

Special Topics Course Descriptions

Spring 2026

AI and the Law

Pre/Corequisite: None

Recommended Class(es): None

Final Project: Paper

Rapid advances in artificial intelligence over the last several years have led to AI technologies being deployed in many new settings, raising novel and difficult questions about how those technologies should be treated under existing law and whether new laws are needed to appropriately regulate those technologies. This course will explore some of these technologies, settings, and questions. Settings covered include both the use of predictive algorithms to make consumer, employment, or criminal justice decisions and the rise of generative AI, such as ChatGPT or DALL-E. Some of the relevant legal doctrines include anti-discrimination law, due process, copyright, defamation law, and the First Amendment. Readings will be drawn primarily from law review articles and similar materials, and a final paper is required.

Climate Change and the Law

Pre/Corequisite: None

Recommended Class(es): Environmental Law, Administrative Law

Final Project: Exam

This course will review the science, policy, and law regarding human-induced changes to the world's climate. We will begin with a brief overview of the science of climate change and a consideration of the possible technological and regulatory responses. The bulk of the class will be spent on legal requirements that seek to mitigate climate change by controlling the emission of greenhouse gases (GHGs). Specific topics will include the Paris Agreement and the (largely ineffective) international regime under the UN Framework Convention on Climate Change, the rise and fall of EPA's regulatory initiatives under the Clean Air Act, federal legislative proposals, and the wide variety of state and local initiatives (including limits on GHG emissions, regional cap and trade programs, incentives or requirements for the development of alternative energy sources). We will then turn to questions of adaptation, examining ways in which the law impedes or facilitates measures

to adapt to a warmer world. We will conclude with a brief look at geoengineering, about which there is lots of speculation and debate but very little law.

Colonialism, Imperialism & International Law

Pre/Corequisite: None

Recommended Class(es): International Law

Final Project: Other

This course examines how modern international legal doctrine was forged through twin legacies of the “first encounter” between Europe and indigenous peoples of the New World and the Age of Empire during the nineteenth century. Through close readings of primary historical sources and critical scholarship, it will interrogate how the perceived exigencies of trade, conquest, extraction, and development permanently impacted the way international law governs issues of sovereignty, obligations between states, property, migration, human rights, armed conflict, and the nature of international institutions. Topics include the role of the standard of civilization in determining membership in the “family of nations,” the governance of “backward territories,” and the modern reproduction of historical hierarchies through international institutions. By interrogating the relationship between law and power, this course provides an opportunity for students to question when and whether international law can be universal and neutral.

Commercial Law

Pre/Corequisite: None

Recommended Class(es): None

Final Project: Exam

This course is basically about the law of personal property. It covers the sale of personal property pursuant to UCC Article 2 (while skipping purely contractual issues such as offer and acceptance or warranties). It covers the transfers of funds by check or other commercial paper or by letters of credit as governed by Articles 3-5 of the UCC and by federal check-clearing regulations. Finally, it covers the transfers of personal property to secure loans, which is governed by Article 9 of the UCC. Since the purpose of these security interests is, in part, to provide preferences in light of bankruptcy proceeding, the fate of security interests in bankruptcy is covered. The course is absolutely fundamental for anyone wishing to do transactional work or commercial litigation. Tested on the Bar Exam.

Crimmigration & Race: Intersection of Criminal Law, Immigration Law & Race

Pre/Corequisite: None

Recommended Class(es): Immigration Law

Final Project: Exam

This course explores the unique historical and contemporary interplay between the nation's criminal legal system, deportation apparatus, and race. Students will investigate how structural racism has impacted law and policy regarding who is allowed to enter and remain in the United States, as well as how the War on Drugs, the War on Terror, and the growth of the carceral state have expanded beyond our criminal legal system and into the nation's immigration enforcement regime. In addition, students will explore the core constitutional doctrine that do, and do not, constrain immigration enforcement policy. Finally, students in this course will learn the doctrinal mechanics of how to evaluate the immigration consequences of criminal convictions in the context of both criminal and immigration proceedings.

Design Patent Law

Pre/Corequisite: None

Recommended Class(es): None

Final Project: Exam & Other

This course provides a comprehensive introduction to design patents, exploring both the legal theory of design patent law and the prosecution (i.e., obtainment) of design patents themselves. After an introduction that examines the statutory authority for design patents and introduces the student to the basic structure and format of design patents, and the interplay between design patents and utility patents and trade dress, the course will dive into the fundamentals of design patent law, exploring infringement, validity and damages. The course will then provide some practical tips for use in design patent prosecution and will touch on the registration/patenting of designs in foreign jurisdictions including through the use of the Hague System for international design protection. The course will wrap-up with some practical exercises relating to drafting design patents and discussion on the mechanics and issues related to product clearance. No technical background is required.

Dispute Resolution Across Differences

Pre/Corequisite: None

Recommended Class(es): None

Final Project: Paper

Over the course of the semester, students will gain knowledge of how differences and cognitive bias impact dispute resolution processes including - negotiation, mediation, arbitration, restorative justice, dispute systems design, and beyond. Concurrently, this class will focus on the skills needed to manage difficult conversations and facilitated dialogues and to build resilience in the face of conflict. Students will learn to navigate polarized viewpoints and manage discussions around identity, values and culture.

Heyman Business Law Colloquium

Pre/Corequisite: Corporations

Recommended Class(es): None

Final Project: Paper

The Heyman Colloquium is a seminar on recent academic research in business law. We will invite six business law scholars from around the country to present works-in-progress. These papers will cover a range of topics in corporate law, securities regulation, financial regulation, and related fields. We will devote two weeks to each speaker's paper. In the first week, we will read and discuss background material relevant to each paper. In the second week, we will read the speaker's paper, and the speaker will present to the class and take questions. Grades will be based on class participation and a research paper not to exceed 15 pages.

International Investment Arbitration

Pre/Corequisite: None

Recommended Class(es): None

Final Project: Paper & Other

Cross-border investments have become a critical aspect of the global business landscape and economic development. Historically, disputes between foreign investors and host States remained unresolved or were otherwise resolved through national courts or coercive means. However, in the mid-20th century, international investment protection emerged to provide a neutral forum to solve investor-State disputes in the form of international investment arbitration.

This course on investment arbitration delves into the substantive protections afforded by bilateral and multilateral agreements to foreign investors, the jurisdictional requirements for those investors to access such protections, and how jurisdictional requirements and substantive protections have been addressed by tribunals in an increasing amount of investor-State cases throughout the past two decades. The course also offers a comprehensive overview into the challenges that the system is currently confronting, as well as reforms to the investor-State arbitration system that are already underway or contemplated for the future. By combining both theoretical and practical elements, this course will equip future lawyers with the knowledge and skills necessary to deal with investment protection issues, either in international corporate transactions or disputes.

This course will count towards the Certificate in Dispute Resolution offered by the Kukin Program for Conflict Resolution.

Mass Tort Victim – Survivor Settlement Funds

Pre/Corequisite: None

Recommended Class(es): None

Final Project: TBD

This seminar is an interactive workshop designed to introduce students to how independent mass tort claims programs are designed and operate to compensate victim-survivors of mass tragedies and situations involving multiple survivors outside the traditional tort litigation system. This seminar will track the natural life of a settlement fund covering the dynamics that lead to fund formation, including the design, implementation, and ultimately to the finalization of the settlement fund. Interactions with counsel, victim/survivors and the Courts will be covered. The seminar will include experts in mediation, bankruptcy claims, ethical issues, Qualified Settlement Fund formation, etc. who Lelchuk consults with as part of the design and implementation of her settlement programs.

Mergers and Acquisitions for the Aspiring Corporate Lawyer

Pre/Corequisite: None

Recommended Class(es): Corporations

Final Project: Other

This seminar course will explore the nuts and bolts of an M&A transaction, including how to spot issues, apply facts and read, revise, and negotiate a real M&A document.

This course will focus on walking through an M&A transaction using a sample transaction fact pattern to help bring the material to life. We will start with types of merger transactions and cover the various parts of a merger transaction and how they fit together. Students will be asked to consider how the counsel for buyer and seller would approach the various parts of the transaction. Students will also be asked to participate in role play negotiations and client counseling. This course will focus on the M&A lawyer's role and will not go into detail around specialty practices involved in a merger transaction, such as employment, intellectual property, tax, environmental law, and others.

Presidential Prosecutions: The Investigation and Prosecution of Presidents, Their Allies, and Their Enemies

Pre/Corequisite: Criminal Law I, Constitutional Law I, or by permission of the instructor

Recommended Class(es): Criminal Procedure, Evidence

Final Project: Exam

This 3-credit course will examine the history, law, and politics of investigations and prosecutions of United States presidents for alleged criminal misconduct, focusing on the period from the presidency of Richard Nixon to the presidencies of Donald Trump. The course also will examine investigations and prosecutions of presidential allies and enemies. Among the topics to be covered are the history of independent and special counsels; the law of executive privilege; the authority of Congressional investigators and criminal grand juries; the relationship between the White House and the Department of Justice; prosecutorial ethics; the judiciary's role; and the U.S. Supreme Court's decision in *Trump v. United States* on presidential immunity. Current cases and controversies also will be discussed, including those raising claims of selective and vindictive prosecution. We will critically examine the relative competencies and institutional costs associated with different mechanisms of accountability and control, including concerns about politicization and "weaponization" of the prosecutorial function.

By the end of the semester, you should be able to demonstrate knowledge of the mechanisms that have been employed in the modern era to provide accountability for the President of the United States for alleged criminal misconduct and debates over their limitations and risks. You should also be able to demonstrate knowledge of the doctrines and rules that govern the conduct of prosecutors and the policies and norms that historically have governed the President's relationship with the Department of Justice. You should be able to articulate connections between these subjects and broader rule of law concerns.

President Trump and the Constitution

Pre/Corequisite: None

Recommended Class(es): None

Final Project: Paper

President Trump's challenge to the American constitutional order raises profound concerns as to whether the governing scheme rooted in the 1789 constitution will survive, and if it does so, what will be its character. This seminar will study a broad range of legal matters such as presidential immunity; the president's power to terminate administrative commissioners; the Department of Justice's abusive use of the criminal sanction; the assault on First Amendment rights; the legality of Trump's tariffs; a president's power to refuse to spend funds congress as allocated; Trump's immigration policies; Trump's use of ICE across American cities and his threat to use American cities as a training ground for American soldiers; Trump's statements regarding a "third" presidential term; and the meaning of the Fourteenth Amendment's birthright citizenship clause.

Pre-Trial Criminal Practice

Pre/Corequisite: None

Recommended Class(es): Criminal Law, Criminal Procedure, Evidence

Final Project: Other

This introductory course, a study of the principal elements relating to effective pre-trial criminal practice, will explore the practical aspects of New York State's criminal laws and procedure. The course will explore criminal and supreme court arraignments, accusatory instruments, bail and recognizance, grand jury practice, discovery, search warrants, timeliness of prosecution, plea bargaining, suppression motions, and pre-trial evidentiary issues. The course will familiarize students with pre-trial practices and processes and provide insight into pragmatic strategies for defending clients and prosecuting cases. Course participants will obtain enormous courtroom confidence and knowledge while significantly sharpening advocacy skills. Federal and State decisional law, applicable statutes and relevant scholarly articles will bolster classroom work.

Taxation of Business Entities

Pre/Corequisite: None

Recommended Class(es): Federal Income Tax

Final Project: Paper

This course covers the federal income taxation of C corporations, partnerships, and their owners. The corporate income tax is a separate tax, predating the individual income tax, while partnerships and entities classified for tax purposes as partnerships report income but do not pay tax. Shareholders of corporations pay tax on certain types of distributions. Partners pay tax on the allocated income of the business entity as earned. We will cover the basic principles of taxation at each level as well as tax strategies for formation, operation, and liquidation. More advanced topics, such as financing, sale, and reorganization, are likely to be covered in the advanced business taxation class in the spring semester. We will not cover the material on S corporations.

The Law and Policy of Sustainable Business

Pre/Corequisite: None

Recommended Class(es): Classes pertaining to environmental Law, corporate law, or regulatory law

Final Project: Paper

This seminar explores the intersection of law, business, and sustainability, examining how legal frameworks shape corporate environmental and social responsibility. Students will analyze regulatory approaches, voluntary standards, and market-based mechanisms that influence sustainable business practices, including climate disclosure requirements, ESG reporting, supply chain accountability, and green finance. Through case studies and current developments, the course investigates how businesses navigate competing pressures from regulators, investors, consumers, and other stakeholders while addressing urgent environmental and social challenges.

The seminar combines doctrinal analysis with practical application, preparing students to advise businesses and organizations on sustainability-related legal and policy issues. Students will develop expertise in an emerging area of practice that increasingly shapes corporate decision-making across all industries.

Theatre Law

Pre/Corequisite: None

Recommended Class(es): None

Final Project: TBD

This course introduces JD students to the legalities governing the live stage industry, with a particular emphasis on the Broadway and New York theatrical ecosystem. Theatre Law is a specialized subset of entertainment law, focusing on the contracts, intellectual property, and even union rules and regulatory issues unique to live performance. Unlike film, fashion or even music, theatre is always live, never fixed in a permanent medium, but brought forth in different productions, each with its own unique director, vision, cast and crew. It is this framework that allows for a different context in which the law is applied to the art, from authorial copyright retention to a final amateur life in schools and community theater. Students will analyze landmark cases, review industry agreements, and engage in drafting and negotiation exercises. By semester's end, students will be equipped to identify, interpret, and draft the legal instruments that underpin Broadway and nonprofit theatre productions, and be able to discuss the legal journey a show endures from development to a Broadway opening.

Transgender & Reproductive Justice

Pre/Corequisite: None

Recommended Class(es): Constitutional Law II

Final Project: Paper

This course will examine the legal concepts of bodily privacy and autonomy as they relate to reproductive and transgender justice. The course will explore the ways in which the right to privacy developed as a tool for gender justice, as well as its gaps and failings. We will cover foundational cases on the right to privacy, including the right to contraception, abortion, and consensual sexual activity, as well as explore more recent developments in transgender rights litigation. The course will draw upon the work of scholars of critical race theory, feminist theory, and trans justice, with a focus on the ways in which reproduction and bodily autonomy are still controlled by the state along racial, economic, and gender lines.