor law are examined from the point of view of how these authorized "monopolies" are integrated into a legal structure that is basically pro-competitive. Economic and political considerations are explored in connection with the legal issues to prepare the lawyer more effectively to influence and forecast legislative, judicial, and administrative responses to the conflicts of policy in this area.

ARBITRATION (3 UNITS) – SPRING – (LAW*245)

The course will survey arbitration from three perspectives. First, the course will examine leading arbitration practices and doctrines. This will include a comparison of doctrines and practices in arbitration compared to alternatives of court and other forms of dispute resolution, such as mediation and negotiation. Such questions include the powers of arbitrators; the choice of law (explicitly and implicitly) by arbitrators; the types of arbitration subject to special requirements (such as "statutory" and "employment" and "public policy"); the ability to appeal arbitration decisions.

Second, the course will examine arbitration from a public policy and principled/theoretical perspective. This examination is critical not only on its own but because so many central aspects of arbitration remain contested and unsettled by both legislatures and the courts.

Third, the course will examine how to write arbitration agreements to serve the interests of clients and to survive challenges in light of renewed suspicion by courts and legislatures. The class will primarily cover domestic "commercial" and "consumer" and "employment" arbitration but will include some reference and comparison

to labor/union arbitration and to international doctrine and practice. Grading will be based on an exam. Students will be required to purchase clickers to participate in the class polling.

The class does not fulfill the skills requirement, but there may be a limited number of exercises of drafting arbitration agreements, rules, and statutes.

There will be a mandatory two to six hour class on one weekend day to see simulated arbitrations and reactions by students and leading practitioners, including arbitrators and attorneys.

BANKRUPTCY & CREDITORS' REMEDIES (3 UNITS) – FALL – (LAW*320)

Bankruptcy has become a part of the mainstream of commercial and business law. This course covers the federal Bankruptcy Code and explores the role it plays in a credit economy. The social and economic tensions of a law of forgiveness will be a central feature of the course. The course begins with a short introduction to state collection and works through both consumer and business law. The course will cover Chapter 7, Chapter 13, and Chapter 11 filings in detail.

Secured Transactions recommended but not required.

BUSINESS ASSOCIATIONS AND INTRODUCTION TO FEDERAL SECURITIES LAW (4 UNITS) – FALL/SPRING – (LAW*314)

This course involves an analysis of the law of the creation of, and relationships arising from, corporations, sole proprietorships, partnerships, limited partnerships, limited liability companies and limited liability partnerships, along with agency and fiduciary relationships and governance of these business entities in the modern business setting. The legal duties of directors, managers and majority shareholders to minority shareholder and owners are explored in relation to procedural issues governing the vindication of such shareholder and owners' rights. This course includes a general introductory overview of the Securities Act of 1933 and the Securities Exchange Act of 1934 in connection with the public offering of securities and antifraud prohibitions.

Students may not enroll for credit in both Business Associations and Corporations. Business Associations satisfies the prerequisite for a course that requires Corporations as a prerequisite, and vice versa.

CALIFORNIA CIVIL PROCEDURE (2 OR 3 UNITS) – FALL/SPRING – (LAW*246)

This course will focus on how a civil lawsuit progresses through the California state court system, from prior to filing the complaint through appeal. It will emphasize procedures and law unique to California practice, such as use of fictitious defendants and other special pleading rules, jury trial rights, state claim and issue preclusion policies, state conflict of law rules, and appellate practice. It will also analyze those aspects of California procedure that contrast sharply with federal practice.

CHILDREN & THE LAW (2 OR 3 UNITS) – SPRING – (LAW*251)

This course will cover problems in three main areas. Part 1: constitutional issues posed by the allocation of power as between the state and the family. Part 2: status of the child within the family (including economic status of the child), scope of parental privilege to discipline, problems of medical consent, disputes over custody, and adoption. Part 3: the juvenile court system, dealing with delinquent, incorrigible, neglected and abused children.

CIVIL PROCEDURE II (3 UNITS) – FALL/SPRING – (LAW*275)

This course builds on Civil Procedure I by covering key subjects of special importance to litigators. These include choice of forum which addresses questions concerning a court's power to hear a particular dispute, and the parties' options in selecting between or among courts. Topics usually covered include further in-depth treatment of jurisdiction, as well as venue, forum non conveniens, and rules governing joinder of multiple parties and multiple claims. The subjects also include choice of law, which involves questions about which forum's law will apply to a particular dispute. Topics usually covered include when state or federal law applies (i.e., in-depth treatment of the "Erie Problem"), when the law of different states or nations may apply (i.e., conflicts of law), and advanced issues in the law of preclusion.

CIVIL RIGHTS LAW (3 UNITS) – SPRING – (LAW*253)

This course examines the civil rights of individual citizens, especially in the context of combating racial discrimination. Special emphasis will be placed on the Bill of Rights and the 14th Amendment. The course also examines procedures for civil rights enforcement by individuals and the federal government.

COMMUNITY PROPERTY (2 OR 3 UNITS) – FALL/SPRING – (LAW*264)

This course deals exclusively with the California community property system. Topics considered include classification of property as separate or community, management and control of community property, liability of property for debts, and division of property on termination of the community by death or dissolution.

COMPARATIVE LAW (3 UNITS) – FALL/SPRING (LAW*272)

The course is designed to develop a technique by which lawyers trained in one system of law may be enabled to recognize, analyze and study legal problems arising in a different system. The first part is devoted to procedural and evidentiary problems faced by domestic courts when they have to decide cases involving foreign law and foreign facts. Following this, the fundamental, historically conditioned differences in approach and method between common law and civil law will be explored. Basic problems involving international business transactions or litigation with foreign aspects will be discussed in light of continental legal thinking. The French, German and Swiss code systems will be highlighted as the outstanding examples of systematic codification, and will be examined as models used in other civil law countries, including developing nations. Throughout the course, foreign legal institutions will be compared to our own, with the aim of gaining perspective in understanding and appraising the solutions provided by our own system.

COMPLEX LITIGATION (3 UNITS) – FALL – (LAW*276)

This course will consider the issues that arise in large-scale litigation involving numerous parties and often numerous courts, federal and state. It will address the procedures for and problems of aggregation of cases, including joinder, intervention, consolidation, and in particular class actions and the problems encountered in their management and settlement. The course will also consider problems of parallel litigation in state and federal courts, injunctions, and transfers among courts. A thorough grounding of Civil Procedure is essential.

CONFLICT OF LAWS (3 UNITS) – FALL/SPRING – (LAW*280)

This course deals with the special problems that arise when the facts or the parties in a case have contacts with more than one state or country. These problems relate to (a) jurisdiction -- in personam, in rem and quasi-in-rem; (b) choice of the applicable law; and (c) after rendition of a judgment, that judgment's recognition and enforcement in other states and enforcement in other states and countries. Jurisdictional and choice-of-law rules are studied with special emphasis on situations involving torts, contracts and property transactions cutting across state and national boundary lines; particular attention is paid to the manifold constitutional implications of those rules. Also considered are interstate and international problems concerning marriage, divorce, and decedents' estates. (Students are advised that in terms of this tripartite division of the course, parts (a) and (c) are still California Bar Examination subjects and are

covered, to some degree, in first year Civil Procedure.)

CONSTITUTIONAL LAW II (3 OR 4 UNITS) – FALL/SPRING – (LAW*290)

Prerequisite: Constitutional Law I. This prerequisite is waivable by the instructor. Please consult with your instructor if you wish to have this prerequisite waived, or treated as a co-requisite.

This course studies the protection of individual rights. The course will examine substantive due process, procedural due process in non-criminal cases and in exercises of governmental power, equal protection of the laws, freedom of speech and press, and freedom of religion.

CONSUMER TRANSACTIONS (3 UNITS) – FALL – (LAW*299)

This course will cover the federal and state laws that govern consumer transactions. The course will examine the rules that govern consumer transactions from formation to completion or enforcement. It will cover such topics as consumer fraud and deceptive practices in sales and leases, mandatory disclosure rules, truth-in-lending, credit reports, lemon laws, predatory lending, debt collection, and repossession. Additional possible topics will include the Fair Credit Reporting Act, discriminatory practices, mandatory arbitration clauses, odometer regulation, and regulation of telemarketing.

COPYRIGHT LAW (3 UNITS) – FALL – (LAW*308)

This class provides in-depth coverage of substantive copyright law. It covers the subject matter in greater depth than the Intellectual Property survey course.

CORPORATE FINANCE (3 UNITS)- SPRING – (LAW*315)

This course examines economic and legal problems arising in connection with financing decisions of publicly held corporations, including valuation of the enterprise and its securities, determination of securities structure and dividend policy, and decisions on investment opportunities, whether by internal expansion or by merger or take-over. If time permits, consideration also will be given to the rights and remedies of senior security holders. (Without permission of the instructor, the course should NOT be taken by students who took a course covering finance in college or graduate business school.)

CORPORATIONS (3 OR 4 UNITS) – SPRING – (LAW*311/312)

A basic course on state and federal law governing incorporated business enterprises. Choice of corporate form and state of incorporation; formation procedures; corporate privileges and powers; authority and duties of corporate management; corporate finance; shareholders'

role in corporate governance; special problems of close corporations; federal securities law regulation of proxy solicitation, tender offers, and fraud; derivative actions; corporate acquisitions, combinations and reorganizations; and dissolution.

Students may not enroll for credit in both Business Associations and Corporations. Business Associations satisfies the prerequisite for a course that requires Corporations as a prerequisite, and vice versa.

CRIMINAL PROCEDURE (3 OR 4 UNITS) – FALL/SPRING – (LAW*328)

A study of fundamental aspects of criminal procedure. Emphasis will be given to judicial control of police practices by means of the exclusionary rule, including search and seizure, and police interrogation. Consideration also will be given to fundamentals of procedural due process, including defendant's privilege against self-incrimination, the right to counsel, right to jury trial, and former jeopardy. Additional topics may include pretrial and trial processes, such as the decision to prosecute, grand jury, preliminary examination, joinder and severance, bail, discovery, plea bargaining, and the right to confront and cross-examine witnesses.

Students contemplating obtaining judicial externships in their fourth to sixth semesters should be aware that many judges require externs to have completed Criminal Procedure.

CRIMINAL PROCEDURE: THE ADJUDICATIVE PROCESS (3 UNITS) – SPRING – (LAW*332)

Prerequisite: Criminal Procedure

This course would complement the 3- and 4-unit Criminal Procedure classes, in which unit and time constraints preclude thorough discussions of issues pertaining to the adjudicative process itself. Focusing on the process from “bail-to-jail”, the class covers: grand jury proceedings, preliminary hearings, bail and bail-setting decisions, preventive detention, discovery processes, plea bargaining and guilty pleas, the right to a speedy trial, joinder and severance, constitutional proof requirements, jury selection and composition, jury deliberations, jury instructions and verdicts, defendant’s right to participate in trial and trial in absentia, the right to effective assistance of counsel, self-representation, sentencing, double jeopardy, and post-conviction challenges (appeals, new trial, collateral attacks, habeas corpus). While there may be some overlap with the issues covered in the 4-unit Criminal Procedure class, the overlap is minimal.

DATA PRIVACY AND THE LAW (2 UNITS) – FALL – (LAW*230)

More and more companies and government agencies find themselves in the press and courtrooms for data privacy and security law violations. Given the rapidly increasing technological options to collect and commercialize personal data, this area of the law is rapidly growing. This course will familiarize students with the typical legal problems arising from the conflicting interests in data and privacy in today’s global economy and society, in particular in the areas of government, commerce and employment. The significance and practical relevance of domestic, international and foreign national laws is rapidly increasing for individuals, businesspeople, attorneys, judges, and legislators around the world.

Topics covered will include common law, constitutional and statutory rights and obligations regarding data privacy, data security and legal protection for data bases under California, U.S. Federal, European Community, public international and other countries’ laws, including, for example, the U.S.-EU Safe Harbor Principles, rules on spamming, wiretapping, homeland security, and employee monitoring.

DISABILITY LAW (2 UNITS) – SPRING – (LAW*335)

This course will explore the right of individuals with disabilities to be free from discrimination in several major aspects of life including: employment, higher education, elementary and secondary education, public accommodations, and housing. The primary legal authorities covered will be the Americans with Disabilities Act (ADA), the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act. We will explore both the traditional civil rights roots of these laws as well as the latest trends unique to disability in this rapidly emerging field of law. In the course of this exploration a set of organizing principles will emerge. We will look at how to spot these principles and use them effectively in the practice of disability law.

DOMESTIC VIOLENCE (3 UNITS) – SPRING – (LAW*350)

This course will focus on the law’s response to domestic violence. It will examine the history of the battered women’s movement; dynamics of abusive relationships; factors in intimate partner violence (i.e., gender, age, disability, LGBT relationships, race, religion, ethnicity, social class); and types of abuse (physical, sexual, psychological). It will study both state and federal remedies (such as the Violence Against Women Act and firearms regulations). Particular attention will be paid to the enforcement and effectiveness of restraining orders. The class will explore legal regulation in several areas of substantive law, including: criminal prosecution and defense (including mandatory arrest and no-drop policies); discrimination against victims in housing/employment; family law (i.e., child custody, child abduction, mediation,

spousal support); reproductive freedom/control; welfare; and immigration (international marriage broker regulation and asylum). It will also address the relationship between domestic violence and child abuse/neglect, and examine evidentiary concerns (interspousal immunity, syndrome evidence, forfeiture-by-wrongdoing doctrine, Confrontation Clause issues, and the use of expert testimony).

E-DISCOVERY (2 UNITS) – SPRING – (LAW*301)

Prerequisite: Civil Procedure I

The recent expansion of electronic discovery in civil litigation raises a host of practical, technical and ethical issues for both lawyers and clients. The volume of potentially discoverable electronically stored information (ESI) is growing exponentially. Much of that ESI is stored on widely dispersed, unconnected, outdated or downright inaccessible systems. Yet courts often expect that locating and gathering ESI is as simple as using an Internet search engine. Clients are often reluctant to provide outside counsel unfettered access to their computer networks, and prefer to maintain in-house control over significant portions of the ESI collection process. Once ESI has been collected, the volume and format of ESI makes it impractical and cost-prohibitive to use the old paper-document-production model of converting all ESI to letter-sized, Bates-stamped images, which are then manually reviewed by teams of attorneys.

Decisions about search and collection methodology, whether to use manual or search-term-based relevancy determinations, whether to screen for privileged documents using manual or automated methods, and even the production format all raise significant ethical questions. As illustrated by a number of recent, high profile cases, the stakes for both lawyers and clients are high.

This course covers up-to-date developments in the doctrines governing e-discovery, as well as the practical, technical and ethical issues discussed above.

ELDER LAW (3 UNITS) – SPRING – (LAW*303)

Americans are living longer and our population is aging. By 2030, nearly 20% of the population is expected to be 65 or over. At the same time, the legal and health-related systems that protect and care for seniors have become increasingly complex. The legal problems encountered by seniors can lead to a frustrating loss of control. Understanding their legal rights and how to take advantage of available services is essential for seniors.

Topics will include issues confronting an aging society, delivery of legal services to the elderly, the Age

Discrimination in Employment Act, Social Security, Medicare, Medicaid, life insurance, catastrophic health insurance, continuing care contracts, reverse equity mortgages, elder abuse, guardianship and conservatorship, living wills, durable power of attorney for health care, right to refuse treatment, and counseling the elderly client.

In addition to consideration of cases, statutes and regulations, the class will engage in simulations of interviews and hearings typical of Elder Law practice and research and presentations on current policy issues.

EMPLOYMENT DISCRIMINATION (3 UNITS) – FALL – (LAW*352)

This course will consider the various federal and state laws and executive orders dealing with discrimination on account of race, sex, national ancestry, religion, age, or physical disability and the remedies which they provide. Principal focus will be on Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1866, the Equal Pay Act, the Age Discrimination in Employment Act, the developing law on sexual harassment, and federal executive orders providing for affirmative action. Secondary focus will be on applicable state statutes. Subjects included will be the developing definition of discrimination, administrative and judicial procedures, practical problems of litigation (e.g., class suits, attorney fees, the use of statistical evidence), the use of consent and settlement decrees, and available remedies. (See Workers' Rights Clinic in *Clinics and Judicial Externships* for 3-unit clinical option.)

NOTE: Students who have taken the first-year Employment Discrimination statutory course may not enroll in this course.

EMPLOYMENT LAW (3 UNITS) – FALL – (LAW*435)

This course provides a survey of the common law and statutory principles that affect all aspects of modern employment. Among the topics to be studied are: the nature of the employment contract, the at-will rule and its limitations, employee privacy and mobility issues (e.g., employee monitoring, covenants not to compete), wage and hour law, health and safety conditions, and non-discrimination statutes. There is some overlap with the Employment Discrimination and Labor Law courses, but not enough to preclude students from enrolling in all three, which are designed to be complementary.

Employment Discrimination is recommended but not required. This course replaces the 3-unit course "Law of Employment Relations."

**ENTERTAINMENT LAW (2 UNITS) –
SPRING – (LAW*355)**

The course examines various complex intellectual property, labor and contractual issues facing attorneys representing clients in the entertainment industry. This course will take a practical approach to learn what attorneys really do in the entertainment business.

Topics include negotiating agreements for talent services and contracts for production, distribution and exploitation of creative works; acquiring and protecting rights to creative property; protecting rights of privacy and publicity; negotiating and accounting for profit participation, residuals and royalties; and the legal and ethical responsibilities of lawyers, talent agents and other representatives in the entertainment business. Prior enrollment in Intellectual Property is recommended but not required.

**ERISA: A LABOR LAW PERSPECTIVE
(2 UNITS) – SPRING – (LAW*353)**

This course introduced employee benefit law and the Employee Retirement Income Security Act (ERISA) from a labor law perspective, including an analysis of the fiduciary duties imposed on pension plan trustees and others managing benefit plans. The class will cover the Internal Revenue Code sections that address employee benefits. It is intended to provide a general introduction to employee benefits and ERISA and to help students develop skills in advising union-negotiated benefit trusts or small and large employers, as well as individuals with benefit disputes.

**EVIDENCE (3 OR 4 UNITS) –
FALL/SPRING – (LAW*368)**

The law of evidence, including relevancy, hearsay, judicial notice, burden of proof, and presumptions; functions of judge and jury; competency and privileges of witnesses; principal rules of admissibility and exclusion of testimony of witnesses and documents. Special emphasis is given to the California Evidence Code and the Federal Rules of Evidence.

**FAMILY LAW (3 OR 4 UNITS) –
FALL/SPRING – (LAW*336)**

This course examines state regulation of sexual and marital relationships, focusing on the conflict between the doctrines of family privacy and state intervention in the marital relationship. Topics include: premarital controversies, capacity to marry and the formalities of marriage; rights and duties of marital partners; annulment and separation; divorce grounds and no-fault; spousal support and basic issues of property distribution; principles governing child custody and visitation; child support; mediation of property and custody issues, and regulation of non-traditional relationships (unmarried and homosexual couples and

communes).

NOTE: Students who enroll in this course may not enroll in Selected Topics in Family Law (2 units) when offered.

**FEDERAL COURTS (3 UNITS) –
FALL/SPRING – (LAW*376)**

The law of federal jurisdiction revolves around two principles of power allocation: separation of powers and judicial federalism. Separation of powers refers to the allocation of decision-making authority among the coordinate branches of the federal government. Judicial federalism refers to the allocation of power between federal courts and state courts. Thus, this is a course about the role of federal courts in the American political system.

At the same time, it is a practical course. Any lawyer who plans to litigate in federal court must be aware of the complex requirements for instituting and maintaining cases in federal court. The course is extremely valuable for those who wish to be public interest litigators.

The course covers the so-called "justiciability" doctrines -- standing, mootness, ripeness, and political questions. These doctrines aim to keep litigants out of federal court when they lack a concrete personal stake in the controversy, or when the subject matter is inappropriate for judicial resolution. The course also looks at the conditions under which Congress may "strip" the federal courts of jurisdiction over certain kinds of cases, leaving them to state courts, legislative courts, or administrative agencies.

A major focus of the course is § 1983, which authorizes suits against state officials and others acting "under color of" state law. The course also surveys common impediments to such actions, such as the Eleventh Amendment, several forms of "abstention," and the Anti-Injunction Act.

Another focal point is the unique role of the United States Supreme Court in the American judicial system. In addition to supervising the lower federal courts, the Supreme Court is the only federal court that may directly review state court judgments. This has given rise to the independent and adequate state grounds doctrine, which prevents the Supreme Court from reviewing state judgments when it cannot change the result.

The course contains heavy proportions of constitutional law and civil procedure. Civil Procedure II recommended.

**FEDERAL CRIMINAL LAW (3 UNITS) –
SPRING – (LAW*338)**

Prerequisite: Prior or concurrent enrollment in Criminal Procedure

This course will survey the principal federal statutes applied to criminal cases in the federal courts and examine

theoretical difficulties as well as "real world" problems arising in the definition and enforcement of federal criminal law. It is designed to help students develop a jurisprudential understanding of how federal courts address criminal cases at the trial, appellate, and Supreme Court levels. Co-taught with United States District Judge Charles B. Breyer.

NOTE: Students who have taken the Federal Criminal Law Seminar course may not enroll in this course.

FEDERAL INCOME TAXATION (3 UNITS) – FALL/SPRING – (LAW*540)

A problem-oriented introduction to the fundamental principles of federal income taxation, particularly as applied to individuals, including: the concept of gross income, identification of the proper taxpayer, deductions, income tax accounting, capital gains and losses, deferred payment sales and nonrecognition transaction. Consideration will be given to issues of tax policy and tax planning techniques. The course typically will emphasize rigorous analysis of the Internal Revenue Code and Regulations.

NOTE: Students who have taken the first-year Federal Income Taxation statutory course may not enroll in this course.

FEDERAL INCOME TAXATION OF CORPORATIONS & PARTNERSHIPS (4 UNITS) – FALL – (LAW*542)

Prerequisite: Federal Income Taxation

A broad coverage of the basic principles of the federal income tax as applied to corporations and shareholders, partnerships and partners, and limited liability companies and their members. The course will require a careful study of relevant provisions of the Internal Revenue Code and Regulations, as well as some cases. Discussion will center around fact situations and will involve questions of law and strategy relative to formation, operation and liquidation of partnerships and corporations, consideration of transactions between the entity and its partners or shareholders, and choice of entity considerations.

FEDERAL INCOME TAXATION OF REAL ESTATE & OTHER INVESTMENTS (3 UNITS) – SPRING – (LAW*541)

Prerequisite: Federal Income Taxation

A problem-based study of tax principles that govern the treatment of investments in real estate, securities, minerals, and other properties. Real estate problems cover acquisition, financing, leasing, and disposition issues. The securities unit introduces the student to

options and commodities transactions, short sales, original issue and market discount, and hedging transactions. The course also offers selective treatment of hard-rock mineral, oil and gas and timber investments, generally from the perspective of an individual investor.

FEDERAL AND INTERSTATE WATER RESOURCES (3 UNITS) – FALL – (LAW*372)

Mark Twain once wrote that "Whiskeys for drinking and water's for fight'n over." Water is our nation's most precious natural resource, particularly in the American West where aridity is a defining characteristic. This course focuses on the federal law of water resource management that governs the use of water on the federal public lands and water allocation among the various states. Topics include: federal power over water resources; the federal navigational servitude; federal reclamation law; water subsidies and pricing reform; federal reserved water rights for national forests, wilderness, national parks, and other public lands; the water rights of Indian Tribes; tribal fishing rights; the resolution of interstate water disputes through equitable apportionment; interstate compacts; and congressional apportionment of the waters of the Colorado River. We also will study the principal rivers of the American West -- the Columbia-Snake, Sacramento-San Joaquin, Colorado, Rio Grande and Missouri River systems.

California Water Resources recommended but not required.

NOTE: Students who have received credit for Water Resources cannot enroll in Federal & Interstate Water Resources for credit.

FINANCIAL CRISES AND THE REGULATION OF FINANCIAL INSTITUTIONS (2 UNITS) – SPRING – (LAW*386)

This course will examine the regulatory system governing financial institutions. It will do so in the context of current and past financial crises, with a heavy emphasis on the crisis of 2007-2009. We will analyze competing accounts of the causes of the crisis and the regulatory responses to it. Questions addressed include: What potential problems does the regulatory system address? Was the financial crisis a result of deregulation? To what extent did the regulatory response address problems that the crisis exposed?

FOOD AND DRUG LAW (3 UNITS) – SPRING – (LAW*377)

Many estimate that the federal Food and Drug Administration regulates about a quarter of all consumer expenditures in the United States. Its jurisdiction under the Federal Food, Drug and Cosmetic Act includes food,

drugs, medical devices, biologics, dietary supplements, and cosmetics. This course will introduce students to the regulatory powers of this agency, which are exerted through licensure as well as the adoption and enforcement of regulations, and to the complex statute under which it operates. It will cover the problem of definitions of the regulated products, the premarket approval system for drugs, labeling requirements and allowable claims for foods and dietary supplements, the regulation of the products of biotechnology, and the relationship between this federal regulatory regime and state tort law, among other topics.

NOTE: You may not take this course if you were enrolled in the 1st year statutory course.

GENDER AND THE LAW (3 UNITS) – FALL – (LAW*212)

Uses fiction and film as well as traditional legal materials to examine themes related to gender and the law. Topics will vary from year to year, but will generally include basic feminist theory, reproductive rights, pornography, sexual harassment, domestic violence, divorce and economic equality, job discrimination, work/family issues, and how gender is affected by race, class, and sexuality.

NOTE: This course will sometimes be taught as a 2-unit seminar. Students will not receive credit for both courses. Students who have taken Feminist Legal Theory may not take this course.

HEALTH LAW (4 UNITS EACH) – FALL/SPRING

Health Law is an extraordinarily broad and diverse subject, addressing issues held together by their relevancy to the health care industry, the largest industry in the United States economy and the industry with the greatest current need for legal advice. The full subject, which is divided into two 4-credit courses, will include consideration of issues related to liability of health care providers; federal and state regulation of health care services, products, and licensing of providers; employment law and contracting law as it applies to providers; private and government financing of health care in the United States; antitrust, fraud and abuse; and issues in bioethics. Together, the courses will provide a comprehensive introduction to Health Law in the United States. The two courses are independent and non-sequential. Students may take both or either one without taking the other.

HEALTH LAW I (4 UNITS) – FALL – (LAW*217)

Health Law I will focus on issues of quality control and personal relationships in the health care environment. It will address issues in professional licensing and the accreditation of health care

institutions, medical malpractice law (including institutional liability and tort reform), informed consent and the nature of the provider-patient relationship, and confidentiality of healthcare information (including the law surrounding HIPAA and the development of electronic health records).

HEALTH LAW II (4 UNITS) – SPRING – (LAW*317)

Health Law II will focus on the financing and regulation of the American health care industry, the cost of health care, barriers to access to health care, and bioethics. It will address issues related to private health insurance (including federal and state regulation of employer-provided health insurance), public health insurance (including Medicare, Medicaid, other government financed health programs), the structure of the health care industry, the impact of the Affordable Care Act and health reform, new business forms employed by health care enterprises, tax exempt status of health care enterprises, antitrust, fraud and abuse, the legal obligation to provide care, hospital privileging, and ethical questions related to health care, which may include abortion and contraception, assisted reproduction, death and dying, and research involving human subjects.

IMMIGRATION LAW (3 UNITS) – FALL – (LAW*400)

This course examines the major aspects of the Immigration and Nationality Act. The interrelationship between the administrative agencies empowered to execute the Immigration and Nationality Act's mandate will be studied. Major attention will be focused on the immigrant and nonimmigrant visa system, political asylum and refugees, exclusion and deportation of the foreign-born, and naturalization. Policy implications behind the statute and judicial interpretations are addressed.

INSURANCE (2 OR 3 UNITS) – SPRING – (LAW*408)

The making, administration and interpretation of insurance contracts; governmental (including judicial) regulation of insurance; common insurance contract provisions; subrogation; excess liability of insurers; and property, life and liability insurance policies and problems.

INTELLECTUAL PROPERTY (4 UNITS) – FALL/SPRING – (LAW*412)

This is a survey course which covers the substantive law of trade secrets, patents, copyrights and trademarks and may also cover additional aspects of unfair competition and state publicity rights. It is meant to provide students with a general working knowledge of the various intellectual property doctrines, and an understanding of how the individual intellectual property doctrines compare, contrast and may be used to complement one

another. It is recommended particularly for students who do not necessarily plan to specialize in an intellectual property practice, but nonetheless desire a background in the subject matter to augment a more general business or civil litigation practice.

Students who expect to specialize in one or more areas of intellectual property practice may prefer to take one or more of the three more specialized classes offered by the College: (1) Patents and Trade Secrets, (2) Copyright, and (3) Trademarks and Unfair Competition. Each of these 3-unit classes addresses the subject matter indicated in its name in greater depth than is provided in the Intellectual Property survey course. However, because there is substantial overlap, a student who has already taken two of the specialized courses will not be permitted to enroll in the Intellectual Property survey course.

INTELLECTUAL PROPERTY UNDER STATE LAW: TRADE SECRETS AND EMPLOYEE MOBILITY (2 UNITS) – SPRING – (LAW*508)

Trade Secret law is one of the four core areas of intellectual property law, along with Copyrights, Trademarks and Patents. Trade Secret law is particularly important in Silicon Valley and other high technology regions based on small start-up enterprises, high rates of employee movement and venture financing. Students who plan to work in technology-related fields will face trade secret issues just as surely as they will face copyright and patent issues.

This course will cover trade secrecy, with a focus on California law under the Uniform Trade Secrets Act. It will also cover a number of related doctrines that regulate use of information between employers and employees, including non competition covenants, non-solicitation covenants, invention assignment agreements, fiduciary duty and the preparing to compete doctrine, the work for hire doctrine under the Copyright Act, and the federal Economic Espionage Act and Computer Fraud and Abuse Act.

Much of trade secret practice in Silicon Valley and other technology regions is not reflected in the case law. To give students a sense of how the law might arise in practice, the course will provide examples such as venture capital due diligence, planning for a start-up company and so on. Key conflicts in today's trade secret practice – inevitable disclosure, identification of trade secret claims, and common law preemption – will be explored in greater depth, along with public policy concerns – like employee rights and innovation policy – that inflect all areas of intellectual property law.

INTERNATIONAL BUSINESS TRANSACTIONS (3 UNITS) – FALL – (LAW*416)

This course provides an overview of the legal issues -- domestic, foreign, and international—that arise when U.S. companies do business abroad. Transactions discussed include export sales, agency and distributorship agreements, licensing, mergers and acquisitions, joint ventures, privatization, project finance, and foreign government debt. The course also covers U.S., foreign, and international regulation in such areas as antitrust, securities, intellectual property, tax, and foreign corrupt practices. The course does not cover U.S. or G.A.T.T. rules on import restrictions.

INTERNATIONAL AND COMPARATIVE INTELLECTUAL PROPERTY (2 UNITS) – SPRING – (LAW*414)

Prerequisite: Prior enrollment in Intellectual Property survey or Copyright, Trademarks and Unfair Competition, or Patents and Trade Secrets

This course will focus on comparison of intellectual property laws, primarily between the civil law system of continental Europe and the common law system in the US, UK and other Anglo-Saxon countries. Special emphasis will be placed on developments in China. Developments in other countries such as India, Japan and Russia will also be discussed. The course methodology consists of review, comparison and discussion of specific legal concepts and norms from the above-mentioned countries. The discussion will emphasize challenges brought about by technological developments and globalization. The ultimate goal is to provide students with an understanding of intellectual property from a global perspective, including national IP laws, their role within the international intellectual property area, and their interplay with international conventions governing IP law.

This course will start out with a general comparison of legal systems, and a discussion of international conventions in the area of intellectual property rights. These introductory concepts will be followed by a more detailed discussion of the creation, scope and enforcement of patent, trademark, copyright and industrial design rights respectively, highlighting some of the most significant substantive differences between the intellectual property rights in the systems examined.

INTERNATIONAL ENVIRONMENTAL LAW (3 UNITS) – SPRING – (LAW*418)

We will examine how international environmental law continues to develop to address (or not) our planet's most serious environmental challenges. We will examine treaties, soft law, and customary norms in the contexts of climate change, biodiversity, forests, oceans, and fresh water, and examine the intersections between laws

governing biological communities and those promoting equity in human communities. We will consider case studies of how different domestic legislatures and courts, regional bodies, and international organizations advocate for, develop, and implement complex environmental laws.

Coursework in Environmental, International, Business, and/or Human Rights Law is helpful, but none are required prerequisites.

INTERNATIONAL HUMAN RIGHTS (3 UNITS) – FALL – (LAW*417)

This course is an introduction to the law and institutional mechanisms for the international protection of human rights. It examines briefly the theory and the history of the field, together with key United Nations documents. International treaty and non-treaty mechanisms for protecting and promoting human rights, including regional systems and the role of non-governmental organizations, are covered. We will also address the use of international human rights standards in United States courts. Discussions will then focus on specific contemporary human rights problems, which may include the prevention of torture and disappearances, the use of criminal and civil sanctions, and minority and indigenous peoples rights. We will pay special attention to the role of corporate actors in human rights issues, to international criminal tribunals and accountability for human rights violations, and to environmental and development rights. The grade will be based on a series of individual and group exercises and a final exam. No prerequisites, although a background in international law would be most helpful.

INTERNATIONAL TRADE LAW & POLICY (3 UNITS) - SPRING – (LAW*415)

This course concerns the domestic U.S. and international regulation of globalization. Specifically, we will focus on both the public policy and legal aspects of regulating trade in goods and services. We will consider first the economic and political arguments for and against free trade. Then we will look at the historical development of the General Agreement on Tariffs and Trade (GATT) and the World Trade Organization with special emphasis on the dispute settlement procedure and the relative power dynamics of the Industrialized and developing states. Next we will consider how the U.S. has enacted the GATT into domestic statutes, such as the provisions on dumping and countervailing duties, retaliation, and protecting intellectual property rights, and how these legal rules have been applied by administrative agencies like the International Trade Commission and by U.S. courts. Finally, we will examine a range of

current legal topics including the creation of free trade and customs unions like NAFTA and the E.U., environmental protection, labor rights, trade and development, and liberalizing trade in services.

INTRODUCTION TO CHINESE LAW (3 UNITS) –FALL – (LAW*248)

This course will provide an introduction to the legal system of the People's Republic of China. Students will explore the historical foundations of law in China, contemporary Chinese legal institutions and the lawmaking process, the role of the legal system in China's political, economic, and social reforms, and legal aspects of China's international relations. The course will also provide an overview of selected areas of substantive Chinese law, including constitutional, corporate, property, contract, and criminal law.

INTRODUCTION TO LAW (4 UNITS) – FALL – (LAW*162)

This course will survey basic areas of the law, including procedure in civil litigation, private law areas including torts (civil wrongs), contract and property, and the public law areas of Constitutional Law and Administrative Law. It will also address the role of lawyers in the system. This course will be conducted partly through analysis of key cases, partly through texts on law, and partly through discussion. It is designed to acquaint people who have already pursued a professional degree, in law or other discipline, the basic patterns of thought involved in the law and legal discourse.

NOTE: This course is specially designed for MSL and other Master's degree students.

JURISPRUDENCE (2 UNITS) – FALL/ SPRING – (LAW*432)

This class will focus on the question: What is law? Topics to be covered include natural law, legal positivism, legal realism, and the authority of law. Readings will be drawn primarily from legal philosophy.

LABOR LAW (3 UNITS) – SPRING – (LAW*447)

This course focuses on the regulation of labor-management relations under the National Labor Relations Act, including the relationship among unions, employers and individual workers. The subject matter will include the study of the various labor practices by employers and unions that the law prohibits, as well as the law regulating establishment of the bargaining relationship, the bargaining process, arbitration and the enforcement of the collective agreement, the use of economic weapons, union security arrangements, and the union's duty of fair representation. (See Workers Rights Clinic in CLINICS for 3 unit clinical option.)

LAND USE REGULATION

(2 OR 3 UNITS) – SPRING – (LAW*456)

Local governments impose a variety of regulatory measures that control where we work, sleep, and commute, as well as the impact of those activities on ourselves, our economy, and our environment. This course undertakes an intensive analysis of the traditional regulatory techniques, including zoning, general planning, and subdivision mapping, and relates them to the practical and political aspects of the land-development process. There will be particular emphasis on California issues, including environmental analysis and controls, housing development, regional growth management, and voter initiatives.

LAW AND ECONOMICS (3 UNITS) – SPRING – (LAW*450)

This course introduces students to scholarship in the field of law & economics. It highlights the various insights made by social science research (economic theory, cognitive and social psychology, sociology) in various areas of law, including torts, contract law, consumer protection law, criminal law enforcement, family law, intellectual property law, etc. We will examine how these insights can be applied to legal disputes and current legal issues. Examples include discussion of the social costs involved in enforcing intellectual property rights, the optimal regulation relating to traffic accidents involving SUV's, the arguments that support specific types of consumer protection with regard to credit card contracts, the potential merits of contingency fee systems, and so forth.

The course does not assume or require formal training in economics or quantitative social science.

LAW OF BANKING AND FINANCIAL INSTITUTIONS

(3 UNITS) – FALL – (LAW*325)

This course provides a guide to the maze that is our dual regulatory system and similarities and differences between banks and other financial institutions, such as thrifts, credit unions, industrial banks, finance companies, investment banks, money transmitters and “shadow banks”. The class will not only review basic banking law, but includes a lecture on understanding bank financial statements and how reserve banking works. Students will be introduced to the history and legal development of regulation of financial institutions from Babylonian times through today’s technology-driven financial markets. Students will also learn the relationship of banking law to corporate and securities law as well as commodity futures law. By the end of the course, students will be able to form their own views about the causes of the ongoing Financial Crisis, the efficacy of the recent reform of our financial

system and the need for further reform.

LAW, PSYCHIATRY AND THE MENTAL HEALTH SYSTEM

(2 UNITS) – SPRING – (LAW*457)

This course will address selected issues raised by the interplay between the legal profession and psychiatry/psychology as disciplines for understanding human behavior, including the insanity defense, competency, civil commitment, the right to refuse drug treatment, and confidentiality.

NOTE: Students who have previously taken Psychiatry and the Law Seminar will not receive credit for this course.

LEGISLATIVE PROCESS (3 UNITS) – FALL – (LAW*480)

The course examines the legal principles governing the legislative process, the drafting of legislation, the regulation of participants in the legislative process, including lobbyists, and ethical issues facing an attorney who is involved in the legislative process. The course work includes exploring the interrelationship between statutory and decisional law and the role of administrative law as these topics relate to the enactment of legislation. The course provides a practical analysis of the legislative process from the perspective of the attorney who will be involved in drafting legislation, advocating its passage, and arguing about statutory construction in the courts. Both the California Legislature and United States Congress are subjects of discussion.

MARITIME LAW (3 UNITS) – SPRING – (LAW*224)

The course provides an intensive introduction to maritime law. Students will gain a solid understanding of the basic principles of admiralty jurisdiction and practice, including maritime liens, limitation of liability, personal injury and death claims, collision, towage, salvage. In addition, the course will cover a range of other topics, including marine insurance, Cargo (Carriage of Goods By Sea), charter parties, governmental immunities, and Arrest of Vessels.

MERGERS AND ACQUISITIONS (3 UNITS) – SPRING – (LAW*440)

Prerequisite: Corporations

This course examines the law governing corporate mergers and acquisitions and the role lawyers play in advising clients on the structure, documentation and negotiation of transactions. It covers various related legal issues, including fiduciary duties, shareholder voting, dissenters' rights, the Williams Act, and antitrust implications. The course also analyzes from a transactional perspective various forms that mergers and acquisitions may take, including acquisitions of stock, asset acquisitions,

mergers, and tender offers. The course will not focus on the tax treatment of such transactions.

MODERN BIOETHICS: FROM NUREMBURG TO THE “OCTOMOM” AND BEYOND (3 OR 4 UNITS) – FALL – (LAW*231)

This course explores the increasingly influential field of bioethics. Students will examine (1) the historical, sociological, and legal contexts from which modern bioethics emerged as a coherent field in the mid 20th century, (2) the biomedical developments, legal engagements, and political controversies that reshaped the enterprise towards the latter end of the century, and (3) contemporary issues in bioethics – from human subject protections to end of life decision making to reproductive and genetic technologies – and law’s role in mediating the relationship between medicine, science, and society.

NOTE: Students who have completed the seminar *Bioethics, Law, and Society* may not enroll without the instructor’s permission.

NON PROFIT ORGANIZATIONS (3 UNITS) – FALL – (LAW*485)

Prerequisite: Prior or concurrent enrollment in Federal Income Taxation or with the permission of the instructor.

This course will address the legal regulation of nonprofit organizations from the perspective of state law and federal tax law, with equal emphasis to theoretical, doctrinal and practical planning issues. Topics to be covered include: the theoretical rationales for the nonprofit sector and federal tax benefits; formation and dissolution of nonprofit corporations and charitable trusts; operation and governance, including the legal duties and liabilities of directors and trustees; requirements to qualify and maintain federal tax-exempt status; the distinction between public charities and private foundations; the tax consequences of business and investment activities of nonprofits; basic charitable giving strategies; and regulation of charitable solicitation. Although the course will emphasize charitable nonprofits, some attention also will be devoted to mutual benefit organizations such as trade associations and social clubs. The grade will be based on a practice exercise and a final exam.

PATENT LITIGATION (2 UNITS) – SPRING – (LAW*510)

Prerequisite: Prior or concurrent enrollment in Intellectual Property survey course or Patents and

Trade Secrets recommended but not required.

This course will focus on the discovery, analysis, and communication of technological concepts. The course will examine the law underlying patent infringement lawsuits, including the aspects of remedies unique to the field. Attention will be paid to strategic considerations in litigation, factors motivating litigants, and methods for explaining the relevant technology to the factfinder.

PATENTS AND TRADE SECRETS (3 UNITS) – FALL – (LAW*505)

This class provides in-depth coverage of substantive trade secret law and patent law. In addition, it covers aspects of patent prosecution practice and procedure. This class is recommended particularly for students planning to specialize in patent law, because it covers the subject matter in greater depth than the Intellectual Property survey course.

PERSONAL INJURY LITIGATION (2 UNITS) – SPRING – (LAW*512)

A survey course in civil advocacy and forensic medicine, primarily oriented toward personal injury litigation. The course will cover initial case investigation, management, utilization of expert witnesses, examples of court room tactics and strategy and discovery technics. Guest lecturers in medical science, accident reconstruction, economics and other technical fields will supplement the professor's presentation. Special attention will be given to proof of medical causation, demonstrative evidence, substantive law in the fields of product liability, medical malpractice, government liability and damages; use of videotape demonstration and other audiovisual aids in the presentation of accident reconstruction evidence and medical-legal problems.

PUBLIC HEALTH LAW (3 UNITS) – FALL – (LAW *520)

This course examines the state’s use of its powers to identify, prevent, and ameliorate risks to the health of its population. It considers government’s responsibilities to promote and safeguard the health of the public, government’s obligations to respect the rights and interests of individuals, and the inevitable tensions that arise when these goals are in conflict. The course explores the rationale for a population-based approach to health, the sources and themes of public health law and policy, the mechanisms the state uses to promote its public health goals, and the restraints on those means. Topics covered may include: control of infectious diseases (e.g., immunization policies, responses to epidemics); regulation of tobacco; strategies to reduce obesity and related chronic diseases; social and economic determinants of health; and the globalization of public health law.

PUBLIC INTERNATIONAL LAW

(3 UNITS) – SPRING – (LAW*535)

This course will introduce students to the international legal system and provide the necessary foundation for future study and practice in international and transnational law. We will study how and by whom international law is made, interpreted, and applied; how it constrains (or fails to constrain) the behavior of nation-states, multinational corporations, and individuals; and how it interacts with domestic law, with a focus on U.S. state and federal law.

**RACE, RACISM AND AMERICAN LAW
(3 UNITS) – FALL – (LAW*203)**

This course will explore the historical and contemporary relationship among racism, race, and law in the United States. Students will examine the role played by law in the historical treatment of African-Americans, American Indians, Latinos, Asian-American and Whites, as well as the impact of legal rules and doctrines on the condition and status of these groups today. Legal rules will be examined in light of developments in the social sciences regarding the nature of race, racism and prejudice. Moreover, the class will cover topics such as reparations, affirmative action, voting rights, residential and educational segregation, race and crime, the intersections of race and gender and race and class, and the developing notion of legal equality.

**REFUGEE LAW & POLICY (3 UNITS) –
SPRING – (LAW*428)**

Prerequisite: Immigration or International Human Rights law recommended, but not required.

This course focuses on law and policy issues in the determination of refugee status. Refugee law has its origins in international treaties dating to the post-World War II period. This course begins with an examination of the international origins of refugee law, and the significance of international norms in its development. It will examine the relevance of these international norms in the context of such controversial policies as the interdiction and return of asylum seekers, and other measures which prevent or limit access of asylum seekers to the territory of the country of asylum. The course closely explores the meaning of the terms persecution, the various grounds on which persecution may be feared; namely political opinion, religion, race, nationality of membership in a particular social group. Particular attention will be paid to the developing jurisprudence of gender-based claims for asylum, and claims based upon sexual orientation. The course also addresses practical aspects of refugee representation, including the impact of psychological trauma and cross-cultural communication on the adjudication of asylum claims.

**REMEDIES (3 UNITS) – FALL/SPRING –
(LAW*552)**

The course in remedies focuses upon the nature and scope of relief that a court may grant a party who has established its entitlement to a substantive right. In examining what courts may do for a winning litigant, and to the loser, the remedies course primarily asks three questions: 1) What is the remedy supposed to accomplish? 2) To what extent do judges have discretion in formulating a remedy in individual cases? and 3) How should the exercise of that discretion be controlled? These questions are explored in the context of traditional judicial remedies such as damages in tort and contract cases, restitution, punitive remedies, declaratory relief and coercive remedies in equity.

The context in which these remedies are explored will vary according to the instructor. Some sections of the course focus on private litigation. Other sections, while covering private law remedies as a matter of course, place particular emphasis on the remedies available in public law cases, that is, on cases enforcing important constitutional and statutory rights.

**SALES AND LEASES OF GOODS
(3 UNITS) – FALL/SPRING – (LAW*558)**

This course covers contracts for the sale and lease of goods under Articles 2 and 2A of the Uniform Commercial Code.

**SCIENCE IN LAW
(3 OR 4 UNITS) – FALL – (LAW*570)**

Science intersects with the law in ever-increasing ways, leaving few areas of law practice or policy in which science and/or statistical concepts do not appear in some form. Becoming more sophisticated consumers and users of science is a necessity for many if not most legal career paths.

This course provides students with a solid grounding in research methods and basic statistics. Among the topics covered are those related to the social sciences, the natural sciences, forensic identification “sciences,” and lie detection techniques. Students need not have any college-level mathematics or science background.

Students who have taken Scientific Methods for Lawyers are not eligible for this class.

The class satisfies the Scientific Methods requirement for the Law and Health Sciences Concentration.

**SECURED TRANSACTIONS
(3 UNITS) – SPRING – (LAW*565)**

This course covers the creation, perfection, and enforcement of security interests in personal property under Article 9 of the Uniform Commercial Code, including priorities among conflicting interests in the same

property and choice of law problems. Some discussion of bankruptcy law as it affects the interests of secured creditors.

SECURITIES REGULATION (3 OR 4 UNITS) – SPRING – (LAW*568)

Prerequisite: Corporations or Business Associations & Introduction to Federal Securities Law

This course focuses on federal securities regulation, including public and private securities offerings, the SEC reporting obligations of public companies, corporate governance, the regulation of trading in the public markets, and civil and criminal liability provisions under the securities laws.

SEXUALITY AND THE LAW (2 UNITS) – SPRING – (LAW*206)

This course will look at some of the critically important ways that the law relates to sexuality, including both sexual orientation and gender identity. The first part of the course will focus on the legal concepts central to notions that law, government and private actors should or should not take account of sexuality. The second part will examine how those concepts have been and are being applied. Some of the subject areas will include criminalization of intimacy, military policy, parenting, schools, same-sex relationships, and the expression of gender identity.

STATE AND LOCAL GOVERNMENT LAW (3 UNITS) – FALL – (LAW*598)

There are roughly 80,000 local government entities providing essential services and spending billions of dollars, but these governments, all primarily a product of state law, most often appear in law school classes as defendants in constitutional tort cases. This course takes a broader approach to local government law, both practically and theoretically, with a particular emphasis on the role of state and local governments in our federal structure. Topics to be covered include: federalism, relations between states, governmental liability, home rule, zoning, educational equity and public finance. Readings will be drawn not only from case law, but from history, democratic theory, state statutes, local ordinances and policy analyses.

STATE AND LOCAL TAXATION (3 UNITS) – SPRING – (LAW*597)

This course examines the fundamentals of state and local taxation, including an examination of property taxes, corporate and personal income taxes, sales and use taxes, and other state and local levies. State and federal constitutional limitations on the power of states to tax will also be covered.

STATUTORY INTERPRETATION AND

BILL DRAFTING (3 UNITS) – SPRING – (LAW*215)

Prerequisite: Legislation

Enrollment limited to students currently enrolled in the Legislation Clinic. This class meets in Sacramento.

The class explores the contemporary literature of statutory interpretation, including the role of courts in construing statutes, the controversy surrounding the use of legislative history and extrinsic aids in interpreting statutes, and the “plain meaning” approach to statutory construction. The importance of the initial interpretation of a statute by an administrative agency responsible for its implementation will also be examined, as will the canons of statutory interpretation and the criticism of those canons.

Simultaneously, the class will focus on the professional skills needed to draft bills effectively. Readings will include both time-honored literature on the subject (such as Karl Llewellyn’s work, and Reed Dickerson’s *Legislative Drafting*) and more contemporary sources (such as *Legal, Legislative, and Rule Drafting in Plain English* by Martineau and Salerno). The class will include hands on drafting, both in the context of the student’s clinical placement, and in the form of drafting exercises and assignments prepared for the class.

TAX PROCEDURE (3 UNITS) – FALL – (LAW*590)

Co-requisite or prerequisite: Federal Income Taxation

This course concerns how to represent clients in disputes with the IRS. Using the problem method, the course addresses the rights and responsibilities of taxpayers and the IRS in private letter ruling requests, return preparation and filing, audits, administrative appeals, and litigation. It also explores IRS options in collecting liabilities and defensive measures available to taxpayers and affected third parties. Attention also is given to tax ethics, civil and criminal penalties, tax shelters, and the special problems of transnational tax enforcement.

TAXATION OF FAMILY WEALTH TRANSFERS (3 OR 4 UNITS) – SPRING – (LAW*543)

Prerequisite: Federal Income Taxation

Recommended Prior Course: Wills & Trusts

A problem-oriented survey of the federal transfer and income taxes affecting the transmission of wealth, including the unified transfer tax structure; the gift tax, with specific consideration of lifetime gifts and the annual gift tax exclusion; the estate tax, with specific consideration of property included in the decedent's gross estate, valuation, the use of trusts, jointly owned property, life insurance, and the marital and charitable deductions; the generation-skipping tax; and an overview of the

income taxation of trusts, estates, grantors and beneficiaries. Primary emphasis is given to statutory interpretation, with selective coverage of basic transfer and income tax planning strategies for family wealth transfers.

TRADEMARKS AND UNFAIR COMPETITION (3 UNITS) – SPRING – (LAW*582)

This class provides in-depth coverage of substantive trademark and unfair competition law, and state publicity rights. It covers the subject matter in greater depth than the Intellectual Property survey course.

U.S. TAXATION OF FOREIGN TRANSACTIONS & INVESTMENTS (3 UNITS) – SPRING – (LAW*544)

Prerequisite: Federal Income Taxation

A study of the federal income tax treatment of nonresident aliens and foreign corporations investing or transacting business in the United States and of United States persons engaged in foreign investment and business operations. Consideration will be given to the foreign tax credit, the rules for determining source of income, taxation of controlled foreign corporations, the impact of tax treaties, tax planning for the multinational business enterprise, Section 482, transfer pricing, and issues of compliance and enforcement.

VENTURE CAPITAL & THE START-UP TECHNOLOGY AND EMERGING GROWTH COMPANY (2 UNITS) – SPRING – (LAW*318)

Prerequisite: Corporations

This course will focus on the role of venture capital in the organization and development of the startup technology company, with emphasis on both the legal and business perspectives of this subject. The first part of the course will provide an overview of the venture capital industry in general and the motivations and financial objectives that shape the typical venture fund in its approach to a startup investment. The course will then shift in focus to the wide range of business, legal, tax and accounting issues that typically need to be addressed by the venture-backed technology company. These issues will be considered for the entire life cycle of the technology start-up, from the organizational stage through the seed and venture financing rounds, with some discussion in conclusion on the process and issues associated with accessing the public equity markets through an IPO. Consideration will also be given to related topics, including corporate capitalization structures, customary equity incentive arrangements for employees, and the terms and

conditions of a typical venture capital investment.

The course will also feature a number of guest speakers to share their experience from a real world perspective, including venture capitalists from Silicon Valley-based venture capital funds, executives from existing venture-backed technology companies, attorneys from local law firms that concentrate in the technology area, and others.

NOTE: Students who have taken Legal Issues of the Start Up Businesses will not receive credit for this course.

WATER LAW (3 UNITS) – SPRING – (LAW*551)

This course will explore water allocation law and policy in the U.S. It covers the riparian (eastern) and appropriative (western) rights systems that are applied to surface water, the various legal doctrines applied to groundwater, the public trust doctrine applied in some states, federal laws that apply to water allocation (including the water rights of Indian tribes), governmental institutions like special water districts, takings issues arising from regulation of water use by laws like the Endangered Species Act, the federal licensing scheme for hydropower development, and interstate water disputes. It will very briefly treat international water issues with Canada and Mexico, but will not cover water pollution (addressed in the Clean Water Act). It will pay some attention to emerging issues, including addressing the impacts of a destabilizing climate on water law and policy. There are no prerequisites. Laptops will not be allowed in class.

WILLS & TRUSTS (3 OR 4 UNITS) – FALL/SPRING – (LAW*583)

An integrated course covering the laws of intestate succession, wills, and trusts. Historical development of the family wealth transmission process is traced, but emphasis is on modern statutory systems and contemporary policy determinants. Topics considered include patterns of intestate distributions, the execution and revocation of wills, policy restrictions on testamentary dispositions, the use of will substitutes, the creation and enforcement of private and charitable trusts, and fiduciary administration.

GPA SEMINARS

Seminars provide an opportunity for intensive analysis of legal and policy issues in a specialized area of study, culminating in a major research paper or a series of shorter papers. They require a considerable investment of time by students and faculty, and a corresponding responsibility for thorough preparation and participation by all members of the seminar. A few seminars also include a final examination. Please note that only seminars that require a substantial research paper qualify for the purpose of the College's writing requirements.

Seminars are strictly limited in enrollment. Because

intensive discussion and directed research are not appropriate for anonymous grading, letter grades are awarded for seminars based upon class participation and completion of substantial writing projects. Seminar grades are included in calculating a student's grade point average.

ACCOUNTABILITY IN INTERNATIONAL HUMAN RIGHTS LAW SEMINAR (2 UNITS) – SPRING – (LAW*732)

Satisfies writing requirement.

Prerequisite: One of more of the following: International Human Rights, International Human Rights Seminar, Public International Law, Comparative Law, or with consent of instructor.

This seminar will focus on issues of transitional justice. When societies move from dictatorship or civil war toward electoral democracy, a number of issues arise. How should the society deal with war criminals or torturers, many of whom may continue to occupy positions of power? What should be done about the victims and survivors? What about the remnants of the old administration who are still in government? And what is the role of the international community, international law and international institutions in these issues? We will consider general theories of transitional justice, and look at the examples of Chile, South Africa, Central America, and others. We will look at the role of individual criminal accountability, at the definitions of war crimes, crimes against humanity and genocide, and at the use of national courts, transnational litigation (like the Pinochet case) and international criminal tribunals like those for Rwanda and the former Yugoslavia. We will consider the potential impact of the International Criminal Court. We will also look at non-judicial remedies, including truth commissions, lustration, compensation, civil suits and memorialization. The seminar will require a major writing project, which will satisfy the writing requirement. We may also consider the accountability of other actors, including international financial institutions and multinational corporations.

ADVANCED BUSINESS LAW SEMINAR (2 UNITS) – SPRING – (LAW*730)

Satisfies writing requirement.

Prerequisite: Corporations

This course will address legal and accounting issues not covered in Corporations and Securities Regulation. It will cover acquisition transactions and cases and documentation relating thereto, along with analysis of relevant provisions of the California and Delaware corporation codes. The course will also address current issues of interest to California business lawyers.

ADVANCED LEGISLATIVE PROCESS SEMINAR (2 UNITS) – SPRING – (LAW*763)

May satisfy writing requirement; check with instructor. Satisfies professional skills requirement.

Prerequisite: Legislation

Enrollment limited to students enrolled in the Legislation Clinic. This class meets in Sacramento.

See LEGISLATION CLINIC for course description.

ADVANCED TOPICS IN INTERNATIONAL LAW SEMINAR (2 UNITS) – FALL – (LAW*720)

Satisfies writing requirement.

This seminar will explore advanced topics in public and private international law, while providing a forum for students to produce papers based on their individual research interests within the fields of international law, transnational law, and/or comparative law. If enrollment exceeds 20 students, priority will be given to 3rd year students who require the course to complete the International and Comparative Law Concentration.

ALTERNATIVE DISPUTE RESOLUTION SEMINAR (2 UNITS) – FALL – (LAW*740)

May satisfy writing requirement; check with instructor.

Will NOT satisfy professional skills requirement.

This seminar will explore the variety of “alternative dispute resolution” (“ADR) with an emphasis on negotiation, mediation, and arbitration, but including other forms, such as summary jury trials, mini-trials, collaborative law, ombudspersons, and “workplace investigations.” The course will critically examine some of the important policy issues in the use of ADR, such as confidentiality; immunity; liability; power imbalances in the processes; race, class; gender; different physical and mental abilities and other inequalities; mandatory vs. voluntary use; quality vs. quantity justice concerns; and credentialing and other professionalism issues. The seminar will examine such processes and issues from a variety of perspectives including case law, legal analysis and social science as well as perspectives such as feminism, critical theory, and critical race theory.

Each student will be required to participate in some role-plays and exercises to understand fully the various processes and policy issues. Evaluation will be based on class participation and various written papers.

NOTE: Students will be required to attend a two- to four-hour weekend class in lieu of certain regularly scheduled classes.

AMERICAN WEST: LAW, CULTURES &

**THE ENVIRONMENT SEMINAR
(2 UNITS) – SPRING – (LAW*710)**

Satisfies writing requirement.

This seminar will focus on the lands, resources, people, history, law, economics, and contemporary politics of the American West. A principal theme will be the conflict between what Charles Wilkinson has called The Lords of Yesterday -- Nineteenth and early-Twentieth Century laws that shaped the development of the American West -- and contemporary laws such as the Wilderness Act, the Clean Water Act, the Endangered Species Act, and other environmental laws. The old laws helped to establish western economies based on mining, grazing, timber harvesting, water resources development, and other extractive uses. The new laws seek to restore a balance between the utilitarian West and the remaining undeveloped lands and resources of the region.

Topics may include: the history of the frontier; dispossession of Native Americans; disposition of federal lands and resources; the modern era of multiple use and reservation of special resources; local communities and their dependence on public resources; land and resource management in the Greater Yellowstone Ecosystem; timber, endangered species, economics, and culture in the Pacific Northwest; dams, electricity, salmon, and fishing treaties on the Columbia; and the special case of California, a place that Theodore Roosevelt called west of the west.

**ASIAN PACIFIC AMERICANS AND
THE LAW SEMINAR (2 UNITS) –
SPRING – (LAW*735)**

Satisfies the writing requirement. Limited to 12 students.

This course will include a historical review of issues such as immigration, naturalization and citizenship; *de jure* discrimination; alien land laws; and internment and reparations. In addition the seminar will address more contemporary issues such as affirmative action and education; immigration and national security; racial violence; and gender and sexuality. These issues will be considered in the context of the historical treatment of Asian Pacific Americans, but also in terms of the difficult interethnic and interracial tensions these issues have raised. In addition, the course will also critically examine Asian Pacific American identity, including the notions of the model minority, invisibility, and perpetual foreignness.

**BIOETHICS, LAW & HEALTHCARE
DECISIONMAKING SEMINAR
(2 UNITS) – SPRING – (LAW*719)**

Satisfies writing requirement.

This seminar focuses on bioethical and legal analysis of various issues, problems, and controversies in health care decisionmaking. The course begins with a grounding in core ethical principles and their corresponding legal doctrines and a survey of historical developments influencing modern approaches. Topics covered include current dilemmas and challenges relating to: (i) application of the doctrine of informed consent; (ii) health care decisionmaking for minors, mentally-disabled persons, older persons, and persons of uncertain competence; (iii) end-of-life health care decisionmaking (e.g., decisions to forego life-sustaining treatment, physician-assisted suicide, advanced directives, models of surrogate decisionmaking); (iv) organ and tissue donations (e.g., proposals to create legally-regulated markets for organs and tissues); (v) present and future use of reproductive and genetic technologies to select for or alter physical or psychological disorders or traits. The specific topics covered may vary from year to year in order to accommodate changing technologies and emerging debates.

**BUSINESS BANKRUPTCY AND
CORPORATE REORGANIZATION
SEMINAR (2 UNITS) – SPRING –
(LAW*637)**

Does NOT satisfy writing requirement.

The seminar will focus on the reorganization of corporate debtors under chapter 11 of the Bankruptcy Code. We will begin with an overview of basic business structures, financing, and commercial transactions. We will then examine the life-cycle of a chapter 11 case, from the filing for bankruptcy protection to confirmation of the chapter 11 plan. We will also emphasize commercial real estate reorganizations in bankruptcy. The course will not cover consumer bankruptcy or related issues. The course will incorporate oral advocacy and we will engage in mock negotiations and oral argument in connection with various topics.

**BUSINESS PLANNING SEMINAR
(2 UNITS) – SPRING – (LAW*761)**

Satisfies writing or professional skills requirement but not both.

Prerequisites: Corporations, Federal Income Taxation, and Federal Income Taxation of Partnerships & Corporations.

Business planning provides the student who has achieved familiarity with fundamental concepts of taxation and corporate law an opportunity to apply that knowledge. The course is taught on the problem format, with small groups of students seeking practical solutions to problems designed for exposure to commercial, legal and financial questions. Among the areas explored are corporate formation and capital structure, contractual relationships

between corporations and shareholders, redemption of shares (including financial aspects), acquisitions and divestitures, and corporate dissolutions.

**CAPITAL PUNISHMENT SEMINAR
(2 UNITS) – FALL – (LAW*770)**

This seminar will NOT satisfy the writing requirement.

This seminar's primary objective is to provide the student with a basic understanding of the procedures governing imposition of the death penalty. The penalty's efficacy as public policy, as reflected in recent legislative and electoral developments will be discussed. The course will begin with general constitutional principles and then examine topics specific to capital punishment cases, e.g., the selection of death qualified jurors, sentencing procedures and evidence, and the availability of post-conviction relief. Course materials will emphasize federal constitutional law and some secondary sources of current interest.

**CASE STUDIES IN CONTRACT LAW
SEMINAR (2 UNITS) – SPRING
(LAW*759)**

Satisfies writing requirement.

In this seminar students will read and discuss in-depth studies that legal academics and others have conducted of litigated contract disputes. Each student will then conduct a study of a recent contracts case, reviewing the record, interviewing attorneys and others, and considering the legal, lawyering, and social implications of the dispute and its resolution.

**CHINA AND THE INTERNATIONAL
LEGAL ORDER SEMINAR
(2 UNITS) – FALL – (LAW*783)**

Satisfies writing requirement.

China's rapid economic growth and growing influence on the world stage pose both opportunities and challenges for international legal institutions. This course will examine the legal dimensions of China's rise and its integration into the international community. Topics to be examined include: Chinese conceptions of international law; China's behavior in the United Nations; China and the international human rights regime; China's entry into the WTO; China's growing role as an outbound investor and importer; Tibet, Taiwan, and Chinese conceptions of sovereignty; and Western influences on China's legal reform process.

**CHINA-BUSINESS LAW AND
ECONOMIC RIGHTS SEMINAR**

(2 UNITS) – SPRING – (LAW*743)

Satisfies writing requirement.

This seminar focuses on current Chinese business and foreign investment laws and the practice of advising multinational clients investing or doing business in China for U.S. trained lawyers. The seminar compares Chinese laws and their U.S. equivalents wherever relevant, with a view toward achieving a historical and contextualized understanding of the laws of both countries, and a particular focus on the role of law in current China and the U.S. in the creation, allocation, or protection of economic rights in natural and financial resources, as well as intellectual property.

**CIVIL LITIGATION CONCENTRATION
SEMINAR (2 UNITS) – FALL – (LAW*793)**

Satisfies writing requirement.

Limited to students enrolled in the Civil Litigation Law Concentration.

This seminar provides a common forum for students enrolled in the Civil Litigation Concentration to explore issues of significant current importance in the field. Students will increase their understanding and knowledge of civil litigation policy, scholarship, jurisprudence and practice. Topics selected for coverage in any given year will differ depending on their currency and importance. Representative topics include how courts have reacted to increasing caseload pressures and the complexity of their cases, pending amendments to the Federal Rules of Civil Procedure and Evidence, technological advances which affect civil litigation and evidence, and issues regarding alternatives to formal adjudication.

**CIVIL RIGHTS SEMINAR (2 UNITS) –
SPRING – (LAW*764)**

Satisfies writing requirement.

This seminar will examine the civil rights of individual citizens, especially in the context of combating racial discrimination. Special emphasis will be placed on the Bill of Rights and the 14th Amendment. The seminar will also examine procedures for civil rights enforcement by individuals and the federal government. A paper will be required.

**CLASS ACTIONS SEMINAR (2 UNITS) –
SPRING – (LAW*727)**

Satisfies writing requirement.

This seminar examines current problems in Federal and California class actions. After brief review of the history, purpose, and structure of class actions and amended Rule 23, the course will consider identity of claims between representative and class, standing to sue, mootness and intervention, the role of class attorney and representatives, adequacy of representation and conflicts of interest, the

certification hearing, class action categories, the obligation or discretion to give notice and opportunity to be heard or opt out, the content of class notices, jurisdiction and choice of law issues, pre- and post-certification settlement, plans of distribution, appellate review, and res judicata.

COMPARATIVE CIVIL PROCEDURE SEMINAR (2 UNITS) – SPRING – (LAW*612)

Satisfies writing requirement.

This course will examine the major rules, practices, and modern developments of civil procedure used in legal systems around the globe. Study will focus on dominant legal systems, including the U.S., UK, Continental Europe, and Asia. Anticipated coverage includes global comparison of the following issues: organization of courts and the bar, pleading of facts and allegations, obtaining and proving facts, summary proceedings and provisional remedies, and appellate process. Reform efforts and prospects for the harmonization of procedure may also be covered. Grades will be based on class attendance, class participation and a substantial writing component.

Civil Procedure II is recommended but not required.

CORRECTIONS AND CRIMINAL JUSTICE: LEGAL POLICY, PRACTICE, AND REFORM SEMINAR (2 UNITS) – SPRING – (LAW*605)

Satisfies writing requirement.

This course is designed to provide students with a practical and comprehensive look at the policies and operation of the prison system in the United States, with a particular emphasis on California's troubled correctional program. The course will consider policy options to reduce the severe overcrowding problem plaguing the state.

We will look at the possibility of sentencing reform and the role of assessment tools in sentencing decisions. We will learn about other states' efforts to repeal harsh sentencing laws and reduce prison populations. We will also examine the death penalty from a variety of perspectives, including costs, the number of innocent people found through DNA analysis, the role of and impact on victims' families, and the effects on correctional personnel in carrying out this sentence.

In considering avenues for correctional reform, we will also examine the role of the courts – and prison litigation generally – in reforming the nation's prisons. Can prison conditions be improved while also maintaining public safety and fiscal balance? How do

the politics of crime and punishment impact criminal justice accountability, and ultimately criminal justice practice?

This Seminar will enable students to look closely and critically at a host of crucial policies and practices in the correctional system and then step back and analyze the broader implications of these policies and practices to develop proposals for effective reform.

The course will benefit from the first-hand accounts of guest speakers, including correctional practitioners, policy makers and prison and criminal justice advocates. The culminating goal of the Seminar is for each student to write a research paper on a criminal justice topic impacting policy and develop a road map for reform.

COURTS AS A POLITICAL ACTOR SEMINAR (2 UNITS) – FALL – (LAW*744)

Satisfies writing requirement.

This course introduces students to the vast interdisciplinary literature examining the relationship between courts and the rest of the political system. The legal system – courts, judges, lawyers – has a substantial impact on policy making and politics. But the role of courts and judges in resolving political questions is controversial. We will examine the role of judges in policy making; the relations between courts and the other branches; the effect of interest groups on the courts; and the role courts can or cannot play in social reform. The students will also be introduced to methodological issues in conducting such research.

CRIMINAL LAW & THEORY CONCENTRATION SEMINAR (2 UNITS) – SPRING – (LAW*757)

Satisfies writing requirement.

Preference will be given to 3rd year students.

This seminar is mandatory for all students seeking to obtain the Concentration certificate, and attendance will be mandatory. The seminar will meet for two hours a week. Students must complete a scholarly paper on a criminal law or procedure topic approved by the faculty director. In the seminar, we will focus on significant, contemporary criminal law and procedure issues.

CRIMINAL PUNISHMENT SEMINAR (2 UNITS) – SPRING – (LAW*728)

Satisfies the writing requirement.

The past several decades have witnessed dramatic changes in the punishment of criminal offenders. Prison populations have swelled, as legislatures have enacted increasingly severe sentences and have attempted to limit judicial discretion through mandatory minimum penalties and binding sentencing guidelines.

This seminar will assess these trends from both a theoretical and practical perspective. We will begin by looking critically at the dominant justifications for punishment today and then proceed to explore the practical structure of our sentencing system. Which institution should have the primary responsibility for sentencing -- courts, legislatures, or sentencing commissions? Should an offender's upbringing or current family responsibilities be relevant to the sentencing decision? How effective are alternatives to incarceration, and when are they appropriate? In answering these and other questions, our ultimate goal will be to bring some theoretical clarity to the development of a just and effective sentencing system in America.

CRITICAL RACE THEORY SEMINAR (2 UNITS) – SPRING – (LAW*734)

Satisfies writing requirement.

This seminar will consider contemporary theories of law and questions of racial justice, including the relationship between developments in the social sciences on the nature of race, racism, prejudice and discrimination, and the interpretation of constitutional and statutory protection against racial discrimination. It will also cover the intersections of race, class, and gender, and the way in which the law responds or fails to respond to multi-dimensional discrimination. Readings will be principally drawn from the work of critical race theorists; thus, some time will be spent considering the role of "storytelling" or narrative scholarship.

CURRENT PROBLEMS IN CONSTITUTIONAL LAW SEMINAR (2 UNITS) – SPRING – (LAW*753)

This seminar will NOT satisfy the writing requirement. Prerequisite: Completion of a course in Constitutional Law

Students will be assigned cases which are pending in the federal or state appellate courts and which pose interesting and significant constitutional issues. Working with actual briefs, one or more students assigned to a case will prepare and circulate pre-argument memoranda as if they were law clerks to a judge who will write the opinion. The other students will, in each case, prepare and circulate brief responsive memos advising "their" judges how to respond. These memoranda will then be the subject of discussion and critique at meetings of the seminar by fellow students, the instructors, and invited guests. Grades will be based on the memoranda and on seminar participation.

CURRENT STATE & LOCAL

GOVERNMENT PROBLEMS SEMINAR (3 UNITS) – FALL/SPRING – (LAW*780)

May satisfy writing requirement; check with instructor. Satisfies professional skills requirement.

In this seminar, students work in teams to analyze and report on cutting edge legal issues confronting California's state and local governments. Each semester, the staff of Hastings's Public Law Research Institute works with the Governor's Office of Planning and Research, the Senate Office of Research, the California Research Bureau and other organizations to identify appropriate projects. Working closely with a faculty member and the agency that suggested the topic, teams of students research the issues, analyze them and prepare a report.

The range of topics the seminar addresses is broad. For example, seminar students have: surveyed state and local environmental justice initiatives (in a study ultimately published by the ABA); written a brochure distributed by the League of California Cities on the ethical and legal obligations of candidates for public office; and analyzed the constitutionality of residence restrictions on sex offenders for the Senate and Assembly Committees on Public Safety. Visit the PLRI's website at www.uchastings.edu/plri for more examples.

While the topics vary from semester to semester, participants in the seminar can count on acquiring the advanced research skills that are necessary to engage with cutting edge legislative issues, learning how to write for a policy audience, and studying the role that lawyers play in the legislative process.

CYBERLAW SEMINAR (2 UNITS) – SPRING – (LAW*751)

This seminar will NOT satisfy the writing requirement.

This seminar will survey key legal issues in Internet law, including intellectual property ("Who owns your MySpace?"), electronic commerce ("Is a click a contract?"), content regulation ("What if a kid sees that?"), privacy and anonymity ("Who can tell I'm reading Perez Hilton?"), unauthorized access ("When is hacking a crime?"), and Internet governance ("Who's in charge here?"). Readings will focus on the latest developments in each of these areas. No prerequisites, and no technical background is required; supplementary readings will be available for those without basic knowledge of Internet technology and intellectual property law.

DIGITAL MEDIA LAW (2 UNITS) – SPRING – (LAW*776)

This seminar will NOT satisfy the writing requirement. Prerequisite: Intellectual Property survey course recommended but not required.

This course will explore in depth the issues, legal

principles, and practical considerations facing legal professionals in the booming digital media industry. Each week a different practitioner (or pair of practitioners) will teach a class on his/her specific area of expertise. The seminar will emphasize practical application of the law to a range of legal problems, arising in a variety of professional contexts. Students will be challenged to assess recent relevant case law, interpret licensing agreements, perform risk analysis from the perspective of the in house attorney, and obtain a general overview of the legal issues most relevant to the emerging and extremely dynamic digital media industry. Like most seminars, this is expected to be an interactive course that utilizes a range of different materials and teaching techniques. Though not the primary purpose of the course, it is also expected that the select group of practitioners who have agreed to participate in the seminar will present a rare and valuable networking resource to the students.

DISPUTE SYSTEM DESIGN SEMINAR (2 UNITS) – SPRING – (LAW*785)

This seminar does NOT satisfy the writing requirement.

Prerequisites: Negotiation & Mediation: Process & Practice (LAW 837) or Negotiation & Settlement (LAW 838) or ADR Survey course

This advanced course in dispute system design will broaden the student's skill set to include being able to diagnose dispute systems and recommend dispute system design approaches that go beyond traditional litigation.

Lawyers' help clients shape the way various institutions (corporations, non-profits, work places, schools, and nations) manage and resolve disputes. As organizations and their leaders become conscious of the rising cost of disputes they are looking for opportunities to be more effective and efficient in the procedures they develop to address groups of conflicts. Customized approaches to dispute management have led to the evolving field of dispute system design. A small but growing number of law schools see that their students will benefit from exposure to this field.

Students will be guided through the use of dispute system assessment, system design, implementation and evaluation. Topics to be developed will be how to identify the elements that can be found across dispute systems, how the goals of systems compare to the outcomes, how to seize the opportunity to create customized approaches, how various dispute system models were developed and what values they reflect. The course will also consider the implications of privatizing justice and the impact of dispute system design and control upon the broader concepts of

justice.

The emphasis will be on case studies that provide guiding principles for successful design, implementation and evaluation of dispute management systems. Students will also be expected to critique how and why some of these systems fall short in delivering on stated goals. Throughout the course these systems will be compared to our traditional civil and criminal justice systems. Instruction will include a dissection of complex dispute system designs in a number of areas- labor relations, courts, mass tort claims, world trade, corporations, online dispute resolution and transitional justice.

The course will draw on the skills developed in the basic ADR courses.

Classroom instruction will feature analysis of complex case studies. Guest speakers will both lecture and provide feedback on student exercises. There will be required readings for all classes and at the end of the term student will present papers.

Grades will be based on class participation, a number of short written assignments and a final paper.

EMPLOYMENT LAW SEMINAR: WORK/FAMILY ISSUES (3 UNITS) – SPRING – (LAW*752)

Satisfies writing requirement.

This seminar provides participants an opportunity to explore, hands-on, the role of lawyers in helping to frame a new area of law and public policy. Work/life law concerns the legal issues related to the conflicts families experience between work obligations and family obligations, stemming from the long hours required by many professional jobs, the inflexible schedules imposed in many middle- and working-class jobs, and the lack of affordable child care and other policies to support working families. Topics may relate to 1) employment law, exploring how workers are effectively challenging family-hostile workplace conditions, 2) family law, to develop resources to help lawyers effectively represent adults who have cut back on paid work in order to care for families; 3) public policy issues and initiatives; and 4) developing the social science data necessary to support litigation and public policy. Students enrolled in the seminar work with the Center on WorkLife Law, which works with employment attorneys, unions, and public policy advocates on work/life issues, and/or the Project on Attorney Retention, which explores new ways to work, including telecommuting, flextime, and how to create high-quality part-time programs for legal and other employers. The range of topics varies from year to year. Participants in the seminar work individually or in small groups under the direct supervision of a regular or adjunct member of the faculty. Details of each assignment are developed in discussions between the student, the

supervising faculty member, and WorkLife Law attorneys. Assignments demand substantial legal research and/or social science research in areas such as employment law, labor law, benefits law, litigation issues, and public policy. Some may lead to single or co-authored WorkLife Law Working Papers, which will be accessible through the WorkLife Law website. Enrollment is limited to 15 students.

NOTE: Students who have taken Seminar on Current Issues in Work/Life Law may not take this course.

ENVIRONMENTAL LAW SEMINAR (2 UNITS) – FALL – (LAW*782)

Satisfies writing requirement.

Prerequisite: At least one course from the Environmental & Natural Resources Law curriculum set forth in the Course Catalog

This seminar will focus on environmental law and policy thematic perspective and will include such topics as decision-making under conditions of scientific uncertainty and political change, risk assessment and risk management, transboundary pollution and resources management, property rights and environmental regulation, human rights and environmental justice, animal rights and anthropocentrism in environmental decision-making, and the roles of science, politics, economics, and moral philosophy in environmental regulation and natural resources management. Although we will draw from conventional sources such as statutes, regulations, and case law, the lion's share of the reading will be from books and articles that offer contrasting strategies and theses and that connect out study of law with the world in which our legal and political choices play out. A term paper or series of short papers derived from the readings will be required.

ESTATE PLANNING SEMINAR (2 UNITS) – FALL – (LAW*790)

Satisfies writing requirement.

Satisfies professional skills requirement.

Prerequisites: Federal Income Taxation, Taxation of Family Wealth Transfers, and Wills & Trusts, or permission of the instructor.

A problem-oriented study of the tax, nontax and ethical aspects of planning for the acquisition, holding and transfer of family wealth, including lifetime giving to children and grandchildren, joint and community property, marital deduction planning, life insurance and employee benefits, use of living trusts and durable powers of attorney, closely held business interests, valuation discount strategies, charitable giving opportunities, and post-mortem estate planning. The seminar will introduce students to basic estate planning documents and include experience in designing and

formulating estate plans for various persons with different needs and resources.

FILM AND THE LAW SEMINAR (2 UNITS) – FALL – (LAW*756)

Satisfies writing requirement.

This seminar will study the function of law in society by examining legal decisions, statutes, and legal philosophy in the context of contemporary films. Each weekly session will entail three components: (1) a viewing of the film under consideration in a designated screening/lab session; (2) study of materials applicable to the week's discussion; and (3) the seminar session itself, focusing on analysis of the film viewed and the readings. The first portion of the course will deal with historic legal developments and films that chronicled or critiqued those developments; for example, the Prohibition era, the New Deal, segregation of schools, the Civil Rights movement and the Warren Court, and law-and-order responses to Supreme Court decisions. The second group of seminar sessions will deal with current legal issues, including gender and the law, homosexuality, homelessness, fear of crime, etc.

FORENSIC EVIDENCE SEMINAR (2 UNITS) – SPRING – (LAW*703)

Satisfies writing requirement.

Evidence and Criminal Procedure recommended but not required.

This course will examine selected topics in the forensic sciences devoted to the investigation and trial of criminal cases. The class begins with a discussion of the legal rules for admissibility of scientific evidence and the general controversies surrounding the use of forensic evidence. Each week, the class focuses on one or more specific forensic specialties, including polygraphs, DNA, fingerprints, bitemark analysis, hair analysis, firearm and toolmark identification, handwriting identification, arson investigation and forensic pathology. With regard to each topic, students will be learning the basics of each discipline and will participate in a careful analysis of the strengths and weaknesses of each type of evidence, along with an exploration of select cases in which the evidence was erroneously utilized.

NOTE: All students will be required to write a substantial research paper that meets the requirements set forth in the Course Catalog. Additionally, students will be graded on class participation, short weekly memos on the reading, and brief presentations to the class on paper topics.

GENETICS: ISSUES IN LAW AND POLICY SEMINAR (2 UNITS) – SPRING – (LAW*791)

Satisfies writing requirement.

This seminar examines numerous points of intersection between the law and genetics. In some instances, the law constrains the practice of genetics and the use of genetic information, while in others genetics may help inform legal investigations or judicial opinions. A major focus of the course will be to analyze the ways in which the U.S. has decided to regulate genetics across different disciplines, giving special consideration to those areas where genetics appears to be regulated in a different manner than other similar fields. The seminar will also examine the ethical and political conundrums raised by incorporating genetics into modern businesses, families, and society. Students will receive a basic overview of the relevant scientific principles and the historical use of genetics in society. However, the vast majority of the course will focus on the current uses of genetic science and its future potential. Students will be asked to give a presentation and write a paper on a topic of their choosing.

**GOVERNMENT LAWYER
CONCENTRATION SEMINAR (2 UNITS
– 1 PER SEMESTER) – FALL/SPRING –
(LAW*680)**

Satisfies writing requirement.

This is the concentration seminar for the Government Law Concentration. It is a full-year, 2-unit seminar. During the fall semester, the seminar meets for two hours each week to consider a range of topics important to government law practice. During the second semester, students work on individual papers or projects under the direct supervision of a faculty member teaching in the concentration. Concentrators and potential concentrators will be encouraged to take the concentration seminar during their second year. The fall semester of the seminar is intended to serve as a point of entry to the concentration, and each unit covered will include advice on curriculum planning – what courses to take to build understanding of a particular topic—and career building—informing students about the types of government work available to students whose interest is piqued by a topic and creating networking opportunities by liberal use of outside experts and speakers.

**INTELLECTUAL PROPERTY
CAPSTONE CONCENTRATION
SEMINAR**

(2 UNITS) – SPRING – (LAW*731)

Satisfies writing requirement.

Limited to 3rd year students enrolled in the Intellectual Property Law Concentration.

The capstone seminar will integrate what third-year concentration students have learned in the core and

elective concentration courses, and invite them to consider what lies ahead. The course explores the challenges posed by globalization and technological advance that will shape intellectual property law during the next several decades, and how the current intellectual property regime is likely to change in response.

Specific topics will vary from year to year, but will center around globalization and the movement toward international harmonization of intellectual property law, normative and utilitarian challenges to traditional notions of intellectual property, and the administration of the intellectual property regime in response to emerging technological and legal developments.

The entire intellectual property faculty will participate in the seminar. Students will write a research paper of publishable quality on a research topic of their choosing related to intellectual property.

**INTELLECTUAL PROPERTY LICENSING
SEMINAR**

(2 UNITS) – FALL/SPRING – (LAW*707)

Prerequisite: Intellectual Property survey course or IP Issues in Biotechnology, Patents & Trade Secrets, Copyright, or Trademarks and Unfair Competition, or with the approval of the instructor.

This seminar will NOT satisfy the writing requirement.

This seminar will cover all aspects of intellectual property licensing, with a focus on technology licensing. It will cover the uses of licenses, the formation of licensure agreements, sublicensing, confidentiality, royalties and payments for licenses, warranties and indemnities, and limitations of liability, among other topics. The focus will be on drafting concerns as well as substantive concerns, and students will engage in weekly discussions of publicly announced license transactions, a mock negotiation, as well as a final project.

**INTERNATIONAL COMMERCIAL
ARBITRATION SEMINAR**

(2 UNITS) – FALL – (LAW*786)

Satisfies writing requirement.

This seminar will focus on specific issues that arise in the context of international litigation and arbitration. Topics will include conflict of laws, the extraterritorial application of statutes, personal jurisdiction over foreign defendants, the doctrine of forum non conveniens, jurisdiction under the Foreign Sovereign Immunities Act, jurisdiction under the Alien Tort Statute, the act of state doctrine, conducting discovery abroad, the enforceability of arbitration clauses, and the enforcement of foreign judgments and arbitral awards.

INTERNATIONAL NEGOTIATION AND

**DISPUTE SETTLEMENT SEMINAR
(2 UNITS) – SPRING – (LAW*789)**

Satisfies writing or professional skills requirement but not both.

Prerequisite: Prior or concurrent enrollment in Negotiation & Mediation: Process & Practice or Negotiation & Settlement.

This course contemplates a systematic exploration of negotiation and dispute resolution processes, including application of those principles across a range of legal disciplines: commercial, environmental, human rights and security.

The course will examine direct and facilitated negotiation among countries on substantive issues, as well as development of the dispute settlement system parameters under which disputes are resolved. International regulatory agreements cover a diverse array of topics: climate change, nuclear proliferation, human rights, international trade, species destruction, and intellectual property. All of these require some reliable means to achieve performance of obligations. A range of compliance systems will be studied, including reporting, verification, and enforcement tools.

**INTRODUCTION TO JAPANESE
LEGAL SYSTEM SEMINAR
(2 UNITS) – FALL – (LAW*754)**

Satisfies writing requirement.

This course will discuss the role of law, lawyers, and judicial system in Japanese society with a special emphasis on the comprehensive judicial reform that was recommended by the Justice System Reform Council in 2001. The main part of the course will review the background, process, contents, and impacts of the reform in legal education, civil litigation, criminal procedure, legal profession, access to legal services, and judiciary. Several substantive areas will also be discussed.

A set of photocopied materials will be prepared. They will include Setsuo Miyazawa, “Law Reform, Lawyers, and Access to Justice” and other excerpts from Gerald P. McAlinn (ed.), *Japanese Business Law*, Kluwer Law International (2007), which will be held on reserve at the law library.

Due to scheduling necessity, there will be two 4-hour mandatory Saturday sessions on September 10 and 17. One or two lawyers with much experience in and with Japan will be invited as guest speakers.

Students will be required to write a substantive research paper (approximately 25 pages) in lieu of a final examination.

Students who have taken Introduction to Japanese Legal System Seminar last year or those who have received a law degree or a license to practice law in Japan may not take this course.

NOTE: Professor Miyazawa’s class meets 4 hours per week for 6 weeks; class starts on August 20 and ends on September 26, 2012 with one mandatory Saturday class on September 15, 2012, 9:00 a.m.-1:00 p.m.

**LAW AND BIOSCIENCE SEMINAR
(3 UNITS) – FALL – (LAW*706)**

Satisfies writing requirement.

Prerequisite: Prior or concurrent enrollment in the Intellectual Property survey course or in Patents and Trade Secrets.

This seminar considers issues related to protecting discoveries in the rapidly expanding fields of genetics and biotechnology. The course considers issues such as what types of discoveries should be protected and to what extent, and what issues are raised by the fact that licensees and licensors are often public or nonprofit entities such as universities? The course operates in conjunction with the Law & Bioscience Project (LAB Project). Students prepare summaries of cases and PTO actions that may be posted on LAB Project website. Students who wish may choose their research paper topics from projects suggested by biotech companies and biotech lawyers, and work with those outside participants to develop topics from real world examples, bringing those discussions back into the classroom. In addition, all students work on each other’s papers, with the result that everyone contributes to the products for LAB Project. Successful projects are posted on the LAB Project website and provided to outside participants. Students should note that the course addresses intellectual property issues rather than bioethics. No science background is necessary.

**LAW & BUSINESS IN JAPAN SEMINAR (2
UNITS) – SPRING – (LAW*726)**

Satisfies writing requirement.

Prerequisite: Corporations

This course will address areas of Japanese law and business that come into play when investing in or trading with Japan. Against the backdrop of globalization, the course will focus on practical issues that arise in cross-border business transactions, as well as provide a comparative perspective from which to analyze the reasons underlying distinct Japanese and U.S. approaches to regulating universal legal problems. Areas addressed will include mergers and acquisitions, contracts, competition law, financial markets, dispute resolution, the formal structure of the Japanese legal system, Japanese legal culture, and the role of foreign lawyers in Japan.

LAW AND HEALTH SCIENCES

**CONCENTRATION SEMINAR (2 UNITS
– 1 UNIT PER SEMESTER) –
FALL/SPRING (LAW*750)**

Satisfies the writing requirement.

Lawyers, scientists and healthcare professionals interact at many critical junctures. They often navigate treacherous waters together, addressing challenges involving health care reform, bioethical dilemmas, scientific testimony in the courtroom, ownership rights in medical inventions, and more. This interdisciplinary course surveys these and other areas at the intersection of law and the health sciences. It culminates with the student's preparation of a substantial scholarly research paper that satisfies the writing requirements of the Law & Health Sciences Concentration and of the College. With instruction and guidance from faculty from both UC Hastings and UCSF, the course examines the ways in which lawyers, research scientists and health care practitioners interact, and explores various models of interdisciplinary collaboration.

This course is the “capstone” seminar for the Law & Health Sciences Concentration, and is required as well for UCSF students completing the Certificate Program of the UCSF/Hastings Law, Science and Health Policy Consortium. It spans the fall and spring semesters, typically meeting for two hours every other week. Concentrators are encouraged to enroll in this course during their third year at Hastings, although second-year students will be permitted to enroll. In addition, Hastings students who are not concentrating in Law and Health Sciences and UCSF students not in the Certificate Program are invited to enroll as well with permission of the instructor.

**LAW OF THE HUMAN BODY
SEMINAR
(2 UNITS) – FALL – (LAW *631)**

Satisfies writing requirement.

What kind of autonomy do we possess over our bodies? Is it the autonomy that individuals possess over a piece of property? Or is it the autonomy guaranteed under the constitutional right of privacy? The legal status of the human body is hotly contested. Sometimes human bodies and body parts are treated as objects of property, sometimes they are classified as quasi-property, and sometimes they are not conceived as property at all, but rather as the subject of privacy rights. This seminar will explore the law of the human body, focusing upon property vs. privacy frameworks as applied to such topics as abortion, the legal status of the human embryo, assisted reproduction, stem cell research, biological materials and biobanks, human gene patents, and the purchase or sale of human organs.

Students who have taken Constitution of the Family should not enroll in this class.

**LAW PRACTICE MANAGEMENT
SEMINAR**

(3 UNITS) – SPRING – (LAW*651)

May satisfy writing requirement. Check with instructor.

This seminar explores the fundamentals of for-profit law practice management. We canvass issues associated with the start up and operation of solo law practices and multi-lawyer arrangements, covering topics such as: entrepreneurialism and professional role; the mechanics of building a successful solo practice; organizational theory; informal coordination among lawyers (“ad hoc firms”); and multi-lawyer firm organizational structures, governing documents, risk management, and growth. There is no prerequisite for this course. The grade will be based on a series of writing assignments, including the drafting of a law firm business plan and governing documents as well as a final, substantial research paper on a topic to be selected in one-on-one consultations between each student and the professor. The final paper may be used to satisfy the Hastings writing requirement. Class participation will also be factored into the grade.

**PATENT PROSECUTION SEMINAR
(2 UNITS) – SPRING – (LAW*712)**

Satisfies professional skills requirement.

Prerequisite: Intellectual Property survey course or Patents & Trade Secrets Law

This seminar will NOT satisfy the writing requirement except with permission of instructor and additional writing assignments.

This seminar is directed to students with an interest in further developing their knowledge of patent law through patent portfolio development and management, including preparing and prosecuting a patent application. The focus of the seminar will be on learning substantive and procedural aspects of patent law counseling, patent practice before the Patent Office and on developing good patent related writing skills. Particular attention will be given to writing assignments, which will include claim drafting, preparation of a patent application and a response to Office Actions. In addition, the students will partake in a strategic patent counseling exercise.

This seminar will be divided into two sections. The first section will focus on portfolio development, including preparation of the application, with an emphasis on drafting claims, a specification and an information disclosure statement. The necessary supporting documents, such as the inventor's declaration, assignment and small entity declaration will also be discussed. A discussion of the patent attorney's ethical duties under 37 C.F.R. § 1.56 will also be considered in detail.

The second part of the seminar will be directed to management and counseling, including prosecuting an application before the Patent Office. This section will cover preparation of a response to an official Office Action from the Patent Office, including addressing statutory rejections and developing strategies for traversing these rejections. This section will also introduce the student to international patent practice. In addition, in both the first and second sections, the students will work through counseling exercises to apply knowledge developed during the seminar to practical situations. No technical background is necessary or required for this class.

POLITICAL ECONOMY OF LAW SEMINAR

(2 UNITS) – FALL – (LAW*748)

Satisfies writing requirement.

Prerequisite: Prior or concurrent enrollment in Comparative Law is strongly recommended but not required.

Economics claims to offer a robust theoretical perspective for the contemporary study of law and legal institutions. Often however in the American academic discourse it has been transformed into a powerful tool of legitimization of the current structure of economic and political power and domination. This seminar surveys the global impact of efficiency reasoning in the law, with particular emphasis on weak political social and economic settings. The claim of rationality, of scientificity and of neutrality of economics in policy making will be critically appraised by the use of a historical and comparative method. Documentary film materials will be used.

Students who have previously enrolled in Law and Economics Seminar may not register for this course.

NOTE: Professor Mattei's seminar class meets 3 hours per week; class starts on 8/22/12 and ends on 10/10/12.

PROSECUTING INTERNATIONAL PRICE-FIXING CARTELS

(2 UNITS) – FALL – (LAW*799)

Satisfies writing requirement.

This class will explore the investigation, prosecution, and defense of international price-fixing cartels. Antitrust laws in the United States and many (but not all) other nations make it a crime to agree on prices with a competitor. Yet experts estimate that cartel agreements have a multi-billion dollar annual impact on the U.S. and global economies. Remedies are both criminal and civil. Because this crime is usually committed secretly, global enforcers utilize specialized tools to discover cartels. For example, in the United States, the U.S. Department of Justice provides

criminal "amnesty" to the first person or company to self-report a criminal antitrust violation. Other nations use similar, but varying approaches. Prosecutions of global cartels such as vitamins, lysine, and computer memory chips (DRAM) will be examined as case studies. Students will be required to submit a substantial research paper to satisfy the writing requirement.

Prior exposure to antitrust, international business transactions, or criminal procedure classes would be helpful but is not required. A background in economics or business would be helpful but is not required.

PUBLIC LAND & NATURAL RESOURCES SEMINAR

(2 UNITS) – FALL – (LAW*760)

Satisfies writing requirement.

This seminar provides the opportunity for detailed study of selected topics in the field of public lands and natural resources law. The subject matter of the seminar will vary from year-to-year. Potential topics include: the Fifth Amendment as a limitation natural resources management and reform, a case study of the Greater Yellowstone Ecosystem, the Pacific Northwest old growth timber controversy, and management of the national parks. A research paper is required.

PUBLIC FINANCE SEMINAR

(2 UNITS) – SPRING – (LAW*796)

Satisfies writing requirement.

This seminar will explore public finance issues from a theoretical and practical perspective. Initial readings will be philosophical as we consider what the government should do and why. Subsequent readings will delve into the practical tools and terms of public finance, including marginal utility and public goods (no math required). With our theories and tools, we will then consider two specific issues: Social Security and Education. The last weeks of the course will be dedicated to student presentations of their work.

PUBLIC POLICY ADVOCACY SEMINAR

(2 UNITS) – FALL – (LAW*797)

Satisfies writing requirement.

Lawyers can play crucial roles in public policy advocacy. The purpose and objective of the course is to provide a practical understanding of the entire public policy advocacy process to enable law students to confidently and enthusiastically become knowledgeable participants in the important work of public policy change through the use of their legal skills. Public interest advocacy is a complex mixture of recognizing the need for change, developing the content of the change, convincing decision-makers to adopt the change, and then implementing the change.

Frequently adding to this complexity is the need to change public policy (laws, regulations, etc.) to allow for, or to remove barriers to, the implementation of the change. Many attempts to change public policy are unsuccessful due to the lack of an understanding of the need for a comprehensive and systematic approach to the public policy advocacy process.

Students will learn a comprehensive and systematic approach to public policy advocacy, along with the bases for deciding where in those processes each student can find their best fit for becoming a lawyer activist.

RESEARCH SEMINAR ON CAREER OF ROGER TRAYNOR (2 UNITS) – FALL/SPRING – (LAW*609)

This seminar may NOT satisfy the writing requirement. Please see instructor.

This seminar will search out, review and report on various sources of information about the professional career of now deceased Chief Justice Roger Traynor of the California Supreme Court. He was widely regarded as the outstanding state court judge of his generation. The student work will contribute to a biography that Professor Hazard is exploring in cooperation with Michael Traynor, the Justice's son and himself a prominent lawyer, and with Professor Emeritus James McCall of Hastings. Professor Hazard will provide an overview and guidance as you go along. Several important sources are available in the Hastings Law Library.

This seminar is open to 2L and 3L students and will especially welcome students who majored in history or have other relevant research experience, but that is not an absolute requirement. Enrollment is limited to 6-10 students.

SOCIAL JUSTICE LAWYERING CONCENTRATION CORE SEMINAR (2 UNITS – 1 UNIT PER SEMESTER) – FALL/SPRING – (LAW*777)

This seminar will NOT satisfy the writing requirement. Limited to 2nd year students who have enrolled in the Social Justice Lawyering Concentration.

This year-long seminar provides a common forum in which second-year students enrolled in the Social Justice Lawyering Concentration can deepen their understanding of public interest practice, interact with each other and with concentration faculty, and lay a foundation for taking maximum advantage of curricular and extracurricular opportunities to prepare for a career in public interest work. The course revolves around seminar discussions of assigned readings, short papers, and observations of public

interest practitioners. Format will vary from year to year, with each year's class participating in developing its own curriculum and making suggestions for successor classes. Students will be graded on class participation and short papers.

NOTE: This seminar will be scheduled for two hours a week throughout the year but will meet approximately every other week. The instructors will set the actual schedule. Seminar meeting dates and times will differ between Fall and Spring semesters. Enrollment in this seminar is mandatory for concentration students.

SOCIOLOGY OF THE CRIMINAL JUSTICE SYSTEM SEMINAR (2 UNITS) – FALL – (LAW*794)

Satisfies writing requirement.

The seminar invites the student to visit the criminal justice system's realm from a sociological, empirical perspective. Among other topics, we will discuss the following: Criminal justice models; historical, sociological and critical aspects of criminalization and penalization; policing; prosecutorial decisionmaking; negotiation between prosecutors and defense attorney; public and private defense; defense attorney-client relationships; formal and informal courtroom dynamics; plea bargaining; the impact of class, gender and ethnicity on criminal justice; political and governmental aspects of law enforcement. In addition to the readings, the students will be offered a list of supplementary books and films for critical watching.

SPECIAL EDUCATION LAW SEMINAR (2 UNITS) – SPRING – (LAW*715)

Satisfies writing or professional skills requirement but not both.

This seminar will cover law and policy regarding the educational rights of the 6,000,000+ disabled students in the United States. Federal law – the Individuals with Disabilities Education Act [IDEA] - creates unique rights for these students, including the right to a “free appropriate public education,” an education in the “least restrictive environment”, individual education plans for every student with a disability, the right to be educated with students without disabilities and due process rights and procedures unavailable to the rest of the student population. The seminar will cover legal as well as practical and conceptual issues associated with representing families and school districts through the IDEA process. The seminar will explore some of the paradoxes and controversies of IDEA, including debate within the “disabled” community about “integrating” students with disabilities, the cost of special education, the use of attorneys in educational settings, the fine line and interplay between educational and medical and psychological needs, and issues of bio-diversity and notions of what constitutes

a “disability.” Skills taught will include statutory and case law analysis, brief writing, oral advocacy, and changing the law (students for example will have the opportunity to “re-write” a special education statute of their choice).

**TAX CONCENTRATION SEMINAR
(2 UNITS – 1 UNIT PER SEMESTER) –
FALL/SPRING – (LAW*714)**

Satisfies writing requirement.

Prerequisite: Federal Income Taxation

Limited to 3rd Year Students.

This year-long seminar, designed for students electing the tax concentration, will explore the formulation of tax policy from legal, economic and political perspectives.

Fall semester topics may include alternative tax systems, integration of the corporate and individual income tax, wealth transfer tax reform proposals, professional responsibility in tax practice, and selected current legislative or administrative concerns. One early class will be devoted to federal tax research techniques.

Each participant will produce a paper of publishable quality under the supervision of a member of the tax faculty. During the Spring semester, the principal seminar activity will be the presentation and discussion of student papers.

The entire tax faculty will participate in this seminar. Students who have not elected the tax concentration may not enroll in the seminar.

**TAX POLICY SEMINAR
(2 UNITS) – SPRING – (LAW*718)**

Prerequisite: Federal Income Taxation

Satisfies writing requirement.

This seminar explores the tax policy implications of many of the following areas: income tax and fiscal policy; when income should be taxed; imputed income; progressive tax rates; value added taxes; consumption taxes; federal tax treatment of state and local taxes; corporations and dividends; capital gains and losses; tax impact of inflation; and theories of social justice.

**TELECOMMUNICATIONS LAW
SEMINAR**

(2 UNITS) – FALL – (LAW*617)

Satisfies writing requirement.

This course will examine government regulation of the telecommunications industry. The Telecommunications Act of 1996 created a new framework for the regulation of a vital and dynamic industry. Since then,

wired and wireless broadband infrastructure and digital technologies used by telephone, cable, broadcast, cellular, satellite and over-the-top internet providers have revolutionized the markets for voice, video and data services. Our focus will be on what has taken place in the fifteen years since the Act was adopted: the evolution of (1) policy issues facing Congress and the states, and (2) legal issues -- including constitutional, jurisdictional and statutory questions -- facing administrative agencies and the courts.

**TERRORISM AND THE LAW
(2 UNITS) – FALL – (LAW*746)**

Satisfies writing requirement.

This course will explore several fundamental legal questions concerning America’s War on Terror. We will examine, in particular, the lawfulness of the government’s policy of “enhanced interrogation,” wireless wiretapping, the detention of enemy combatants, and the use of extraordinary rendition.

**TRADEMARK PROSECUTION SEMINAR
(2 UNITS) – SPRING – (LAW*737)**

Satisfies professional skills requirement.

This seminar will NOT satisfy the writing requirement.
Prerequisites: Intellectual Property Survey or Trademarks & Unfair Competition

This seminar is directed primarily to students interested in gaining real-world trademark law experience through reviewing and engaging in client counseling, search analysis, trademark application and prosecution processes on behalf of a fictional client. The focus is on learning substantive and procedural aspects of practice before the Trademark Office and the Trademark Trial and Appeals Board, working with local counsel on international trademark searches and applications, and on developing counseling and strategic analysis skills.

Regular writing assignments will include preparation of trademark applications, responses to Office Actions, Oppositions, and post-registration procedures (including Cancellation proceedings).

**TRANSNATIONAL ENFORCEMENT OF
LABOR STANDARDS**

(2 UNITS) – SPRING – (LAW*652)

This seminar will NOT satisfy the writing requirement.

The increasingly multinational production of goods and services poses challenges for the development and enforcement of labor standards across national borders. There are significant limitations on the ability of domestic and international legal regimes to address the challenges of a globalized workplace. As a result, a number of private, voluntary, or “soft law” regulatory regimes have arisen to

enforce transnational labor standards, including corporate codes of conduct, social auditing, information disclosure, and certification regimes. This seminar will investigate how these private transnational regulatory regimes are designed, evaluate their efficacy, and discuss theories about their normative desirability. We also will address the implications of widespread private regulation for political activism, resistance, democracy and citizenship. The aim of these analyses will be to think through the possibilities and limitations of corporations and other private actors as sources and enforcers of global regulatory norms and to examine how privately enacted “legal” regimes interact with and influence traditional domestic and international legal institutions.

TRANSNATIONAL HUMAN RIGHTS SEMINAR

(2 UNITS) – SPRING – (LAW*652)

Satisfies writing requirement.

U.S. courts can play an important role in defining, adjudicating, and enforcing international law prohibitions on conduct such as genocide, war crimes, crimes against humanity, torture, and summary execution. In the past three decades, U.S. courts have imposed civil and criminal penalties on individuals for international law violations, and they have also entertained cases against corporations and foreign states for such conduct. This course will provide an introduction to central questions raised by cases brought under provisions such as the Alien Tort Statute and the Torture Victim Protection Act, including the scope of universal and other forms of jurisdiction, sovereign and official immunity, corporate liability, and the role of U.S. courts in the international legal system.

VOTING RIGHTS SEMINAR

(2 UNITS) – SPRING – (LAW*693)

Satisfies writing requirement.

Voting rights issues are among the most volatile of questions currently before the courts. Questions of race and whether and how it can be used as a remedy are just one issue area. The role of politicians vs. “citizen commissions” in drawing legislative lines is another. Should ex-felons be allowed to vote? Is one majority-minority district more empowering than two influence districts? What is an influence district? How serious are reports of voter fraud and do they justify restrictions on voters’ rights?

This seminar examines statutory developments from the Voting Rights Act of 1965 through the “motor voter” law designed to increase and diversify the pool of voters. We will address the Help America Vote Act (HAVA) enacted in the wake of the 2000 Presidential

election debacle and touch on recent efforts to reauthorize or “sunset” certain provisions of the 1965 law. Particular emphasis will be placed upon sections 2 (minority vote dilution) and 5 (“preclearance” of voting changes) of the federal Voting Rights Act.

The course will also examine state law and specifically, the California Voting Rights Act that was intended to ease some of the more restrictive elements of the federal law. Students will have the opportunity to discuss cases brought under the state law, including pending litigation.

Finally, students will have the opportunity to participate in mock arguments involving major voting rights cases. Requirements for the seminar include active classroom participation and submission of a 20-page paper on a voting rights topic of your choosing.

WATER RESOURCES SEMINAR

(2 UNITS) – SPRING – (LAW*716)

Satisfies writing requirement.

Recommended prior classes: first-year Environmental Law statutory course, Environmental Quality Law & Policy, Land Use Regulation, Public Lands & Natural Resources, Water Resources.

This seminar provides an opportunity for detailed study of issues in the water resources field. The subject matter will vary from year-to-year. Topics include: the reasonable use and public trust doctrines, California's Bay-Delta controversy, tribal water rights, the Colorado River and other interstate water allocation controversies, the battle for Hetch Hetchy, and the endangered Columbia River salmon. A research paper is required.

WOMEN’S HEALTH AND THE LAW

(2 UNITS) – SPRING – (LAW*784)

Satisfies writing requirement.

Are women autonomous decision makers or are we in need of protection? In this seminar, we will focus our attention on laws and policies affecting women’s health. Topics covered include abortion access and regulation, forced sterilization and coerced contraception, the effect of environmental toxins on women’s health, women’s health and the criminal justice system, and disparities in funding and access to services. Threaded throughout the seminar will be questions about the government’s responsibility to promote women’s health and protect its citizens from harm, and at what point this protection or intervention infringes upon individual autonomy. We will also examine how race, sexuality, economics and other factors influence health care access and the ability to exercise free choice.

WRONGFUL CONVICTION SEMINAR

(2 UNITS) – FALL – (LAW*755)

Satisfies writing requirement.

Prerequisite: Prior or concurrent enrollment in criminal

procedure and evidence strongly recommended but not required.

This seminar will (1) address the many possible underlying causes of wrongful conviction, including but not limited to: resource imbalance (inadequate defense funding); police practices (interrogation techniques leading to false confession, evidence tampering, police perjury, withholding of exculpatory evidence, witness tampering and intimidation of witnesses); problems with eyewitness identification generally and with ID techniques and practices; faulty forensic evidence (ranging from sample contamination and lab errors to forensic techniques with little or no underlying scientific bases); and uneven judicial scrutiny of expert evidence in making admissibility determinations; and (2) explore possible policy and practice changes to minimize the risk of wrongful conviction, from the general (such as increased funding for defense services and education of judges, defense attorneys and prosecutors) to the specific (such as requiring taping of interrogations, double-blind lineup procedures, minimum educational requirements and double-blind proficiency testing for prosecution forensic experts, and more oversight and regulation of forensic laboratories).

NOTE: All students will be required to write a substantial research paper that meets the requirements set forth in the Course Catalog. Additionally, students will be graded on class participation, short weekly memos on the reading, and brief presentations to the class on paper topics.

NON-GPA COURSES

Non-GPA courses emphasize skills, training, practice and evaluation. They provide students an opportunity to learn and develop practical skills in a variety of areas. Grades assigned in non-GPA courses are not calculated in students' grade point averages.

Non-GPA courses are limited in enrollment. Some are designated mini courses. Mini courses are given one unit of credit and meet in varying configurations during the semester (e.g., every other week or for only seven weeks). Check the course schedule for the exact times and dates these courses meet.

APPELLATE ADVOCACY (2 UNITS) – FALL – (LAW*820/821)

Satisfies professional skills requirement.
Prerequisite: Legal Writing & Research and Moot Court

Appellate Advocacy provides students the opportunity to work in teams to increase their practical skills and knowledge of research, brief-writing, oral argument and appellate rules, standards and practice. The course

is taught by appellate specialists and practitioners, and the case is a cutting-edge legal issue on appeal to the Supreme Court. The students work intensely on their advocacy skills to develop and polish their style and substance. Students complete an appellate brief and oral argument and observe appellate arguments in the Court of Appeals and Supreme Court located just one block from Hastings.

Students in Appellate Advocacy also participate in the Hastings Intramural Competition, the David E. Snodgrass Moot Court Competition. They are rewarded for their excellence in both oral and written advocacy with scholarships, awards and prizes. The overall Snodgrass winner is honored by having their name engraved on the perpetual plaque, which is displayed year-round at Hastings.

CALIFORNIA LOCAL GOVERNMENT LAW (2 UNITS) – SPRING – (LAW*859)

Does not satisfy professional skills requirement.

Attorneys working with local government entities face unique challenges. This course covers the structure of local government, the allocation of power between federal, state and local governments, open meeting laws, as well as issues unique to the representation of local government entities.

COMMERCIAL CONTRACT WRITING (2 UNITS) – SPRING – (LAW*879)

Satisfies professional skills requirement.

This course offers a more advanced alternative to the Basic Contract Writing & Analysis course. It is recommended primarily for third-year students who are interested in learning to draft more complex commercial contracts such as loan agreements, real estate leases, multifaceted sale of goods contracts and service agreements. Class discussion and homework will focus on sources of contract law, rules of interpretation, structure of contracts, effective drafting techniques, proper use of forms, and common mistakes and pitfalls. The class will also cover, through lectures and in-class and homework exercises, analysis of contract issues, identification of problem areas, and formulation of solutions, as well as offering hands-on experience in negotiating contract provisions and drafting clear and unambiguous clauses. The course will lead the students through the contract creation process — interviewing the client, drafting deal points, drafting contract clauses from those deal points, negotiating those clauses, and finalizing the contract. Practical contract checklists and sample contract clauses will be provided. Guest speakers from the business and legal professions will discuss a business transaction they worked on, which will be used as a case study and the basis for class exercises. Homework will be structured to be completed in four hours each week, but some assignments may take longer. Some accounting

background and some course work in Article 2 and Article 9 of the UCC would be helpful but not essential.

NOTE: Students will not receive credit for both this class and the Basic Contract Writing class.

COMMUNITY LAW: TEACHING THE CONSTITUTION

(3 UNITS) – FALL – (LAW*860)

Satisfies professional skills requirement.

This program gives talented law students an extraordinary opportunity: the chance to teach a high school course about the Constitution, citizenship, and education. After an initial training session in pedagogy and community service, students teach two or three times a week in high school classrooms throughout the Bay area, running their own classes in cooperation with school teachers. Students also participate in weekly seminars and research related to the substantive areas covered in the high schools, enhancing their ability to communicate legal principles to a lay audience and to master complex principles of law. Some students will also teach about other areas of law, including criminal law and procedure and family law. Enrollment is by permission; interested students should add themselves to the waitlist and send an email explaining their interest to the instructor, Professor Beth Hillman, hillmane@uchastings.edu. Grading is pass/fail.

CRITICAL STUDIES I: SELECTED PROBLEMS

(2 UNITS) – FALL – (LAW*861)

Does NOT satisfy professional skills requirement.

The course will include two of the following multi-state tested subjects: Constitutional Law I and II, Contracts, Criminal Law, Criminal Procedure, Evidence, Real Property, Torts.

This course is specifically designed to assist students in their preparation for the bar exam. Emphasis will be on skills such as critical reading and fact identification and analysis in subjects tested on the bar. Learning theory is incorporated to assist diverse learners in developing a process for understanding, organizing, and applying the law in the most frequently tested bar areas. The students will refine their skills by answering numerous bar essays and multiple choice questions. Students will also have the opportunity to answer cross-over questions, which are problems involving multiple subjects. Feedback will be provided throughout the course.

Grading is based on Pass/Fail.

NOTE: Enrollment is limited to third year students and

by permission of the Instructor(s).

CRITICAL STUDIES II: LEGAL DRAFTING FOR THE PERFORMANCE TEST – (2 UNITS) – SPRING – (LAW*863)

Does NOT satisfy the writing or professional skills requirement.

This two-unit skills course surveys legal analytical and organizational methods essential to successful completion of the Performance Test [PT] component of the Bar Exam and, by extension, to success in the practice of law. It includes weekly exercises in managing a case file, synthesizing legal authority, and performing objective and persuasive drafting tasks. Such tasks might include, for example, proposed legislation, legal correspondence, different styles of office memoranda, trial briefs, pleadings and motions, discovery plans, and closing arguments.

Students will learn how to complete each task within a given time period. This is a Pass/Fail course, and credit is conditioned on successful completion of all assignments.

Critical Studies I: Selected Problems is not a prerequisite for this course, nor are there any other course prerequisites. Enrollment is at the discretion of the instructor.

Grading is based on Pass/Fail.

EFFECTIVE REPRESENTATION IN MEDIATION – INTRODUCTORY (1 UNIT) – SPRING – (LAW*849)

This course is designed to give students who have not taken any other ADR skills course a basic overview of the skills they will need to be effective representatives of their clients in mediation. The class begins with an introduction to the mediation process and how it fits into the various options for dispute resolution commonly used in our legal system. Students will then learn about the most important styles of mediation and will practice the various skills that are needed to perform effectively depending on the style of mediation employed. Students will have an opportunity to participate in a simulated mediation session.

NOTE: Students who have previously taken any ADR skills course - including Negotiation and Settlement, Negotiation and Mediation, Mediation, or the Mediation Clinic - may not enroll in this course, nor may this course be taken concurrently with any other ADR skills course.

EFFECTIVE REPRESENTATION IN MEDIATION – ADVANCED (1 UNIT) – SPRING – (LAW*889)

This course is designed to give advanced students who have taken at least one other ADR skills course experience using their skills as representatives of their clients in mediation. The class moves quickly from an overview of

the most important styles of mediation to intensive practice with the various skills that are needed to perform effectively depending on the style of mediation employed.

The course also will include segments on how to choose an appropriate mediator and ethical concerns relating to the representation of clients in mediation. Students will have an opportunity to participate in a simulated mediation session.

NOTE: Enrollment is by permission of the instructor only. Students must have successfully completed at least one other ADR skills course prior to enrolling in this course.

EMOTIONS, MINDFULNESS, AND THE LAW (3 UNITS) – SPRING – (LAW*882) Satisfies the professional skills requirement.

This class introduces science-based skills for lawyers to identify emotions in themselves and others, manage emotions, assess truthfulness, and solve problems. Students learn to recognize emotions in themselves through awareness of the science of emotion and scientific-based training in mindful attention to themselves. Students learn awareness of emotions, strained thinking, stress, and deception in others through science-based training. Students then learn to apply skills through assessment of video and other examples and through interactive role plays, such as client interviews, negotiations, and cross-examination.

ESTATE DRAFTING (1 UNIT) – SPRING – (LAW*873)

This one-unit class focuses on essential drafting for estate planning in California. Writing exercises will be based on a series of hypothetical problems. Selected issues related to second marriages, non-traditional families, children with specific needs, and the elderly will be incorporated in several of the assignments. Students will draft a basic will and a codicil, a pour-over will and living trust, a charitable trust, documents related to planning for incapacity, an estate plan consisting of probate and nonprobate transfers, and California probate forms and attachments.

Enrollment is limited to 20 students.

NOTE: Previous or concurrent enrollment in Wills & Trusts is required.

FACILITATION FOR ATTORNEYS (1 UNIT) – FALL/SPRING – (LAW*829)

Much of the law school curriculum is focused on advocacy and resolving disputes. Facilitation requires a different philosophical approach and a complementary set of skills. Facilitators act as neutral parties, helping

groups of people to communicate and work together more effectively in situations where the focus is on learning, collaborative problem-solving and decision-making, rather than on resolving a specific dispute. Attorneys, who are used to operating as advocates, can greatly increase their effectiveness in group situations by mastering the skills of effective neutral facilitation.

For many attorneys, one of the most frustrating parts of the legal profession is having to participate in endless and unproductive meetings. Attorneys can use facilitation skills to improve the efficiency and productivity of meetings by: developing meeting agendas that optimize input and minimize wasted time; intervening in ways that reduce disruptive and counter-productive behavior; and setting group norms that encourage appropriate contributions, both before and during meetings.

This course is designed specifically for law students and applies facilitation to real world situations in the legal profession such as meetings of: Boards of Directors (for non-profits and for-profits); corporate shareholders; public committees and councils; co-counsel and law firm staff. Facilitation is particularly valuable in situations where developing and preserving strong, continuing working relationships is important, or where there are highly charged personal interactions, such as between birth mothers and adopting parents, between employers and employees or Unions, among heirs to an estate, or in condominium or professional associations.

Students in this course will learn how to improve their personal communications skills, plan and run successful meetings, improve communication among group members, and guide effective decision-making processes. The course will cover the principal theoretical models underlying facilitation and demonstrate how to apply them to specific legal, ethical and procedural challenges faced by attorneys. Grading is based on Pass/Fail. Class is limited to 20 students.

FINANCIAL BASIC FOR LAWYERS (2 UNITS) – FALL – (LAW*881)

This course will introduce students to fundamental business, economic, and finance concepts that lawyers need to know in order to advise their clients effectively in a wide variety of practice areas, including civil litigation, public interest law, family law, estate planning, real estate and environmental law, healthcare law, intellectual property law, business law, and tax law, among others. Some topics include: time value of money; equity, debt, and other financial instruments; accounting and financial statements; public markets and our financial system; and the relevance of these concepts to the practice of law.

While there are numbers and math in this course, this course is specifically intended for students who have little

or no background in business, finance, and economics.

NOTE: Students with strong business, economics, or finance backgrounds should not enroll, and students who have taken or are enrolled in Corporate Finance may not take this course.

Grading is pass/fail.

HASTINGS TO HAITI (2 UNITS) – SPRING – (LAW*874)

The instructors have developed and maintained a partnership with the Ecole Superiore de Droit de Jeremie (ESCRODJ). Since approximately 1999, as a result of this long-standing relationship, law students and faculty from Hastings have traveled to Haiti every academic year during Spring break, except for those years in which political upheaval in Haiti made travel inadvisable. During these trips, the student and faculty delegation meet with representatives of the governmental and non-governmental sectors, and engage in a legal exchange with Haitian students and professors at ESCRODJ. In preparation for the trip to Haiti, Hastings students attend a weekly seminar which is coordinated by the students themselves in collaboration with the faculty advisors. Participants are required to research a topic, and present on that topic at ESCRODJ. Participants also undertake the responsibility for fundraising, logistical arrangements, and the overall organizing of the delegation.

NOTE: Instructor permission is required to enroll.

INTERNATIONAL AND FOREIGN LEGAL RESEARCH (2 UNITS) – FALL – (LAW *880)

Satisfies professional skills requirement.

This course provides an overview of research methods and sources for foreign, international, and comparative legal research. Students learn how to formulate research strategies, evaluate materials in various formats, and conduct efficient searches using print and electronic resources. The course explores how to research and locate primary materials, such as treaties, constitutions, and codes, as well as secondary materials. Topics include public international law, foreign law, the United Nations, the European Union, private international law, and international trade law. Upon completion of the course, students presented with a legal issue involving foreign or international law should be able to formulate a research strategy, identify the relevant foreign and international legal materials, and locate those materials.

The course meets once a week for a brief lecture followed by an in-class exercise. Students are also required to complete weekly exercises and readings

outside of class. Grading is based on class participation, the weekly exercises, a brief oral presentation on a foreign legal system, and a final research guide on an international law topic or international organization.

Class will be limited to 34 students.

INTERVIEWING AND COUNSELING (2 UNITS) – FALL – (LAW*812)

Satisfies professional skills requirement.

A practical skills-based class focusing on developing client interviewing and counseling skills. Students shall be introduced to client-centered counseling, active listening, fact-gathering, identifying client goals and alternatives, decision-making, and ethical and moral issues for lawyers in client counseling. Students will act as attorney and/or client in weekly role plays, keep a weekly journal, and complete other written assignments. Students enrolled in the Interviewing & Counseling course in the Fall are invited to participate on the Hastings Client Counseling Team in the Spring.

JUDICIALLY SUPERVISED SETTLEMENT CONFERENCE (1 UNIT) – FALL – (LAW*846)

Litigators are frequently called to participate in judicially supervised settlement conferences before taking a case to trial. Understanding how settlement conferences are conducted, the perspectives of the judge, the clients and opposing counsel, as well as how to prepare an effective settlement conference statement, and how to address problems as they arise are essential skills for courtroom lawyers. This course will cover the law and practice of judicially-supervised settlement conferences and include an opportunity to observe a conference for a real case run by an experienced Magistrate Judge in Federal District Court. Students will be required to prepare a settlement conference statement for a hypothetical litigated case and to keep a journal integrating class discussions and readings with their reflections and observations about the settlement conference they observe.

NOTE: This class will meet for two hours a week for seven weeks and is limited to 20 students.

LEGAL ANALYSIS (2 UNITS) – FALL – (LAW*142)

This course will examine the process of legal reasoning using a problem solving method. The theory of precedent, analogical reasoning, deductive and inductive reasoning, and statutory interpretation will be explored. Students will develop skills in fact discrimination and analysis, issue spotting, rule analysis, rule application and argumentation, and organization. Weekly writing assignments and in-class written exercises assist students to develop an effective and consistent approach for solving legal

problems drawn from second and third year courses. Two sections of this course will be offered. Although developing analytical skills is the goal of the course, the context in which legal analysis and the specific topics are covered will vary according to the instructor.

Grading is based on Pass/Fail.

NOTE: Need instructor's permission and/or advice of the Associate Academic Dean.

MEDIATION (3 UNITS) – FALL/SPRING – (LAW*802)

Satisfies professional skills requirement.

Prerequisite: Negotiation & Mediation: Process & Practice or Negotiation & Settlement.

This course builds on the negotiation theory and practice taught in a prerequisite course. It combines a scholarly approach to mediation theory and process with practice in techniques and skills for mediators and advocates in mediation. The weekly format includes discussion, demonstration, and role-playing exercises. There will be required readings for most classes and a number of short written assignments.

NOTE: Students who enroll in this course may not enroll in the Civil Justice Mediation Clinic.

NEGOTIATION & MEDIATION: PROCESS & PRACTICE (3 OR 4 UNITS) – FALL/SPRING – (LAW*837)

Satisfies professional skills requirement.

This course is an introduction to the theory, process, and practice of negotiation and mediation, to help students improve their skills as negotiators and develop a framework for self-learning in the future. In addition to group discussions, classroom instruction will rely heavily on simulation, videotaped demonstrations, and small group work assignments. There will be required readings for most classes and a number of short written assignments related to particular classes and outside-of-class simulation exercises. The course meets twice a week for two hours per session and is limited to 16 students.

NOTE: Students who enroll in this course may not enroll in Negotiation & Settlement (3 Units).

NEGOTIATION & SETTLEMENT (3 UNITS) – FALL/SPRING – (LAW*838)

Satisfies professional skills requirement.

This course is an introduction to the theory, process, and practice of negotiation to help students improve their skills as negotiators and develop a framework for self-learning in the future. In addition to group

discussions, classroom instruction will rely heavily on simulation and video tape review. There will be required readings for most classes and a number of short written assignments related to particular classes and simulation exercises.

NOTE: Students who enroll in this course may not enroll in Negotiation & Mediation: Process & Practice (4 units).

PRE-TRIAL PRACTICE (CIVIL) (2 UNITS) – FALL/SPRING – (LAW*842)

Satisfies professional skills requirement.

Prerequisite: Evidence

This class could easily be called 'Everything One Needs to Know About Litigation Short of the Trial Itself' (although the class covers a considerable amount about trials as well). The students learn how to evaluate cases, prepare demand letters, draft complaints and understand the options for responding thereto, draft discovery (interrogatories, document requests, etc.), take real depositions with real witnesses transcribed by real court reporters, draft motions, learn the intricacies of summary judgment practice, learn how to hire experts and what they do, and learn how to negotiate, mediate and settle cases.

NOTE: Prof. Ochs-Tillotson's section will focus on employment discrimination litigation with particular emphasis on pleadings and discovery.

PROBLEM SOLVING & PROFESSIONAL JUDGMENT IN PRACTICE

(3 UNITS) – SPRING – (LAW*862)

Satisfies professional skills requirement.

The purpose of this course is to help prepare law students for their roles as responsive and creative problem solvers in whatever lawyering context they find themselves practicing. Key themes include: (1) examining the effects of different role conceptions and styles of client relationships and other professional responsibilities; (2) understanding the biases, influences, and feelings that affect one's thinking and that of others when planning, counseling, negotiating, or advocating; and (3) developing systematic approaches to case planning and for taking into account risk and uncertainty when laying out options and making decisions. Students will confront problems in a variety of substantive legal contexts. The material will be presented through case studies (like those used in business schools); performance of role play simulations; analytical articles on topics such as creative problem solving, professional decision making, and biases in judgment; and discussion of fictional and real-life lawyering narratives. While there will be a substantial legal component to every exercise, students will have to assimilate and apply knowledge from other fields, such as social psychology, cognitive science, decision-making theory, statistics, and virtue ethics.

**PUBLIC HEALTH & HOMELESSNESS:
INTERSECTIONS OF LAW AND
HEALTH CARE (2 UNITS) – FALL –
(LAW*854)**

Satisfies professional skills requirement.

This course is a collaborative endeavor between UC Hastings and UCSF that aims to bring together law students and medical students in order to examine and discuss the intersection of medical and legal issues as they effect the homeless population. The goals of the course are for students (1) to understand the history and current state of homelessness in the United States and in San Francisco; (2) to understand the interplay between legal and medical issues as they affect the homeless population; and (3) to understand the legal and social structure that those who seek to empower and advocate on behalf of the homeless population operate within. Topics will include an overview of the causes of homelessness, current public policies addressing homelessness, homeless access to healthcare, the role of substance abuse and mental illness amongst the marginally housed, and the healthcare concerns of specific needs homeless populations.

NOTE: This year the class will be by Gary Lewis, executive director of General Assistance Advocacy Project (GAAP) and Dr. Sharad Jain of UCSF who have worked with the student medical and legal clinics located at the St. Vincent De Paul homeless shelter. The class involves students from both schools, and the class may shift locations between UCSF and the Hastings campus. Individual classes will mostly consist of presentations by legal and medical practitioners on the various issues affecting the homeless population in San Francisco.

**REAL ESTATE TRANSACTIONS
(2 UNITS) – SPRING – (LAW*875)**

This course will introduce the basic structure of typical real estate transactions, focused on a case study involving a mid-sized commercial transaction and will include: forms of ownership, acquisition, disposition, financing, construction, leasing and management. It will not focus on tax issues or litigation matters. It will build on what the student learned in his/her Property course in the first-year curriculum.

This class will meet twice a week for two hours each for seven weeks (Jan. 9-Feb. 22). Class will be limited to 20 students.

**REPRESENTING SPANISH-SPEAKING
WORKERS IN EMPLOYMENT AND
LABOR LITIGATION**

(1 UNIT) – SPRING – (LAW *868)

This course does not satisfy the professional skills requirement.

This course will follow a practice-based model to teach students who are proficient in Spanish how to effectively communicate with and advocate for Spanish-speaking clients in labor and employment litigation. Beyond learning specific legal vocabulary and how to translate legal concepts from one culture to another, students will also be made aware of and receive training in what to expect as they navigate their clients through the litigation process in another language.

Each class will focus on a different aspect of the litigation or representation process—from the initial client interview/consultation to hearings, depositions, and mediation— and will provide students with the opportunity to practice their vocabulary and communication skills in these different contexts. Students will engage in group simulation exercises and develop written materials to practice and wrestle with the linguistic and practical issues that arise in representing Spanish-speaking workers.

NOTE: This class will be taught primarily in Spanish. Class size is limited to 16 students. Any seats available beginning January 2, 2013 will be open to non-Hastings and non-students. Please contact the Records office at 415-565-4613 for registration and fee information.

**TRIAL ADVOCACY I (2 UNITS) –
FALL/SPRING – (LAW*831/833)**

Satisfies professional skills requirement.

Prerequisite: Prior or concurrent enrollment in Evidence or Instructor's Choice. See course schedule on the Hastings website.

This course instructs students in the basic elements of litigation. The topics covered include discovery techniques, pretrial court conferences, opening statement, direct and cross-examination, impeachment of witnesses, proper handling of documents and exhibits, use of demonstrative evidence, and closing argument. The final grade in this course generally is based upon participation, completion of a trial notebook, and participation in a simulated trial.

**TRIAL ADVOCACY II
(3 UNITS) – FALL/SPRING – (LAW*832)**

Satisfies professional skills requirement.

Prerequisite: Trial Advocacy I.

This course instructs in advanced elements of litigation. Sections of the course are designated according to subject matter emphasis, e.g., personal injury, criminal, and civil rights. Coverage may include handling of difficult witnesses such as character witnesses, alibi and eyewitnesses and other aspects of pretrial preparation such

as investigation, analysis of fact and law, depositions or preliminary hearings, request for admissions, negotiations and settlement. Jury instructions are also covered. This course is particularly useful for those students who wish to be certified and to appear in court under the California Rules Governing the Practical Training of Law Students.

The class meets one day per week for a three-hour session. Students engage in selected facets of trial procedure during videotaped simulated trial situations. Also included in the course is a full day mock trial. The trial is intended to afford the student an opportunity to demonstrate all of the skills previously discussed on an individual basis throughout the semester.

NOTE: Students may enroll in this course only once even if the subject matter in another section differs.

TRIAL ADVOCACY II (2 UNITS) – SPRING – (LAW *834)

Prerequisite: Trial Advocacy I
Satisfies professional skills requirement.

This course is an advanced trial advocacy class. It addresses the more subtle aspects of serious trial work, including difficult evidentiary issues, trial objections, and ethical issues which arise in courtroom litigation. Enrollment by permission of the instructor. Preference will be given to members of the Hastings Trial Team.

TRIAL ADVOCACY (INTENSIVE) (4 UNITS) – SPRING – (LAW*857)

Satisfies professional skills requirement.
Prerequisite: Prior or concurrent enrollment in Evidence

This is a basic but intensive four-credit trial advocacy skills course, equivalent to Trial Advocacy I and Trial Advocacy II combined. This course focuses on factual and legal preparation for trial, evidence and evidentiary objections at trial, introduction of demonstrative and real evidence, direct examination, cross-examination, expert witness examination, opening statements, closing arguments, jury selection, and courtroom communication skills. Weekly student performance of trial exercises is at the heart of this course, and regular workshops on courtroom demeanor and communication skills will be included. Students will be videotaped and candidly critiqued by the instructor and classmates. Class sessions will also include brief lectures and faculty demonstrations. There will be assigned reading and videotape viewing outside of class. The course culminates with a final trial before a state or federal court judge or an experience trial lawyer. Enrollment in the course is limited to 16.

NOTE: Students who have enrolled in Trial Advocacy I may not enroll in this course.

TRIAL OBJECTIONS (2 UNITS) – FALL/SPRING – (LAW*804)

Satisfies professional skills requirement.

Prerequisite: Evidence

The Trial Objections course is a performance course that is intended to bridge the gap between the Evidence course and the Trial Advocacy courses. Students participate in trial simulations with emphasis on understanding and applying the rules of evidence, not on trial tactics and strategy. The course starts with simulations involving objections to questions asked at trial and to exhibits offered in the course of trial. Then the focus shifts to motions in limine. Students will argue motions on topics such as computer animations, video exhibits depicting experiments and re-creations, and oral testimony about subsequent remedial measures. They will also participate in *Daubert* hearings on topics such as handwriting identification, expertise on eyewitness testimony, and latent fingerprint identification. Enrollment is limited to 16 students so that each student may do a substantial performance in class.

CLINICS

Students must be in good academic standing (2.0 GPA) to enroll in a clinic; a 2.8 GPA is required to apply for a judicial externship. All clinical and externship courses consist of class units and fieldwork units. The fieldwork units count against the 18 unit maximum credit for non-classroom work. See, Academic Regulations, section 1203.

Students seeking to enroll in any Civil Justice Clinic course (Individual Representation, Community Economic Development, Mediation, Social Change Lawyering) can obtain information on the application and approval process from a Civil Justice Clinic staff or faculty member (Room 300, 100 McAllister) or by email at cjc@uchastings.edu.

Students seeking to enroll in the Refugee and Human Rights Clinic can obtain information and an application on the web at <http://www.uchastings.edu/academics/clinical-programs/refugee-human-rights/index.html>.

Students interested in the Immigrants' Rights Clinic should submit a statement of interest and resume to Professor Richard Boswell, boswellr@uchastings.edu.

Students wishing to enroll in the Local Government Clinic or the Legislation Clinic should contact Rachel Goodman in the Center for State and Local Government Law, at goodmanr@uchastings.edu.

Students seeking to enroll in the Medical-Legal Partnership for Seniors Clinic can obtain information on the application and approval process from Yvonne Troya

at troyay@uchastings.edu.

Students interested in any other clinic must obtain prior approval from Professor Nancy Stuart in the Externships and Pro Bono Programs Office, 100 McAllister, Room 350, stuartn@uchastings.edu.

Students who will study abroad during the fall semester and are planning on enrolling in one of the clinical or externship programs for the succeeding spring semester should visit Professor Nancy Stuart in the Externships and Pro Bono Programs Office, 100 McAllister, Room 350, to discuss the pre-requisites and the details about enrolling. Enrolling in a clinical externship program from abroad is possible but can be more complicated than enrolling in a regular course.

CIVIL JUSTICE CLINIC AND CIVIL JUSTICE CLINIC FIELDWORK -- INDIVIDUAL REPRESENTATION CLINIC – FALL/SPRING (LAW*902/903)
(8 units. 4-unit non-GPA class and 4-unit fieldwork component, graded pass-fail, must be taken concurrently. Fieldwork units count against the 18-unit limit for non-classroom work.)

Prerequisite: Prior or concurrent enrollment in Evidence or consent of instructor. Open to 3rd, 4th, 5th, or 6th semester students.

Satisfies professional skills requirement.

Under the close supervision of Hastings faculty, students assume full responsibility for providing representation to low-income clients. Students handle cases start-to-finish, i.e., from initial client interview through administrative or court hearings or negotiated settlement. The subject areas involve de novo trials of wage and hour claims in Superior Court, Social Security disability hearings, and housing disputes which may proceed to mediation or arbitration before the San Francisco Rent Stabilization Board. Other subject areas may be added. Skills covered include interviewing, counseling, case planning, fact investigation, addressing cultural and other differences, negotiation, witness examination, and written and oral argumentation. There are four hours of regularly scheduled class time per week. Students are expected to average a minimum of 20 hours a week on client casework.

In addition to case-related work, students have weekly reading assignments and are required to write a number of short, analytic papers on themes raised by the readings and their case experiences. A major course objective is to help students refine their abilities to be self-reflective about the multi-dimensional aspects of caring, effective, and ethical lawyering, so that they

can develop their own vision of the sort of lawyer they will strive to become.

The Clinic is located on the 3rd floor of the McAllister Tower building. Students have work stations and access to computers where the standard word processing program is WordPerfect X3 and have to apply and pay a \$55 fee to become certified under the California State Bar student practice rule. Each semester there are two mandatory, all-day introductory training sessions, the Friday and Saturday before regular classes begin. For the spring term, second-year students have an enrollment preference for half the spaces. For the fall term, second-year students are welcome and have an enrollment preference for one-third of the spaces. Third-year students are strongly encouraged to take the course during the fall term, both because of enrollment limitations and to have an opportunity to take a follow-up clinical course.

Because attendance in class the first week is absolutely critical, enrollment for this clinic is finalized that week. The regular add/drop period does not apply.

CIVIL JUSTICE CLINIC AND CIVIL JUSTICE CLINIC FIELDWORK -- SOCIAL CHANGE LAWYERING: COMMUNITY GROUP ADVOCACY CLINIC – SPRING – (LAW*929/930)

(8 units. 4-unit non-GPA class and 4-unit fieldwork component, graded pass-fail, must be taken concurrently. Fieldwork units count against the 18-unit limit for non-classroom work.)

Prerequisite: Consent of the instructor. Open to 3rd, 4th, 5th, or 6th semester students.
Satisfies professional skill requirement.

Under the supervision of Hastings faculty, students work with San Francisco Bay Area public interest and community organizations on systemic reform projects affecting lower-income and working-class communities. Students are exposed to a range of persuasive strategies for making social change, including impact litigation, lobbying, community legal education, and community organizing and mobilization. Substantive legal areas vary each semester, as the emphasis is on assembling an array of projects with diverse approaches to effecting social change.

This Clinic will be of particular interest to students considering a career in social justice lawyering, as it focuses on integrating approaches to lawyering and visions of social change. Students gain hands-on understanding of group dynamics in public interest and grassroots organizations. Among the skills developed are strategic analysis and planning, collaboration, facilitation of meetings and presentations to public bodies, public officials, service providers, and community organizations. There are four hours of regularly scheduled seminar time

per week. The nature of group work may require evening and weekend meetings. Students are expected to average a minimum of 20 hours a week on group client case work and to maintain extensive written field notes of their activities.

CIVIL JUSTICE CLINIC AND CIVIL JUSTICE CLINIC FIELDWORK – COMMUNITY ECONOMIC DEVELOPMENT CLINIC – (LAW*927/928) – FALL/SPRING

(Yearlong, 8 units total. 2-unit non-GPA class and 2-unit fieldwork graded pass-fail must be taken concurrently both semesters. Fieldwork units count against the 18-unit limit for non-classroom work.)

Prerequisite: Consent of the instructor. Open to 3rd, 4th, 5th, or 6th semester students.

Satisfies professional skills requirement.

In the Community Economic Development Clinic, students serve as legal counsel to community organizations in the Tenderloin neighborhood on various community development and housing projects. The work entails attending community meetings and counseling community representatives, as well as factual legal research and drafting. The focus of this Clinic is on developing lawyering skills in providing counseling and transactional services to neighborhood-serving groups. The Clinic will be of interest to students contemplating transactional work in any setting, as well as to those seeking to better understand and serve the local neighborhood.

Regularly scheduled class time will be three hours per week during the fall term and two hours every other week during the spring term. Students are expected to average a minimum of 8-10 hours a week on CED casework and to maintain written field notes of their activities. Students are also responsible for a 15-page fall term paper comparing and contrasting Tenderloin community development activities and those undertaken elsewhere as described in an assigned book. Enrollment will be limited to 6-8 students and is finalized the first week of classes of the fall term. The regular add/drop period does not apply. Grades are given at the end of the spring term.

CIVIL JUSTICE CLINIC & CIVIL JUSTICE CLINIC FIELDWORK – MEDIATION CLINIC – FALL/SPRING (LAW*925/926)

(6 units. 3-unit non-GPA class and 3-unit fieldwork component, graded pass-fail, must be taken concurrently. Fieldwork units count against the 18-unit limit for non-classroom work.)

Prerequisite: Negotiation & Mediation: Process & Practice or Negotiation & Settlement; consent of the instructor.

Satisfies professional skills requirement.

This course will have two components, a seminar and a field placement. In the seminar, through discussions and simulations, students will learn mediation skills and look at the role of mediation in civil actions. For their field placements, students will serve as mediators in Small Claims Court, for the City and County of San Francisco, and for the State Department of Industrial Relations (DIR). Cases involving parties who voluntarily agree to mediation will be assigned to a team of students who co-mediate in pairs. The types of disputes that will be mediated include; landlord-tenant, creditor-debtor, consumer, commercial contracts, neighbor conflicts, employment and workplace disputes, and retaliation claims. Students will gain experience in applying mediation theory and strategies discussed in class.

NOTE: Students who enroll in this clinic may not enroll in Mediation (3 units).

CRIMINAL PRACTICE CLINIC AND CRIMINAL PRACTICE CLINIC FIELDWORK – FALL/SPRING (LAW*910/911)

(12 units. 4-unit non-GPA class and 8-unit fieldwork component, graded pass-fail, must be taken concurrently. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

Prerequisites: Prior enrollment in Criminal Procedure, Evidence, Trial Advocacy I, and a course fulfilling the professional responsibility requirement. Criminal Procedure: The Adjudicative Process is recommended but not required.

Preference for enrollment in the Clinic may be accorded to students who are enrolled in or have completed the Criminal Law & Theory Concentration Seminar. Open to 4th, 5th or 6th semester students with preference given to students in their 5th or 6th semester.

Students are required to attend an organizational meeting in the semester preceding their enrollment in the Clinic.

Satisfies professional skills requirement.

This course will emphasize intensive skills training in the classroom supplemented by structured, carefully supervised criminal practice experience in a limited number of prosecutor and public defender offices. Skills covered in class and field placements include interviewing of clients and witnesses, case planning and investigation, plea negotiations, written and oral motion practice, witness examination in hearings and trials, and trial preparation.

There will be required readings for the class component and required videotaped simulation exercises. The class meets intensively through at least the first two weeks of the semester. Students will work a minimum of 32 hours per week in a fieldwork placement (information on these is available in the Externships and Pro Bono Programs Office, 100 McAllister, Room 350). It is expected that all of the placements will involve students making court appearances, and students must be certified by the State Bar of California under the Student Practice Rules. The cost of the certification is \$55.

ENVIRONMENTAL LAW CLINIC AND ENVIRONMENTAL LAW CLINIC FIELDWORK – SPRING (LAW*913/914)

(6 units. 2-unit class and 4-unit fieldwork component, both graded pass-fail, must be taken concurrently. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

Prerequisites: Prior enrollment in any two of the courses listed in the course catalog which constitute the Environmental Law curriculum, or one of those courses plus the first-year Environmental Law statutory course.

The placement given may depend on the courses in which the student has enrolled. 4th, 5th, or 6th semester students only. Spring Semester only.

Satisfies professional skills requirement.

The course will cover strategies of environmental practice as well as problems that arise in environmental negotiation and litigation. These include working with experts in other fields, obtaining and distilling complex scientific data, presentation of the case to an administrative agency, access to the courts, and risk assessment and related problems of proof. The instructor will probably explore these issues by requiring the class to work through a single case from client presentation, to consultation with experts, to negotiation with opposing counsel, to commencement of litigation, to final judgment.

Students are expected to average a minimum of 16 hours a week in a designated fieldwork placement. (Information on the placements is available in the Externship and Pro Bono Programs Office, 100 McAllister, Room 350.) Enrollment is contingent on acceptance into a fieldwork placement offered through the clinic.

IMMIGRANTS' RIGHTS CLINIC AND IMMIGRANTS' RIGHTS CLINIC FIELDWORK – FALL - (LAW*907/908)

(6 units. 2-unit non-GPA class and 4-unit fieldwork component, graded pass-fail, must be taken

concurrently. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

Prerequisite: Upper division Immigration Law only. First-year Immigration Law does NOT qualify as a prerequisite. 3rd, 4th, 5th, or 6th semester students only. Admission to the Clinic requires the prior approval of the instructor. Students should submit a statement of interest and a resume which includes language abilities to Nancy Stuart in the Externships and Pro Bono Programs Office, 100 McAllister, Room 350. (Knowledge of a foreign language is not a prerequisite for the clinic but may be considered as a factor since many of the clients will not speak English.)

Satisfies professional skills requirement.

The Immigrants' Rights Clinic affords students an opportunity to work directly with clients facing immigration problems. The immigration issues range from defending clients facing removal by the INS, those seeking political asylum in the U.S. and others who wish to become U.S. citizens. Students will work primarily at placements outside of the law school. Most of the client representation will be through work with local immigrant rights projects involved in law reform or litigation. Students will be directly supervised by Professor Boswell.

The primary focus in this clinic will be client interviewing and counseling, case planning and legal writing. Students who enroll in the clinic can also expect to be involved in adversarial hearings before immigration judges. The clinic is divided between a classroom or seminar component focusing on skills and case strategy and analysis discussions, and the representational component (sometimes referred to as a fieldwork component) where students engage in the actual work of representing the client.

INNOVATION LAW CLINICS – FALL/SPRING

Our goal is to teach students how to become Partners in Enterprise, not just the lawyers in the room, because the best business lawyers are those who understand the incentive structures that drive business organizations outside of and in addition to the legal regimes. Innovation Law Clinics will introduce and orient students to the materials, expectations, interactions, disciplines and vocabulary of transactional practice, particularly corporate and intellectual property practices.

For the fieldwork, students will work on corporate and intellectual property projects for startups, social enterprises, non-profit organizations, and early stage life science inventors. Their legal work will be supervised by experienced attorneys, including UC Hastings faculty and practicing attorneys from partner law firms. In the seminar component, the students will examine in a more focused fashion the substantive legal doctrines and skills they are applying in the field. For the 2012-2013 academic

year, there will be 3 clinic modules:

Bioentrepreneurship Clinic, focusing on intellectual property work for bioscience startups; Start-up Technology Clinic, focusing on general corporate work for technology start-ups; and a Social Enterprise and Nonprofit Law Clinic.

The Clinics are for 3L students. Second year students who want to apply for their 3L year should note the pre-requisites below.

Admission to the Clinic requires consent of the instructor. **Students may apply to only one of the Innovation Law Clinics.** Students should email a resume, list of courses completed, and a statement of interest prior to 5 pm on June 15 to Lesley King in faculty support kingl@uchastings.edu. Please contact Program Director Lucy Dilworth with questions at dilworth@uchastings.edu. Students will be notified whether or not they have been selected prior to the time for registering for classes.

BIOENTREPRENEURSHIP CLINIC – FALL/SPRING (LAW*992/993)

(Yearlong, 10 units total. 2 unit non-GPA class and 3 unit fieldwork component, graded pass-fail, must be taken concurrently both semesters. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

Pre-requisites: Intellectual Property Survey or Patent Law

Open to 5th or 6th semester students; *students must have a science background.* Admission to the Clinic requires consent of the instructor. **Students may apply to only one of the Innovation Law Clinics.** Students should email a resume, list of courses completed, and a statement of interest to Lesley King in faculty support kingl@uchastings.edu. Please contact Program Director Lucy Dilworth with questions at dilworth@uchastings.edu. Students will be notified whether or not they have been selected prior to the time for registering for classes.

Satisfies professional skills requirement.

Students will be helping early-stage life science startups in QB3, which is an incubator for startups developed from bioscience inventions at UC Berkeley, UC Santa Cruz and UCSF. Student work will be supervised by lawyers at leading Silicon Valley and San Francisco firms, who will be working pro bono. Students will prepare intellectual property “freedom-to-operate” analyses that will help the startups focus their strategy and attract funding. This course will help students develop and apply transactional lawyering skills such as transaction planning and management, client interviewing and counseling, navigating conflict

of interest issues, and legal research.

In the seminar, students will receive legal skills training related to those tasks and will have the opportunity to present and discuss their fieldwork for the group. This clinic will be of particular interest to students considering a career in intellectual property.

START-UP TECHNOLOGY CLINIC – FALL/SPRING – (LAW*994/995)

(Yearlong, 12 units total. 2 unit non-GPA class and 4 unit fieldwork component, graded pass-fail, must be taken concurrently both semesters. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

Pre-requisites: For the initial 2012-2013 academic year, students may either 1) have taken Corporations or Business Associations or 2) enroll concurrently in one of those. **Starting in academic year 2013-2014**, in order to enroll in this clinic students must have already completed Corporations or Business Associations + one of the following: Corporate Finance, Employment Law, Sales & Leases, Securities Regulation, Venture Capital, or Business Planning.

Open to 5th or 6th semester students. Admission to the Clinic requires consent of the instructor. **Students may apply to only one of the Innovation Law Clinics.** Students should email a resume, list of courses completed, and a statement of interest to Lesley King in faculty support kingl@uchastings.edu. Please contact Program Director Lucy Dilworth with questions at dilworth@uchastings.edu. Students will be notified whether or not they have been selected prior to the time for registering for classes.

Satisfies professional skills requirement.

Under the close supervision of a practicing attorney, students will work with entrepreneurs in their very early stages of business planning, including issues related to entity formation, intellectual property, contracts and employment. The weekly seminar will address substantive business law and practice, transactional lawyering skills, client work and the professional role of the business lawyer. This course will orient students to the expectations of a business law practice and students will develop and apply transactional lawyering skills such as transaction planning and management, client interviewing and counseling, legal research, and contract and business document drafting. This Clinic will be of particular interest to students considering a career in corporate practice.

SOCIAL ENTERPRISE & NONPROFIT LAW MODULE - SPRING – (LAW*996/997)

(6 units. 2 unit non-GPA class and 4 units fieldwork component, graded pass-fail, must be taken concurrently. Fieldwork units count against the 18 unit maximum credit

for non-classroom work.)

Pre-requisites: For the initial 2012-2013 academic year, students may either 1) have taken Corporations or Business Associations or 2) enroll concurrently in one of those. **Starting in academic year 2013-2014**, students must have completed one of these courses to apply.

Open to 4th, 5th, and 6th semester students. Admission to the Clinic requires consent of the instructor.

Students may apply to only one of the Innovation Law Clinics. Students should email a resume, list of courses completed, and a statement of interest to Lesley King in faculty support kingl@uchastings.edu. Please contact Program Director Lucy Dilworth with questions at dilworth@uchastings.edu. Students will be notified whether or not they have been selected prior to the time for registering for classes.

Satisfies professional skills requirement.

The Social Enterprise & Nonprofit Law Clinic is a single semester clinic. Under the close supervision of UC Hastings faculty, students assume full responsibility for representing social enterprises, nonprofit organizations and small businesses on corporate and transactional matters. The weekly seminar will address substantive business law and practice, transactional lawyering skills, client work and the professional role of the business lawyer. This course will orient students to the expectations of a business law practice and students will develop and apply transactional lawyering skills such as transaction planning and management, client interviewing and counseling, legal research, cross-cultural competency, and contract and business document drafting. This Clinic will be of particular interest to students considering a transactional law career representing nonprofit, social enterprise and small business communities.

LEGISLATION CLINIC (3 PARTS – 13 UNITS TOTAL) - SPRING

Satisfies the professional skills requirement.

This Clinic includes the Fieldwork component (8 units), Advanced Legislative Process Seminar (2 units), and Bill Drafting & Statutory Interpretation (3 units). Offered spring semester only. All classes meet in Sacramento.

Fieldwork – (LAW*923)

(8 units) Fieldwork units count against the 18-unit limit for non-classroom work.

Prerequisite: Legislative Process or permission of the instructor

Co-requisites: Advanced Legislative Process Seminar and Bill Drafting and Statutory Interpretation.

Clinic students work 32 hours each week for 16 weeks as interns for a legislator who is a lawyer, a legislative committee staffed by a lawyer, or a selected public entity involved with the legislative process and principally staffed by lawyers. Typical placements might involve working with the office of the Legislative Counsel, a legislator/attorney, the President pro tempore of the Senate, the Speaker of the Assembly, the Legal Affairs Division of Governor's Office, a committee like the Assembly Committee on the Judiciary, the legislative division of an agency like the Judicial Council or Justice Department.

The clinics goal is to give a student the opportunity to observe first-hand the lawyer's role in legislative process by attending committee hearings and floor sessions and assisting in crafting and promoting legislation. Through his or her work, a student will develop legal research and writing skills through bill drafting, amendment and analysis; negotiations skills by participating in "working a bill" through the legislative process and advocacy skills by engaging in the coalition building necessary to promote legislation in various forums, including legislative committees.

Placements are arranged by the clinic director, although a student may arrange for his or her own placement if approved by the clinic director. Each student is required to keep a journal that outlines his or her clinical work assignments, summarizes daily activities connected to the clinical placement, reports on each of the required activities, comments on the legal and procedural issues confronted, and generally addresses the clinical experience.

Advanced Legislative Process Seminar – (LAW*763) (2 units)

May satisfy writing requirement; check with instructor.

Prerequisite: Legislation

Enrollment limited to students currently enrolled in the Legislation Clinic. This class meets in Sacramento.

The seminar provides a student with the opportunity to reflect on his or her clinical experience, share that experience with other clinical participants, and explore both issues of legislative process and of substantive law connected to specific legislation on which the intern is working. The seminar will address topics such as the jurisprudence/ "legisprudence" of statutory law and the legislative and judicial cultures; the allocation of power to enact and interpret statutes and constitutional provisions; the initiative process and its impact on the legislative process; parliamentary law and the legislative rules of procedure; the legislature's investigative power; legislative ethics; the relevance of the administrative law to statutory law; the budget process and related legal issues. Guest speakers who are participants in the legislative process will be a key element of the seminar. Each student will be required to report on his clinical experience periodically.

Grades will be based on class attendance and participation, and participation in specified activities, and a journal.

Bill Drafting and Statutory Interpretation – (LAW*215)

(3 units)

Prerequisite: Legislative Process

Enrollment limited to students currently enrolled in the Legislation Clinic. This class meets in Sacramento. The class explores the contemporary literature of statutory interpretation, including the role of courts in construing statutes, the controversy surrounding the use of legislative history, the use of canons of construction, and theories of statutory interpretation. Simultaneously, the class will focus on the professional skills needed to draft bills effectively.

Readings include both time-honored literature on the subject (such as Karl Llewellyn's criticism of the canons, Reed Dickerson's *Legislative Drafting*) and more contemporary sources (such as *Legal, Legislative, and Rule Drafting in Plain English* by Martineau and Salerno). The class will include hands on drafting, both in the context of the student's clinical placement, and in the form of drafting exercises and assignments prepared for the class.

LOCAL GOVERNMENT LAW CLINIC AND LOCAL GOVERNMENT LAW CLINIC FIELDWORK – SPRING (LAW*918/919)

(5 units. 1-unit non-GPA class and 4-unit fieldwork component, graded pass-fail, must be taken concurrently. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

Prerequisite: Constitutional Law I; completion of or concurrent enrollment in either State & Local Government Law or California Local Government Law
Recommended courses: Labor Law, Administrative Law (Fieldwork placement may depend on which specific courses have been taken.) 4th, 5th, or 6th semester students only.

Satisfies professional skills requirement.

The local government law clinic provides students with practical experience in the problems associated with representing a local government. The clinic has an academic and a fieldwork component. The academic component focuses on skills training, developing the ability to learn from critical self-reflection, and draws on the students' experiences in their placements to advance not only their understanding of basic principles of substantive and procedural law relevant to their placements, but of the role of lawyers and legal institutions in society as well. The course will also

address the professional and ethical responsibility of lawyers who represent cities and municipalities.

For the fieldwork component, students work 16 hours per week in a department of the San Francisco City Attorney's office. (Placements are sometimes also available in the Berkeley, Oakland and Palo Alto City Attorney's Offices.) The placements offer students the opportunity to work on projects that enable them to begin to understand the role of the city attorney and the nature of public law practice generally, and to begin to acquire the substantive knowledge and practical skills lawyers practicing local government law need. Typical departments would include, in the San Francisco City Attorney's Office, the general government group, the health, education and social services group, the land use and environment group, and the labor group. The focus of the clinic is not on litigation, so placements in the trial division are excluded.

Enrollment is contingent on acceptance into an approved fieldwork placement.

MEDICAL-LEGAL PARTNERSHIP CLINIC FOR SENIORS CLINIC AND MLP FOR SENIORS FIELDWORK - FALL/SPRING (LAW*935/936)

(6 units, 3-unit non-GPA class, and 3-unit fieldwork component, graded pass-fail, must be taken concurrently. Fieldwork units count against the 18-unit limit for non-classroom work.)

Prerequisites: Wills & Trusts; Elder Law (Course prerequisites may be waived with approval by the instructor.)

Admission to the Clinic requires consent of the instructor. Students should contact Yvonne Troya at troyay@uchastings.edu for information and an application to the clinic.

Satisfies professional skills requirement.

The Medical-Legal Partnership for Seniors Clinic provides students with an opportunity to learn lawyering skills in an interdisciplinary context, and, in particular, to observe the impact of law and policy on the health and clinical care of low-income seniors. A novel feature of this course is that students will be conducting direct services fieldwork at a UCSF medical facility and working directly with elderly patients and their physicians.

This clinic will be of particular interest to students considering a career in health law, elder law, estate planning, or social justice lawyering.

Students will learn to spot a range of elder law issues that confront patients at the UCSF clinic. Direct services will primarily consist of representing low-income seniors in estate planning, including planning for long term care. Students will learn transactional lawyering skills such as

drafting advance health care directives, executing durable powers of attorney for finances, and drafting simple wills. Additionally, as planning for long term care is a major consideration in estate planning for the elderly; students will advise patients on issues of health insurance and public benefits coverage.

Students must attend an initial “Orientation to MLPS” intensive two-day session before the regular semester begins. Thereafter, students must attend a two-hour seminar twice each week, and are expected to complete reading assignments and participate in discussion and training exercises. Students will be required to submit bimonthly reflection papers on which they will receive written feedback.

Additionally, students must devote a minimum of twelve hours per week to direct services fieldwork, which includes office hours at the UCSF Lakeside Senior Medical Center, time spent meeting with clients, and time working on cases.

REFUGEE & HUMAN RIGHTS CLINIC – FALL/SPRING (LAW*931/932)

(6 units. 2-unit class and 4-unit fieldwork component, class is graded, fieldwork is graded pass-fail, must be taken concurrently. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

Prior or concurrent enrollment in statutory immigration law, Upper class Immigration Law or Refugee Law strongly preferred, but not required. Prior or concurrent enrollment in International Human Rights is a plus. 3rd, 4th, 5th, or 6th semester students only. Admission to the Refugee and Human Rights Clinic (RHRC) requires the prior approval of the instructor. Students should submit a completed application and copy of their resume to Vicky Siu, siuv@uchastings.edu. The application can be downloaded by going to the RHRC home page at <http://www.uchastings.edu/academics/clinical-programs/refugee-human-rights/index.html>.

Satisfies professional skills requirement.

Students will attend a weekly two-hour seminar and also work 16-20 hours per week on projects that involve refugee and human rights issues and present a unique opportunity to develop a range of skills relevant to legal advocacy in these areas. In the refugee area, students may engage in the direct representation of asylum seekers or do policy or other high impact work, including the development of expert witness affidavits. Human rights work may involve fact-finding and report writing addressing conditions in refugee-sending countries, collaborative projects with other non-governmental organizations, and work with in-country experts. Some projects may be undertaken in partnership with the law school’s Center for Gender and Refugee Studies (CGRS). CGRS is one of the

nation's leading refugee advocacy organizations, engaging in research, national policy work, impact litigation, and other strategies in defense of asylum seekers.

Students will be given as much individual responsibility as feasible, with one-on-one supervision, so as to provide them with mentoring and the opportunity to develop important professional skills and values. In the weekly 2-unit seminar, students will focus on the development of lawyering skills and enhance their understanding of ethical issues and other subjects bearing on refugee and human rights legal advocacy work. Peer learning will be emphasized through the use of “clinical rounds” and reflective discussion.

The Refugee and Human Rights Clinic will be of particular interest to students who are interested in exploring how successful advocacy on individual cases can impact the development of the law and how “non-legal” approaches, such as use of media and grassroots mobilization, can strengthen traditional legal strategies.

WORKERS' RIGHTS CLINIC – FALL/SPRING (LAW*921/922)

(3 units, 1-unit class and 2 units fieldwork component both graded pass-fail, must be taken concurrently. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

Prerequisite: Prior or concurrent enrollment in Employment Discrimination, Labor Law, Labor & Employment Law, or Sex Discrimination Seminar.

Satisfies professional skills requirement.

The Workers’ Rights Clinic provides students with practical experience in a wide range of employment related problems as they deliver free legal information and assistance to low-income workers. The Clinic operates two evenings a week and is supervised by attorneys from the Employment Law Center and the private bar. Students conduct initial client interviews and in consultation with the supervising attorneys, provide counseling, legal information and referral. In some cases, students provide limited follow-up assistance including drafting letters or administrative complaints, or representing workers at administrative hearings.

The accompanying classroom component, which meets one evening a week for 50 minutes, operates in a seminar format. The seminar addresses selected topics in employment law as well as discussions of legal concepts, skills development and illustrative cases derived from the client experiences. The seminar also allows students to compare their experiences and learn with each other.

NOTE: Monday classes meet in the Dining Commons at Hastings, 6:00-8:00 p.m.; Wednesday classes meet at the Employment Law Center, 180 Montgomery St., 5:15-8:15 p.m.

EXTERNSHIPS

ALTERNATIVE DISPUTE RESOLUTION EXTERNSHIP PROGRAM – FALL/SPRING – (LAW*959/958)

(1 unit, non-GPA academic credit, 4 units clinical credit) – Fieldwork units count against the 18 unit maximum credit for non-classroom work.

Prerequisite: Two courses in the negotiation or dispute resolution area.

Open to 4th, 5th, or 6th semester students only.

Satisfies professional skills requirement.

The Alternative Dispute Resolution [ADR] Externship provides students with a unique opportunity to study dispute resolution processes from a practical as well as theoretical perspective. The Externship is a course for advanced dispute resolution students who want an in-depth practical experience and an opportunity for research, writing, and analyzing challenging topics in this area of study. The academic component focuses on developing competence in advanced problems of dispute resolution, such as psychological factors, system design, ethical responsibilities of practitioners, and public policy developments.

For the fieldwork component, students work at least 14 hours per week in a placement approved by the Director of the Center for Negotiation and Dispute Resolution.

Potential placements include the San Francisco Superior Court's SRL Mediation Program, the Community Relations Service of the U.S. Dept. of Justice, the U.S. District Court for the Northern District of CA Mediation Program, SEEDS dispute resolution center in Oakland, SF Community Boards, the California Department of Industrial Relations, Mondria Online ADR, San Mateo Superior Court's Juvenile Mediation Program, Marin Dispute Resolution Services, and the California Lawyers for the Arts Arbitration and Mediation Service.

JUDICIAL EXTERNSHIP PROGRAM

The Judicial Externship Program consists of a classroom component and a fieldwork component, described below, which must be completed simultaneously. In addition, each student must complete a 2-3 unit pre- or co-requisite course of his or her choice from the list below. Minimum 2.8 GPA. Enrollment is limited to 60 students each semester (30 during the summer).

Satisfies professional skills requirement.

CLASSROOM COMPONENT – FALL/SPRING (LAW*899)

(1 unit, graded pass-fail)

The Judicial Externship classroom component consists of a required eight-hour orientation program and ongoing supervision by the faculty supervisor. The orientation takes place at Hastings *during the two days preceding the first day of classes* for the semester. For the fall 2012 semester the **orientation will be held on August 16th and 17th**. For the spring semester 2013, orientation will be held **on January 10th and 11th**. The ongoing supervision requires students to keep a journal during their fieldwork and to be in contact with the faculty supervisor several times during the semester. This contact may be by telephone or e-mail if the student's fieldwork is outside of the Bay Area.

FIELDWORK – (LAW*940)

(3 to 9 units, graded pass-fail. Fieldwork units count against the 18 unit maximum credit for non-classroom work.)

All judicial externships are open to 4th, 5th and 6th semester students. Placements must be approved for fall 2012 enrollment on or before August 1, 2012. Placements for spring 2013 enrollment, on or before January 3, 2013.

Students may earn up to 9 units of fieldwork credit by working as externs at any level of state or federal courts and at some selected administrative agency tribunals. If the externship does not afford a substantial research and writing experience, only up to 5 units may be earned. Students may work part-time and earn between 3 and 8 units of fieldwork credit, computed at the rate of one unit for every 45 hours of work. Full-time externs may earn 9 units by working a minimum of 12 weeks of at least 35 work hours each. Students may extern anywhere in California without seeking advance permission; externships outside California require the permission of the faculty supervisor.

Interested students should inquire at the Externships and Pro Bono Programs Office, 100 McAllister, Room 350, early in the semester prior to the semester or summer during which they would like to extern. Group meetings about the program's requirements are held periodically. A student who accepts a judicial externship position may not withdraw to take a position with another judge or court.

A student who wishes to enroll more than once in a judicial externship will be given last priority for purposes of the enrollment limitation and must participate in the supervision aspects of the classroom component without unit credit (but need not attend the orientation again).

DESIGNATED PRE- OR CO-REQUISITE

COURSES FOR JUDICIAL EXTERNS:

The following courses offered in 2012-2013 satisfy this requirement. Students need only take one course.

For any externship: Advanced Legal Research, Alternative Dispute Resolution and Settlement, Capital Punishment Seminar, Courts as a Political Actor Seminar, Criminal Punishment Seminar, Judicial Process Seminar, Negotiation & Mediation: Process & Practice, Negotiations and Settlement, Pretrial Practice, Problem Solving & Professional Judgment, , Trial Advocacy I or II, Trial Objections.

If you have not taken one of the above courses and want to take a course more closely tailored to your externship, you may take one of the following instead.

For Federal District and Circuit Courts: Complex Litigation, Federal Courts, Federal Criminal Law

For any appellate court externship: Appellate Advocacy

For any California court: California Civil Procedure

For California family law courts: Family Law

For California probate courts: Wills & Trusts

For bankruptcy courts: Bankruptcy & Creditors' Remedies; Business Bankruptcy and Corporate Reorganization

For Immigration court: Immigration Law – upper division

LEGAL EXTERNSHIP PROGRAM - FALL/SPRING (LAW*933/934)

(1 class unit, non-GPA academic credit, 3 or 4 units non-class credit) (Non-class units count against the 18 unit maximum credit for non-classroom work).

Prerequisites: Vary according to placement. Please consult Director of Externships and Pro Bono Programs.

Recommended courses: Vary according to placement. Please consult Director of Externships and Pro Bono Programs. 4th, 5th, or 6th semester students only. Satisfies professional skills requirement.

This program provides students with the opportunity to participate in an approved externship program at a government agency or non-profit legal organization. The clinic has an academic and a fieldwork component. The academic component focuses on skills training, developing the ability to learn from critical self-reflection, and draws on the students' experiences in their placements to advance not only their understanding of basic principles of substantive and procedural law relevant to their placements, but of the

role of lawyers and legal institutions in society as well.

For the fieldwork component, students work either 12 or 16 hours per week in a placement approved by the Director of Externships and Pro Bono Programs.

Requests for approval for enrollment in the Legal Externship Program must be submitted to Professor Nancy Stuart, stuartn@uchastings.edu, **no later than the first day of classes for the semester.**

OTHER PROGRAMS

SCHOLARLY PUBLICATIONS (UP TO 2 UNITS)

A number of second-year students are selected to participate for credit on one of the following student-edited scholarly publications at Hastings:

Hastings Business Law Journal
Hastings Communications and Entertainment Law Journal (COMM/ENT)
Hastings Constitutional Law Quarterly
Hastings International and Comparative Law Review
Hastings Law Journal
Hastings Race and Poverty Law Journal
Hastings Science and Technology Law Journal
Hastings West-Northwest Journal of Environmental Law and Policy
Hastings Women's Law Journal

Each publication's board of editors selects solicited and unsolicited articles on legal scholarship. Second-year members work on source pulls and citation checks, and write Student Notes usually under the guidance of third-year student mentors.

First-year students who are interested in becoming a member of a journal during their second year are required to enter the Inter-Journal Writing Competition, which begins immediately after spring semester finals and ends about 12 days later. The competition is administered by the college's O'Brien Center for Scholarly Publications, which provides all materials necessary for completion of the competition. Each of the journals editors use base guidelines for the evaluation of writing competition entries as well as other criteria particular to each journal. For sample copies of the journals and more information about the journals themselves as well as and about participating in the Inter-Journal Writing Competition, see <http://www.uchastings.edu/academics/journals/index.html>, or contact the O'Brien Center for Scholarly Publications at scholarp@uchastings.edu.

CLIENT COUNSELING TEAM (1 OR 2 UNITS) – SPRING – (LAW*978)
Satisfies professional skills requirement only if 2 units

received.

The Hastings Client Counseling Team (HCCT) focuses on skills development and integrating real world experience with client interviewing and counseling theories and principles. All HCCT team members must complete the Interviewing and Counseling course (Law*812) the previous fall, or obtain instructor approval to participate.

Although enrollment in the HCCT takes place in the spring semester, HCCT activities begin in the fall. All interested students are invited to attend a one-hour introductory session in the fall semester. Students who have completed or are concurrently enrolled in Interviewing and Counseling, or have obtained instructor approval, may enter the in-school competition held in mid-October. The students selected through the in-school competition will represent Hastings in the ABA Regional Client Counseling Competition (Hastings will pay for the travel costs, including meals and lodging, for the ABA competition). At the instructor's discretion, students who are not selected to compete, but who would like to continue to participate in the HCCT, may be invited to join the HCCT as non-competing members.

Over the winter break, all HCCT team members are required to study materials on interviewing and counseling, as well as the substantive law chosen for the ABA competition. In the spring semester, all team members engage in mandatory 2 ½ hour practices twice a week through mid-February. Competing team members are expected to work with the team coach(es) for an additional 2 ½ hours each week outside of regular practices in order to further prepare for the ABA competition. All team members, whether competing or non-competing, receive individual support, coaching and mentoring designed to increase their interviewing and counseling skills.

Students who meet all participation requirements and compete in the ABA Regional competition are eligible to receive 2 units per year, to be awarded in the spring semester. Students who meet all participation requirements and who also serve as President and/or Team Coach are eligible to receive 2 units per year, to be awarded in the spring semester. Students who meet all participation requirements but who are non-competing members are eligible to receive 1 unit per year, to be awarded in the spring semester. The HCCT is open to first-year students but first-year students do not receive credit for participation. In the past, first-year students have represented Hastings in the ABA competition.

All HCCT units are subject to the overall 18-unit credit limit for non-classroom work as set forth in 1203 of the Academic Regulations and Other Rules Applicable to

Students.

INTERSCHOLASTIC COMPETITION BOARD – MOOT COURT (LAW*971)

(1 unit fall; 1 unit spring)

Prerequisite: Appellate Advocacy

Third-year students who successfully complete Appellate Advocacy are invited to apply for membership on the Interscholastic Competition Board - Moot Court. Board Members serve as student coaches for interscholastic competition teams, organize and supervise competitions, and offer individual assistance to moot court team members. Board Members conduct oral arguments and videotape practices for students, proofread and edit Moot Court briefs, and provide guidance to their teams on the competition topic and relative the law. Board Members give advice on citation format, persuasive writing, and the development of student work. Board Members attend regular meetings with Faculty or Alumni Coaches and the Moot Court Director to improve his or her teaching skills, editing and conference techniques. Board Members may earn a total of two units during his or her third year. Credit earned under this section is distinct from credit earned for service as a Teaching Assistant under section 2875-2880.

INTERSCHOLASTIC COMPETITION – MOOT COURT (LAW*973) – FALL/SPRING

(2 units per competition upon completion of competition)

Satisfies professional skills requirement

Hastings has one of the most successful Moot Court Competition programs in the United States, including a Number One ranking in 2011. Hastings students win National Championship awards, Best Brief awards, Best Oral Advocate awards, and many other honors each year in competitions held throughout the nation on a variety of topics.

Competition students participate on a team as oral advocates and/or brief editors. The students write an appellate brief and prepare to argue both sides of the case during oral arguments. They participate in 20-25 formal oral argument practices that are judged by students, faculty, and practitioner panels. Competitors prepare for tournaments which are sponsored by law schools, bar associations, courts, and institutes.

Tryouts for the competition teams are held in April and are open to all Hastings students. Each applicant prepares a five-minute oral argument from a brief utilized in a competition that year, submits a résumé and a short writing sample, and participates in an informational interview with the competition selection committee. The teams for the upcoming year are announced at the Moot Court Awards Ceremony held in April of each year.

Competition students receive two units of academic credit for each competition as well as personalized, individual support and guidance to maximize his or her learning and performance in the competition subject area and in written and oral appellate argument. All team members are required to successfully complete Appellate Advocacy.

INTERSCHOLASTIC COMPETITION BOARD - ALTERNATIVE DISPUTE RESOLUTION

(LAW*974) – FALL/SPRING

Prerequisite: Negotiation & Settlement or Negotiation & Mediation

ADR Board members participate in organizing and training the ADR Team throughout the school year. They assist with the development of new and prospective Team members by helping them prepare for negotiation and mediation practice sessions, and conducting instructional sessions in Problem Analysis, Making Opening Statements, Listening, Questioning & Reframing, and Self-Evaluation. They judge practice sessions, proofread and edit negotiation planning documents, provide written and oral guidance to their advisees on the topic of practice negotiations and the law pertaining to these simulations, conduct video practice sessions, lead debriefing sessions and provide individual feedback designed to develop their negotiation skills, problem-solving ability and experience in the competition environment. Board Members also attend regular meetings with the Team Coach to improve their teaching skills, and feedback and mentoring techniques.

Board members recruit new Team members. They organize and manage the logistics for practice and teaching sessions. They maintain the Team's website to provide participants with the Team's calendar, assigned roles for practice sessions, competition links, reading materials, and other information. They assist in the organization of the annual In-School Competition, the qualifying event for membership on the Team.

Board Members may earn a total of two units during their third year. Credits earned under this section are distinct from credit earned for service as a teaching assistant under Section 2875-2880.

INTERSCHOLASTIC COMPETITION - CLIENT COUNSELING TEAM

(1 OR 2 UNITS) – SPRING – (LAW*978)

Satisfies professional skills requirement only if 2 units received.

The Hastings Client Counseling Team (HCCT) focuses on skills development and integrating real world experience with client interviewing and counseling

theories and principles. All HCCT team members must complete the Interviewing and Counseling course (Law*812) the previous fall, or obtain instructor approval to participate.

Although enrollment in the HCCT takes place in the spring semester, HCCT activities begin in the fall. All interested students are invited to attend a 2-hour introductory session in the fall semester. Students who have completed or are concurrently enrolled in Interviewing and Counseling, or have obtained instructor approval, may enter the in-school competition held in mid-November. The students selected through the in-school competition will represent Hastings in the ABA Regional Client Counseling Competition (Hastings will pay for the travel costs, including meals and lodging, for the ABA competition). At the instructor's discretion, students who are not selected to compete, but who would like to continue to participate in the HCCT, may be invited to join the HCCT as non-competing members.

Over the winter break, all HCCT team members are required to study materials on interviewing and counseling, as well as the substantive law chosen for the ABA competition. In the spring semester, all team members engage in mandatory 2 ½ hour practices twice a week through mid-February. Competing team members are expected to work with the team coach for an additional 2 ½ hours each week outside of regular practices in order to further prepare for the ABA competition. All team members, whether competing or non-competing, receive individual support, coaching and mentoring designed to increase their interviewing and counseling skills.

Students who meet all participation requirements and compete in the ABA Regional competition are eligible to receive 2 units per year, to be awarded in the spring semester. Students who meet all participation requirements and who also serve as President and/or Team Coach are eligible to receive 2 units per year, to be awarded in the spring semester. Students who meet all participation requirements but who are non-competing members are eligible to receive 1 unit per year, to be awarded in the spring semester. The HCCT is open to first-year students but first-year students do not receive credit for participation. In the past, first-year students have represented Hastings in the ABA competition.

All HCCT units are subject to the overall 18-unit credit limit for non-classroom work as set forth in 1203 of the Academic Regulations and Other Rules Applicable to Students.

INTERSCHOLASTIC COMPETITION - ALTERNATIVE DISPUTE RESOLUTION (1 UNIT PER SEMESTER*) – (LAW*977) – FALL/SPRING

Satisfies professional skills requirement only if 2 units are

received.

Since its formation in 2000, the Hastings Negotiation Team has successfully competed in national and international negotiation and mediation competitions. Students participate in 2-member teams negotiating deals and settling disputes arising in a variety of factual and legal contexts. The competitions are held in-person or online using specialized web-based technology. In participating on the Team, students receive individual support, coaching and mentoring designed to maximize competitive performance, to increase understanding of legal problems and their practical implications, and to develop problem-solving skills.

Hastings pays for the travel costs (including meals and lodging) to in-person competitions. Students who win regional events also compete at national final rounds.

The tryout for the Team is an In-School Competition held in late September or early October. The In-School Competition is open to all Hastings students, and consists of two rounds of negotiation and mediation. It is judged by panels of mediators, local practitioners, coaches and experienced team members using competition standards. To prepare interested students for the In-School Competition, a month of weekly coached practices is offered during September.

*Team members receive one unit of credit for each semester in which they participate in an outside competition.

INTERSCHOLASTIC COMPETITION - TRIAL TEAM (2 UNITS PER SEMESTER) – (LAW*979) – FALL/SPRING

Satisfies professional skills requirements. Hastings has a nationally recognized Trial Team, which competes against other law schools around the country in various mock trial competitions sponsored by law schools, bar associations, and legal organizations. The competitions involve both civil and criminal topics, and members of the team compete in at least one tournament a semester.

A tournament team usually is composed of four students, two of whom represent the plaintiff or prosecution side of the topic and two of whom represent the defense. Students will give either an opening or closing statement, and will be responsible for conducting at least one direct and one cross examination. In addition, students will present and argue motions *in limine* before the trial begins. When one side is acting as lawyers, the other two students act as witnesses for their colleagues. A competition usually entails two or three preliminary rounds, which

average about three hours in length. Most tournaments then have a semi-final and final round to determine the champion.

Fact patterns and trial materials for a given competition are distributed about seven weeks before the competition. Students work with the coaches, alumni, their individual team members and the Trial Team as a whole to prepare for the competition, and will participate in numerous practice trials in the weeks leading up to the competition.

Hastings pays for the travel costs (including meals and lodging) for the students participating in the tournaments. Tryouts for the team are held in April, and are open to all Hastings students. A student trying out for the team is given a fact pattern from a past tournament and is asked to give a closing statement and conduct a short cross examination of one of the witnesses. The student also participates in a short informational interview with the selection committee.

Trial Team members receive two units of academic credit each semester, and receive intense training in evidence, trial advocacy, and trial ethics. Students can expect to leave the Trial Team with a complete command of the nature and nuances of trial preparation and courtroom advocacy.

INDEPENDENT STUDY

Second and third year students may earn a maximum of two units of credit for a single independent study project. No student may enroll in more than two independent study projects during his or her law school career. To enroll in an independent study, the student should develop a topic under the supervision of a full-time faculty member and then submit a petition to the Records Office describing the proposed project. Grades received for independent study are not considered in calculating the student's cumulative GPA. With the supervising faculty member's approval, a 2-unit independent study may satisfy the College's writing requirement. No independent study credit will be awarded if the student receives monetary compensation or other academic credit for the project. Students who wish to be supervised by an adjunct faculty member need to obtain permission of the Associate Academic Dean in order to participate in an independent study project.

EXCHANGE PROGRAMS AND STUDY ABROAD OPPORTUNITIES

EDUCATIONAL OBJECTIVES OF THE FOREIGN EXCHANGE AND STUDY ABROAD PROGRAMS:

Our objective in sending students for foreign study is to increase their understanding of foreign law and to provide them with the information, skills, and experience to work more effectively as attorneys in a global legal

environment. Most of the programs offer a concentration in a specialized field of law. A student participating in one of the exchange programs shall follow a course of study that is consistent with the objectives of the program for which he/she is selected. A student may receive up to 12 credits towards his/her Hastings degree for courses completed as a part of one of these exchange programs.

Dual J.D./LL.M. Degree Programs

With approval of the Academic Dean and International Programs Committee, a student who earns an LL.M. degree from a foreign law school as a result of participation in an official Hastings dual degree program may transfer to Hastings a maximum of 24 credits from that LL.M. program (see Academic Regs. 2208). Hastings has three official dual degree programs: SOAS, Paris II, and Deusto/Tilburg. A student must indicate intention to enroll in the full year LL.M. degree at the time of application to the exchange program, and must have completed 62 credits and four full semesters in residency at Hastings by the start of the LL.M program. If for any reason a student is unable to complete the full-year curriculum, he/she may apply to the Associate Dean of International and Graduate Programs for permission to receive up to a maximum of 12 credits for completing a half-year of the program. However, a student who does not complete the joint degree program is not guaranteed that he/she will receive any credits. A student choosing this joint-degree option should know that due to examination dates of these LL.M. programs, the Hastings graduation may be delayed by one semester. This can also delay eligibility for taking the California Bar Examination.

PROGRAMS

Argentina – Austral University, Buenos Aires – Latin American Law

Students may spend fall or spring semester during their second or third years at Austral. Spanish fluency is required. Tuition is paid directly to Hastings for the semester. For more information, see www.austral.edu.ar/.

Australia – University of New South Wales – Law

Students may spend fall or spring semester during their second or third years at UNSW. Tuition is paid directly to Hastings for the semester. For more information, see www.law.unsw.edu.au/.

China – Peking University Law School, Beijing – Chinese Law

Students may spend fall or spring semesters during their second or third years at Peking. Courses are taught in English; however, some Mandarin proficiency is recommended. Tuition is paid directly to

Hastings for the semester. For more information, see www.law.pku.edu.cn/lmp/En_001.asp.

China – Shanghai Jiao Tong University KoGuan Law School -- Chinese Law

Students may spend fall or spring semester during their second or third years at Shanghai Jiao Tong University. Courses are taught in English; however, some Mandarin proficiency is recommended. Tuition is paid directly to Hastings for the semester. For more information, see <http://law.sjtu.edu.cn/En/>

Denmark – University of Copenhagen – European Union Law

Students may spend a fall or spring semester during their second or third years at the University of Copenhagen studying the law of the European Union. The program is taught entirely in English and includes students from all the European Union countries. Tuition is paid to Hastings for the semester. For more information, see jura.ku.dk/english/.

France – University of Paris, II (Université Panthéon-Assas Paris II) – Joint J.D./LL.M. –European Business Law

Students may complete a one-year LL.M. degree in Public or Private European Law in their third year of study. Courses are taught in English. Tuition is paid directly to Hastings for the semester. GPA minimum requirement is 3.0. For more information, see www.u-paris2.fr/.

Germany – Bucerius Law School, Hamburg – International Business Law

Students may spend fall semester during their second or third years at Bucerius. Courses are taught in English; however, law courses taught in German are available to those fluent in German. Tuition is paid directly to Hastings for the semester. For more information, see www.law-school.de.

Germany – Freie University, Berlin – E.U. Business Law

Students may spend spring semester during their second or third years at Freie University. Courses are taught in German; fluency is required. Tuition is paid directly to Hastings for the semester. For more information, see www.fu-berlin.de/.

Hungary – Central European University, Budapest – Comparative Law, Human Rights and Business Law

Students may spend a fall or spring semester during their second or third years at CEU studying the comparative constitutional law, human rights law, or business law, with a special focus on the study of social change and policy implications of transition to open societies. The program is taught entirely in English. Tuition is paid to CEU directly for the semester. For more information, see www.ceu.hu/legal.

Israel – Tel Aviv University – Law

Students may spend the fall or spring semester during their second or third years at Tel Aviv University. Courses are taught in English. Tuition is paid directly to Hastings for the semester. For more information, see www.law.tau.ac.il/Eng/.

Italy – Bocconi University, Milan—International Business Law

Students may spend the fall or spring semester during their second or third years at Bocconi. Courses are taught in English. Tuition is paid directly to Hastings for the semester. For more information, see www.ir.unibocconi.eu.

Italy – The International University College of Turin –Political Economy and Law

Students may spend fall or spring semester during their second or third years at IUC of Turin studying Law and Globalization. Courses are offered in English. Tuition is paid directly to Hastings for the semester. For more information, see www.iuctorino.it/.

Japan – Waseda University, Tokyo – Law

Students may spend the fall semester during their second or third years at Waseda. Courses are taught in English. Tuition is paid directly to Hastings for the semester. For more information, see www.waseda.jp/law-school/index-e.html.

The Netherlands – Leiden University –International or E.U. Law

Students may spend a fall or spring semester during their second or third years at Leiden studying the law of the European Union. Leiden, the Netherlands' oldest and most famous university, is located in the heart of Europe and only a short train ride from Amsterdam and The Hague, where the International Criminal Court and the World Court sit. The program is in English and includes students from other E.U. member countries. Tuition is paid to Hastings for the semester. For more information, see www.leidenuniv.nl/en/studyinleiden/sap/.

Spain – Deusto University, Bilbao – International and European Law

Students have two options at Deusto: 1) to spend fall or spring semester during their second or third years at Deusto taking law classes either completely in English or in a combination of English and Spanish; or 2) to enroll in the full-year LL.M. at Deusto (all courses in English) spending fall semester at Deusto and spring semester at Deusto's partner university, University of Tilburg in the Netherlands. Option two is a dual degree J.D./LL.M. program for third year J.D. students only. Tuition is paid directly to Hastings. For more information, see www.derecho.deusto.es.

Spain – IE (Instituto de Empresa) Law School, Madrid – International Business Law

Students may spend a fall or spring semester during their second or third years at IE studying international business law. Courses may be taken in English or in Spanish at the law school and the business faculty. Students should have a minimum GPA of 3.0 and a demonstrated interest in international business law. Tuition is paid directly to Hastings for the semester. For more information, see www.ie.edu.

United Kingdom – The School of Oriental and African Studies Law Faculty at the University of London – Law and Development

Students have two options at SOAS: 1) to spend a fall semester during their third year at the School of Oriental and African Studies (SOAS) studying comparative law and development in the developing countries; or 2) to apply for the dual degree full-year LL.M. program at SOAS for the final third year of law study. GPA minimum requirement is 3.0. Tuition is paid directly to SOAS. For more information, see www.soas.ac.uk.

U.S.A. – The Vermont Law School, Royalton, Vermont – Environmental Law

Students may spend the fall or spring semester during their second or third years at the Vermont Law School studying environmental law. The law school is situated in a beautiful, rural New England town, and it boasts one of the top programs in environmental law in the United States. Students participating in this program may transfer up to 16 credits towards their Hastings degree. Tuition is paid to Hastings for the semester. For more information, see www.vermontlaw.edu/.

APPLICATION PROCESS

Students who are interested in any of these programs apply during their first or second years at Hastings to the International Programs Committee. The Committee selects students based upon their personal statements, experience, academic performance, and, if required, an interview. In addition, students must have successfully completed their first-year curriculum in order to be eligible. Except as otherwise noted, there is no required GPA minimum for admission to these programs. However, the selection process is highly competitive. In general, we have found that students with a GPA below 2.7 are unlikely to be selected. Application forms are available from the Hastings website or from the International and Graduate Programs Office, Room 310 (200 McAllister). The deadline for applying is February 1st for programs occurring during the following academic year. Upon acceptance, participants will be asked to sign an Exchange Program/Study Abroad Participation Agreement and a release and make a non-refundable deposit of \$500.

INDEPENDENT STUDY ABROAD

In addition to these programs, a student may design his/her own study abroad program at a recognized foreign law faculty with approval from the Associate Academic

Dean and the Associate Dean of International and Graduate Programs. A student may not, however, design an independent study abroad program at any of the foreign universities with which Hastings has an established exchange program. Application deadlines for independent study abroad: Fall programs, June 15; Spring programs, November 1.

JOINT DEGREE PROGRAM

Students may participate in a joint degree program between Hastings and another graduate school in a law-related discipline. To be eligible for the joint degree program, students must successfully complete the first-year Hastings curriculum before beginning course work at another institution. Students who wish to pursue the joint degree program must submit a request for approval form (available in the Records Office), a written statement of objectives, and a proposed curriculum to the Associate Academic Dean. A maximum of 12 units may be transferred to Hastings from a joint degree program.

LL.M. PROGRAM

The LL.M. (Master of Laws) Program in U.S. Legal Studies is a one-year program open to students who hold a law degree from a faculty of law located outside the United States. The purpose of the program is to increase knowledge of the U.S. legal system, promote the rule of law, and add global perspective to the educational experience of J.D. students at Hastings.

LL.M. candidates will be required to complete 24 credit hours of classes, including LL.M. Legal Writing & Research, Introduction to United States Legal Systems, and one first-year required course offered in the first semester. Most classes will be held with J.D. candidates.

Interested persons holding a law degree from a foreign law faculty should contact the International and Graduate Programs. Office directly. This program is not open to J.D. candidates or to anyone holding a J.D. from a law school in the United States.

LL.M. LEGAL RESEARCH & WRITING (2 UNITS) – FALL – (LAW*132)

This course, which is offered only to LL.M. candidates, focuses on (1) techniques for international practitioners in research, writing, and the practice of law in U.S. courts; (2) objective analytical skills that promote success in coursework and in the profession; (3) a broad overview of the structure of the U.S. legal system; (4) scholarly writing; and (5) exam preparation.

INTRODUCTION TO UNITED STATES LEGAL SYSTEMS (2 UNITS) – FALL – (LAW*161)

This two-unit course, which is offered only to international LL.M. candidates, provides an overview of U.S. legal system in action, introducing students to the structure and procedures that apply in several distinctive areas of law presenting special doctrinal challenges. In particular, instruction will focus on the development of law in human rights and in the American enterprise system. Other topics will be included as necessary.

MASTER OF STUDIES IN LAW PROGRAM

The MSL (Master of Studies in Law) program is a one-year program for health or science professionals who do not seek to practice law but who instead want to equip themselves with a sophisticated understanding of legal reasoning and doctrine. The purpose of the program is to immerse these professionals in law and legal thinking in order to better enable them to interact with the legal system in their own careers in health and science.

The program is designed to allow students flexibility in choosing coursework that meets their individual interests and professional needs. There is a diverse array of elective coursework available to MSL students, and faculty will be available to assist in shaping an appropriate course plan.

MSL candidates will be required to complete a total of 28 units, which includes both required and elective coursework. MSL students are graded on a Credit/No Credit basis.

Required Courses:

Legal Research & Writing for MSL Students (Fall, 2 units)

MSL Seminar (Fall & Spring, 2 units)

Minimum of one of the following first-year classes in the fall: Civil Procedure I, Constitutional Law I, Contracts I, Criminal Law, Property, or Torts

Interested persons holding advanced degrees in the sciences, or with significant professional experience in the sciences, should contact the UCSF/UC Hastings Consortium on Law, Science & Health Policy for information about the program. This program is not open to individuals who have completed a JD program, or who are currently JD candidates. MSL candidates may not apply units taken in the MSL program toward a JD degree at UC Hastings.

MSL SEMINAR (2 UNITS) – FALL/SPRING (1 UNIT PER SEMESTER) – (LAW*604)

The MSL Seminar is a required core course for students in the Master of Studies in Law program. The course is designed to provide students with an overview of issues at the intersection of law and the sciences. In particular, MSL students will be exposed to the myriad ways in which the law and legal systems inform and affect their work as

science and health professionals.

Specific topics will vary from year to year, as they will be chosen based on the interests and expertise of the current cohort of MSL students and will revolve around current issues in the health sciences.

Experts in the field will be invited to co-teach various aspects of the course. This includes both in-house experts (Hastings faculty) as well as experts in the community (such as UCSF faculty). JD students may not enroll in this course.

MSL LEGAL WRITING AND RESEARCH

(2 OR 3 UNITS) – FALL – (LAW*133)

This Legal Writing and Research course is designed especially for the Master of Studies in Law (MSL) students. The course will provide MSL students with a basic introduction and overview of the legal system as well as skills for navigating their classes while at Hastings. This includes learning to read legal authority and secondary sources, prepare for classes and take exams, and conduct legal research. Students will learn how to properly integrate legal authority, theory, or frameworks into their scientific work.

All reading and writing exercises will have a substantive theme: law as it relates to science and health.

This is a required course for completion of the MSL degree. JD students may not enroll in this course.

INTRODUCTION TO LAW

(4 UNITS) – FALL – (LAW*162)

This course will survey basic areas of the law, including procedure in civil litigation, private law areas including torts (civil wrongs), contract and property, and the public law areas of Constitutional Law and Administrative Law. It will also address the role of lawyers in the system.

This course will be conducted partly through analysis of key cases, partly through texts on law, and partly through discussion. It is designed to acquaint people who have already pursued a professional degree, in law or other discipline, the basic patterns of thought involved in the law and legal discourse.

NOTE: This course is specially designed for MSL and other Master's degree students.

AREAS OF STUDY AND PRACTICE

In order to help you identify various types of practice and fields of substantive law, the Hastings curriculum can be divided into areas of study and practice. These are only suggested areas of study as opposed to a formal concentration in a particular area which is

described under upper class concentrations. A well-rounded class schedule might include at least a few courses from each of the major fields. You may use the areas of study and practice list as a guide to recognized interrelationships among courses, their prerequisites, and the faculty members most familiar with practice in that field.

Required first-year courses are omitted from the lists, as they form the basis for all courses in the curriculum. Please note that certain courses, particularly seminars, may not be offered each year.

ADMINISTRATIVE & PUBLIC LAW

GPA Lecture Courses

- Administrative Law
- Advanced Environmental Law: Contaminated Property Issues
- Animal Law
- Antitrust
- Arbitration
- Biodiversity Law
- Children & the Law
- Constitutional Law
- Disability Law
- Employment Discrimination
- Environmental Law (first-year statutory course)
- Environmental Quality Law & Policy
- Financial Crises and the Regulations of Financial Institutions
- Food & Drug Law (first-year statutory course)
- Health Policy
- Immigration Law
- Insurance
- Labor & Employment Law
- Labor Law I
- Land Use Regulation
- Law, Psychiatry & the Mental Health System
- Legislation Law
- Regulated Industries
- Remedies
- Securities Regulation
- Water Resources

Seminars, Non-GPA Courses & Clinics

- Alternative Dispute Resolution Seminar
- American West: Law, Culture & Environment
- Bioethics & the Law Seminar
- California Nonprofit Corporation Law & Charitable Foundations Seminar
- Civil Justice Clinic
- Civil Rights Seminar
- Community Economic Development Seminar
- Constitution of the Family Seminar
- Financial Basics for Lawyering
- Judicial Elections & the Role of the Judiciary in American Democracy Seminar
- Land Use Regulation Seminar

Law & the Japanese American Internment Seminar
 Legislation - Statutory Interpretation & Bill Drafting
 Mass Media Law Seminar
 Negotiation & Mediation: Process & Practice
 Public Finance Seminar
 Public Policy Advocacy Seminar
 Psychiatry & the Law Seminar
 Tax Problems of Exempt Organizations Seminar
 Water Resources Seminar
 Workers' Rights Clinic

Faculty Counselors

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|----------|-------------|
| Aaronson | Levine |
| Boswell | Marshall |
| Carrillo | Nelken |
| Cohen | Rao |
| Crawford | Rappaport |
| Faigman | Reiss |
| Goishi | Schiller |
| Hillman | Silverstein |
| Jung | Takacs |
| Lee | |

ADVOCACY & LITIGATION

GPA Lecture Courses

Advanced Civil Procedure - Complex Litigation
 Advanced Negotiation: Multi-Party, Multi-Issue and Group Processes Arbitration
 California Appellate Process
 California Civil Procedure
 Conflict of Laws
 Criminal Procedure
 Domestic Violence Law
 E-Discovery
 Evidence
 Federal Courts
 Federal Pretrial Litigation
 Mass Torts
 Personal Injury Litigation
 Remedies
 Roles & Ethics in Practice
 Science in Law

Seminars, Non-GPA Courses & Clinics

Advanced Evidence Seminar
 Alternative Dispute Resolution Seminar
 Appellate Advocacy
 Case Studies in Contract Law Seminar
 Civil Justice Clinic (multiple clinics)
 Civil Justice Mediation Clinic
 Civil Rights Seminar
 Criminal Practice Clinic
 Current Issues in Civil Litigation Seminar
 Environmental Law Clinic
 Facilitation for Attorneys
 Financial Basics for Lawyering

Forensic Evidence Seminar
 International Litigation & Arbitration Seminar
 Investor-State Arbitration Under NAFTA Seminar
 Judicial Administration in the Federal Courts Seminar
 Law & the Japanese American Internment Seminar
 Mass Justice Seminar
 Mediation
 Negotiation & Mediation: Process & Practice
 Negotiation & Settlement
 Pre-Trial Practice
 Public Interest Law Seminar
 Problem Solving and Professional Judgment in Practice
 Psychiatry & the Law
 Science in Law Seminar
 Sex Discrimination & the Law Seminar
 Trial Advocacy I
 Trial Advocacy II
 Trial Objections
 Workers' Rights Clinic

Faculty Counselors

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|-----------|-----------|
| Aaronson | Lee, Evan |
| Bisharat | Levine |
| Bloch | Little |
| Boswell | Marcus |
| Dodge | Marshall |
| Faigman | Nelken |
| Freshman | Park |
| Goishi | Piomelli |
| Jung | Tierney |
| Lee, Eumi | Wingate |

BUSINESS & COMMERCIAL

GPA Lecture Courses

Advanced Civil Procedure - Complex Litigation
 Advanced Corporate Law
 Advanced Negotiation: Art of the Deal
 Antitrust
 Arbitration
 Bankruptcy & Creditors' Remedies
 Biodiversity Law
 Business Planning
 Comparative Antitrust Law
 Conflict of Laws
 Constitutional Law II
 Consumer Transactions
 Commercial Contract Writing
 Corporate Finance
 Corporations
 Employment Discrimination
 Entertainment Law
 Federal Income Taxation
 Federal Income Taxation of Corporations & Partnerships
 Federal Income Taxation of Real Estate & Other Investments
 Financial Crises and the Regulation of Financial

Institutions
Hedge Funds & Investment Management
Insurance
International Business Transactions
Labor & Employment Law
Labor Law I
Regulated Industries
Remedies
Sales & Leases of Goods
Secured Transactions
Securities Regulation
Sports Law
Telecommunications Law
U.S. Taxation of Foreign Transactions & Investments

Seminars, Non-GPA Courses & Clinics

Alternative Dispute Resolution Seminar
Business Planning Seminar
California Nonprofit Corporation Law & Charitable Foundations Seminar
Case Studies in Contract Law Seminar
Financial Basics for Lawyering
Introduction to Mergers & Acquisition
Investor-State Arbitration Under NAFTA Seminar
Islamic Finance and Transactions Seminar
Mediation
Negotiation & Mediation: Process & Practice
Negotiation & Settlement
Real Estate Finance Law Seminar
Sports Law Seminar
Tax Concentration Seminar
Tax Problems of Exempt Organizations Seminar

Faculty Counselors

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|----------|-----------|
| Cable | Levine |
| Crawford | Marcus |
| Dodge | Martinez |
| Dodson | Prince |
| Field | Rappaport |
| Hutton | Ratner |
| Knapp | Tierney |
| Lambert | Wang |

Lefstin

CRIMINAL LAW & PROCEDURE

GPA Lecture Courses

Criminal Procedure
Evidence
Federal Criminal Law
International Criminal Law
Law, Psychiatry & Mental Health System
Roles & Ethics in Practice

Seminars, Non-GPA Courses & Clinics

Advanced Criminal Law Seminar: Issues in Criminal Defense
Capital Punishment Seminar

Civil Justice Mediation Clinic
Comparative Criminal Procedure & Evidence Seminar
Criminal Justice Reform Seminar
Criminal Practice Clinic
Criminal Punishment Seminar
Forensic Evidence Seminar
Jury Instructions Seminar
Law & Psychiatry Seminar
Legal Interpretation: The Language of Jury Instructions Seminar
Post-Conviction Remedies Seminar
Terrorism and the Law Seminar (2)
Trial Advocacy I
Trial Advocacy II (Criminal)
Trial Advocacy II (Civil)
Trial Advocacy (Intensive)

Faculty Counselors

| | |
|-----------|-----------|
| Aviram | Lee, Evan |
| Bisharat | Little |
| Bloch | Park |
| Diamond | Rappaport |
| Faigman | Weithorn |
| Lee, Eumi | |

ENVIRONMENTAL LAW AND NATURAL RESOURCES

GPA Lecture Courses

Administrative Law
Advanced Environmental Law: Contaminated Property Issues
Biodiversity Law
California Water Resources
Environmental Law (first-year statutory course)
Environmental Quality Law & Policy
Federal & Interstate Water Resources
Land Use Regulation
Public Land & Natural Resources Law
Remedies

Seminars, Non-GPA Courses & Clinics

American West Seminar
Climate Change: Law, Policy & Business Seminar
Environmental Law Clinic
Environmental Law Seminar
Financial Basics for Lawyering
International Environmental Law
Land Trusts & Conservation Easements Seminar
Legal Implications of Climate Change
Public Lands & Natural Resources Seminar
Takings & the Environment Seminar
Water Law
Water Resources Seminar

Faculty Counselors

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| Gray | Levine |
| Hutton | Roht-Arriaza |

Jung Schiller
Leshy Takacs

FAMILY LAW

GPA Lecture Courses

Children & the Law
California Community Property
Community Property
Elder Law
Family Law
Federal Income Taxation
Selected Problems in Family Law
Taxation of Family Wealth Transfers
Wills & Trusts

Seminars, Non-GPA Courses, & Clinics

Advanced Family Law Seminar
Bioethics & the Law
Child Maltreatment in Context
Children and the Law
Constitution of the Family Seminar
Family Law Concentration Core Seminar
Financial Basics for Lawyering
Healthcare Decisionmaking Seminar
Juvenile Justice
Mediation
Negotiation & Mediation: Process & Practice
Negotiation & Settlement

Faculty Counselors

Carrillo Weisberg
Lee Weithorn
Rao

INTELLECTUAL PROPERTY

GPA Lecture Courses

Copyright Law
Data Privacy & the Law
Intellectual Property
Intellectual Property Under State Law: Trade
Secrets
& Employee Mobility
International & Comparative Intellectual Property
Patent Litigation
Patents and Trade Secrets
Social Networks, Portable Devices & Third Party
Content
Trademarks and Unfair Competition

Seminars, Non-GPA Courses & Clinics

Art Law Seminar
Cyberlaw Seminar
Digital Media Seminar
Financial Basics for Lawyering
Intellectual Property Issues in Biotechnology
Intellectual Property Licensing Seminar
International Aspects of Intellectual Property
Protection Seminar

Intersection of Human Rights, Economic
Development and Intellectual Property
Patent Prosecution Seminar
Selected Issues in Intellectual Property Seminar
Trademark Prosecution Seminar

Faculty Counselors

Barrett
Depoorter
Feldman
Lefstin

INTERNATIONAL LAW

GPA Lecture Courses

Biodiversity Law
Comparative Law
Conflict of Laws
Data Privacy Law
Immigration Law
Immigration Law (first-year statutory course)
International Business Transactions
International & Comparative Intellectual Property
International Criminal Law
International Human Rights
International Trade Law & Policy
Introduction to Chinese Law
Islamic Law
Legal Reform in East Asia
Maritime Law
National Security & Foreign Relations Law
Public International Law
Refugee Law & Policy
The United Nations System
Transnational Law
U.S. Taxation of Foreign Transactions &
Investments

Seminars, Non-GPA Courses & Clinics

Accountability in International Human Rights Law
Advanced International Law Research Seminar
Asian Pacific Americans & the Law
China – Business Law & Economic Rights
China and the International Legal Order
Comparative Constitutional Law
Comparative Cyberlaw
Comparative Rights Adjudication
EU and its Lawsystem(s)
Financial Basics for Lawyering
Immigrants' Rights Clinic
International Commercial Arbitration
International Environmental Law
International Negotiations & Dispute Settlement
International Patent Law & Practice
International War Crimes Prosecution
Introduction to Japanese Legal System
Islamic Finance and Transactions Seminar
Law & Business in Japan
Law & Development

Law & Economics
 Law & Social Anthropology
 Law & the Japanese American Internment
 Law & the Society of Japan
 Law in the Middle East
 Legal Implications of Climate Change
 Military Law
 Political Economy of Law
 Refugee & Human Rights Clinic
 Reparations for Injustices: Domestic & International
 Research Methods in Foreign, Comparative, and International Law

Faculty Counselors

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| Bisharat | Musalo |
| Boswell | Paul |
| Dodge | Roht-Arriaza |
| Hand | Takacs |
| Keitner | Tierney |

Mattei

LAW AND HEALTH SCIENCES

GPA Lecture Courses

Disability Law
 Domestic Violence Law
 Elder Law
 Employment Discrimination
 Environmental Law
 Family Law
 Food and Drug Law
 Health Law I
 Health Law II
 Insurance Law
 Intellectual Property
 Introduction to Law (for Master of Studies Law Program)
 Law and Biosciences Seminar
 Law, Psychiatry & the Mental Health System
 Modern Bioethics: From Nuremberg to “Octomom”
 MSL Legal Writing & Research
 Public Health Law
 Science in Law
 Scientific Methods for Lawyers

Seminars, Non-GPA Courses

Law and Health Sciences Concentration Seminar (open to non-concentrators as well as concentrators)
 Bioethics, Law & Healthcare Decisionmaking Seminar
 Child Maltreatment in Context Seminar
 Children & the Law
 Forensic Evidence Seminar
 Genetics: Issues in Law & Policy Seminar
 Germs, Globalization and Governance Seminar
 Law and Economics Seminar
 Law and the Human Body Seminar

Psychiatry & Law Seminar
 Public Health & Homelessness Seminar
 Public Policy Advocacy Seminar
 Social, Legal & Ethical Implications of Human Reproductive & Genetic Tech. Seminar
 Sociology of the Criminal Justice System Seminar
 Special Education Law Seminar
 Women’s Health & the Law

CLINICS

Medical-Legal Partnership for Seniors Clinic

Faculty Counselors

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| Cohen | Obasogie |
| Faigman | Park |
| King | Rao |
| Nelken | Weithorn |

LEGAL PHILOSOPHY & SYSTEMS

GPA Lecture Courses

American Legal History: Colonial America to the Civil War
 American Legal History: 1865 to the Present
 Comparative Law
 English Legal History: An Introduction
 Jurisprudence
 Legal Ethics & the Philosophy of Law
 Professional Responsibility
 Roles & Ethics in Practice

Seminars, Non-GPA Courses & Clinics

Critical Race Theory Seminar
 Bioethics, Law & Society Seminar
 Feminist Legal Theory Seminar
 Islamic Finance and Transactions Seminar
 Judicial Elections & the Role of the Judiciary in American Democracy Seminar
 Judicial Process Seminar
 Law & Economics Seminar
 Law & Morality Seminar
 Legal History of Immigrants in the United States Seminar
 Legal Theory Seminar: Issues in the Philosophy of Law
 Public Policy Advocacy Seminar

Faculty Counselors

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|----------|----------|
| Bisharat | Parrish |
| Bloch | Prince |
| Carrillo | Ratner |
| Hazard | Schiller |
| Jung | Tierney |
| Lee | Weisberg |
| Little | Wingate |

Mattei

PERSONAL INJURY LAW

GPA Lecture Courses

Arbitration
Complex Litigation
Insurance
Mass Torts
Personal Injury Litigation
Products Liability
Remedies
Roles & Ethics

Seminars, Non-GPA Courses & Clinics

Alternative Dispute Resolution
Class Action Seminar
Mediation
Negotiations & Settlement
Science in Law Seminar
Scientific Method for Lawyers
Trial Advocacy II (Personal Injury)
Trial Objections

Faculty Counselors

| | |
|----------|--------------|
| Cohen | Levine |
| Diamond | Martinez |
| Freshman | Roht-Arriaza |
| Jung | |

TAXATION

GPA Lecture Courses

Advanced Federal Income Taxation
Federal Income Taxation
Federal Income Taxation of Corporations
& Partnerships
Federal Income Taxation of Real Estate &
Other Investments
Mergers & Acquisitions
Non Profit Organizations
Public Finance
State & Local Taxation
Taxation of Family Wealth Transfers
U.S. Taxation of Foreign Transactions
& Investments

Seminars, Non-GPA Courses & Clinics

Business Planning Seminar
Financial Basics for Lawyers
Estate Planning Seminar
Land Trusts & Conservation Easements
Seminar
Tax Policy Seminar

Faculty Counselors

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|----------|---------|
| Field | Morse |
| Martinez | Shanske |

PROFESSIONAL SKILLS COURSE LIST

CLINICS/EXTERNSHIPS

Alternative Dispute Resolution Externship Program
Civil Justice Clinic/Fieldwork (Community Economic
Development)
Civil Justice Clinic/Fieldwork (Group Advocacy and
Policy Reform)
Civil Justice Clinic/Fieldwork (Individual
Representation)
Civil Justice Mediation Clinic/Fieldwork
Criminal Practice Clinic/Fieldwork
Current Issues in Criminal Practice and Criminal
Practice Externship
Environmental Law Clinic/Fieldwork
Immigrants' Rights Clinic/Fieldwork
Innovations Law Clinics/Fieldwork
Judicial Externship/Fieldwork
Legal Externship/Fieldwork
Legislation Clinic/Fieldwork
Local Government Clinic/Fieldwork
Medical-Legal Partnership Clinic for Seniors
Clinic/Fieldwork
Refugee & Human Rights Clinic/Fieldwork
Workers Rights Clinic

COMPETITIONS

Client Counseling Team
Intercollegiate ADR Competition (for 2-unit credit
only)
Intercollegiate Trial Team Competition
Moot Court Intercollegiate Competition

LECTURE COURSE

Advanced Legal Research

SEMINARS

Advanced Legislative Process*
Alternative Dispute Resolution*
Business Planning *
Case Studies in Contract Law*
Community Economic Development*
Current State & Local Government Problems*
Estate Planning*
Forensic Evidence*
International Negotiation & Dispute Settlement*
Judicial Process Seminar*
Litigating Class Action Employment Cases*
Patent Prosecution
Special Education Law*
Trademark Prosecution

NON-GPA COURSES

Appellate Advocacy
Basic Contract Writing & Analysis
Community Law Program
Commercial Contract Writing
Emotion, Mindfulness, and the Law
International & Foreign Legal Research
Interviewing and Counseling
Mediation

Negotiation & Mediation
Negotiation & Settlement
Pre-trial Practice
Problem Solving & Professional Judgment in Practice
Roles & Ethics (3 units)
Statutory Interpretation & Bill Drafting
Trial Advocacy I and II
Trial Advocacy (Intensive)
Trial Objections

***Satisfies writing or professional skills requirement but not both.**

BAR EXAMINATION REQUIREMENTS

The scope of the bar examinations varies from state to state. You should contact the bar examiners of the state where you plan to practice to ascertain what the requirements are. Following are the general subjects tested on the bar examinations of some sample jurisdictions, as well as the coverage of the multistate examination. *Please note that this information is provided simply as a courtesy and is subject to change. This information is not intended to be comprehensive. Students contemplating any bar examination should verify requirements with applicable state bar examination authorities.*

MULTISTATE BAR EXAMINATION (MBE)

The majority of states include the Multistate Bar Examination (MBE) as a component of their examination. It consists of a six-hour test comprised of 200 multiple choice questions. The subjects covered are:

Constitutional Law
Contracts/Sales
Criminal Law (includes Criminal Procedure)
Evidence
Real Property
Torts

Each of these subjects is presently offered at Hastings. As used by the multistate bar examiners, however, Criminal Law includes Criminal Procedure, Real Property includes Future Interests, and Contracts includes UCC Articles 2 and 9 (general coverage of those articles is available in the first year Contracts course and Sales and Secured Transactions).

CALIFORNIA

The California Bar Examination is a 3-day exam covering the Multistate Bar Exam (MBE), essay questions, and the Performance Tests (PT's). These include:

Multistate Bar Exam:
Constitutional Law
Contracts/Sales
Criminal Law/Procedure

Evidence
Real Property
Torts

Essay subjects:
Federal Rules of Civil Procedure
(Civil Procedure I and II)
CA Civil Procedure
Corporations
Agency
Partnership
CA Community Property
CA Evidence
CA Professional Responsibility
Remedies
Trusts
CA Wills & Succession
plus all MBE subjects

Performance Test:
“Closed universe” practical problems using instructions, factual data, cases, statutes and other reference material supplied by examiners.

MPRE

A scaled score of 86 on the MPRE is required for admission. Visit www.ncbex.org for information on MPRE dates, filing deadlines and application fees.

California also requires passage of the Multistate Professional Responsibility Exam. The MPRE is administered three times each year; in March, August and November. Students are eligible to take this test during their second or third year. The Hastings course entitled Professional Responsibility, Legal Ethics, and Roles & Ethics approximates the subject matter of the MPRE, and successful completion is required for graduation.

California has no residency requirement; the examination is given in February and July. Applications may be filed as early as 5 months prior to examination. Specific dates are set by the Bar Examiners.

For further information contact:
Office of Admissions in San Francisco
(415) 538-2300
www.calbar.ca.org

HAWAII

The Hawaii Bar is a two-day exam that consists of the following:

MBE subjects:
Constitutional Law
Contracts/Sales
Criminal Law/Procedure
Evidence
Real Property
Torts

MEE Essay subjects:

Agency
Commercial Paper (Negotiable Instruments)
Conflict of Laws
Corporations
Decedents' Estates
Family Law
Federal Civil Procedure (Civil Procedure I and II)
Partnerships
Sales
Secured Transactions
Trusts & Future Interests
Plus all MBE subjects and Hawaii Rules of Professional Conduct

Multistate Performance Test:

“Closed universe” practical problems using instructions, factual data, cases, statutes and other reference material supplied by examiners.

MPRE

A scaled score of 85 on the MPRE within two years before or within one year after the Hawaii Bar Exam is required for admission.

For further information, contact:

Board of Bar Examiners
Tele: (808) 539-4977
www.courts.state.hi.us/index.jsp

NEVADA

The Nevada Bar Examination is a 2-1/2 day exam that covers the following:

MBE subjects:

Constitutional Law
Contracts/Sales
Criminal Law/Procedure
Evidence
Real Property
Torts

Nevada Essay subjects:

Agency
Commercial Paper
Community Property
Conflict of Laws
Corporations
Ethics
Nevada & Federal Rules of Civil Procedure
(Civil Procedure I and II)
Partnerships
Persons & Domestic Relations
Remedies
Sales
Secured Transactions
Wills
Estates & Trusts

plus all MBE subjects

Multistate Performance Test:

“Closed universe” practical problem using instructions, factual data, cases, statutes and other reference material supplied by examiners.

MPRE

A scaled score of 85 on the MPRE achieved within three years of passing the bar exam is required for admission.

For further information:

State Bar of Nevada
(702) 382-2200
www.nvbar.org

NEW YORK

The New York Bar Examination is a 2-day exam consisting of the following:

MBE subjects:

Constitutional Law
Contracts/Sales
Criminal Law/Procedure
Evidence
Real Property
Torts

New York subjects:

Agency
Commercial Paper
Conflict of Laws
Corporations
Domestic Relations
Equity
Federal Jurisdiction
Future Interests
Insurance (No Fault)
Mortgages
New York Practice (Civil Procedure I and II)
New York Professional Responsibility
Partnership
Personal Property
Secured Transactions
Trusts
Wills
Workers' Compensation
plus NY distinctions for all MBE subjects

Multistate Performance Test:

“Closed universe” practical problem using instructions, factual data, cases, statutes and other reference material supplied by the bar examiners.

MPRE

Applicant must pass the MPRE within 3 years before or after passing the New York Bar Exam as measured from the date the applicant sat for each examination. A minimum scaled score of 85 is required. Visit www.ncbex.org for information on MPRE dates, filing deadlines and application fees.

For further information:
State Board of Law Examiners
Tel: (518) 453-5990
www.nybarexam.org