

Topics in Law – Course Descriptions

(FKA *Special Topics*)

Fall 2026

Antitrust and the Sports Industry

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Exam

This course examines the implications of antitrust law on the structure and operation of professional and college sports leagues. In particular, it focuses on both product-side and labor-side antitrust issues, including commercial league structures, team ownership rights, broadcasting rights, and labor policies. In addition, this course explores antitrust defenses and exemptions that may apply to certain sports-related activities. During the first few weeks of this course, readings will explore seminal antitrust decisions involving industries other than sports. These cases will reemerge later in the semester as citations included within key sports-antitrust decisions.

Asylum and Refugee Law

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Take Home Exam

This course examines the legal terrain that has developed in response to forced migration, focusing on U.S. law and policy. Much of the course will focus on the law of asylum—a form of protection available to those who have been persecuted or face future persecution on account of their race, religion, political opinion, and other grounds—as it has developed in the United States. This course will explore the standards for asylum, the application of these standards to people fleeing gender-based violence, gang-based persecution, and other contemporary causes of forced migration, and the challenges that asylum-seekers face when seeking protection in the United States. A portion of the course will be devoted to other types of humanitarian relief, such as protection under the Convention Against Torture, the procedures associated with obtaining protection before U.S. agencies and federal courts, and the detention of people seeking protection from persecution. The course will examine these issues through a doctrinal lens as well as from a practitioner and a policy

perspective. Finally, the course will consider the shortfalls of the current asylum and refugee law regime and the political considerations that impact policy in this arena.

Cannabis Law

Pre/Corequisite: None

Recommended Class(es): Corporations

Primary Project: Take Home Exam

This course will explore the unique legal issues facing the burgeoning legal cannabis market throughout the United States. Cannabis – which remains illegal federally but is currently legal in 37 states and Washington D.C. – presents interesting questions of federalism, constitutional law, administrative law and other disciplines. At the same time, the legal cannabis industry is seeking to promote equitable policies that promote social justice and criminal reform for those individuals and families that were adversely affected by the failed War on Drugs. As such, practitioners are often required to navigate complex legal and regulatory regimes while their clients have limited access to banking and capital resources. The course will review current caselaw, regulatory frameworks, policy and ethical considerations with an emphasis on their implications to businesses and entrepreneurs in the legal cannabis space. Students will participate in mock negotiations, lobbying exercises and will have an opportunity to contribute and/or participate in real-time discussions concerning New York's own efforts to legalize the recreational use of cannabis.

Collaborative Divorce Law: Theory and Practice

Pre/Corequisite: None

Recommended Class(es): Family and matrimonial coursework, conflict resolution/ADR coursework.

Primary Project: Paper

This course introduces students to Collaborative Practice, a formal, team-based dispute resolution model in which parties and their counsel commit, by written agreement, to resolving disputes without litigation. The course explores the legal framework, ethical considerations, and real-world application of collaborative lawyering skills, delving into participation agreement development, interest-based negotiation, financial transparency strategies, and interdisciplinary teamwork protocols with mental health and financial professionals. Through a combination of lectures, simulations, and case-based exercises, students will develop practical skills in client-centered counseling, managing high-conflict dynamics, and crafting durable, forward-looking agreements. While grounded in family and divorce law, the course emphasizes modern lawyering competencies (process design,

strategic negotiation, and multi-party problem-solving) that are essential across litigation, transactional, and advisory practice.

Colonialism, Imperialism, and International Law

Pre/Corequisite: None

Recommended Class(es): International Law

Primary Project: Paper

This course examines how modern international legal doctrine was forged through the twin legacies of the “first encounter” between Europe and the indigenous peoples of the New World and the Age of Empire in the nineteenth century. It then considers how notions of race, civilization, and cultural superiority continued to shape international law into the twentieth 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, property, migration, armed conflict, and the nature of international institutions. Students will consider how international law created groups of insiders/outsideers, whether along lines of religion, region, or race, and the extent to which modern international institutions or rhetoric reproduce these historical hierarchies. By interrogating the relationship between law and power, this course provides an opportunity for students to question how and whether international law can fulfill its ideals of universality and neutrality.

Students will complete a research paper and a series of presentations; there is no final exam.

Previous courses in international law or history are not required but are recommended. Students who have not taken an international law course are encouraged to reach out to the instructor to communicate their interest in the course.

Corporate Counsel

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Paper

This course prepares students to succeed as an in-house corporate counsel by providing hands-on exercises and real-world case studies. Throughout the course, students will cover various topics including contract negotiations, risk assessments, intellectual property, governance and compliance, data privacy, internal investigations, and crisis management.

In today's business world, in-house counsel plays a crucial role in managing legal and regulatory issues, compliance, risk management, and commercial contracts. Therefore, it is essential for law students to understand the expertise required for this role. This comprehensive course equips students with the necessary tools to handle the challenges of being an in-house counsel in today's fast-paced corporate environment.

Courts and Controversies in Jewish Law

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Other

Jewish law is famous for debate, dissent, and the preservation of minority opinions. But can law remain that open-ended? A legal system must also decide cases, settle disputes, and produce authoritative judgments. This course explores how Jewish legal tradition navigates the tension between argument and resolution. Topics will include how courts turn disagreement into judgment; whether dissent survives after a decision; when law should pursue truth, peace, or compromise; how procedure shapes substance; how legal traditions rely on codes, precedent, and common-law reasoning; and what Jewish law can teach about the promise and challenge of legal pluralism.

Critical Perspectives on Land Use

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Paper

In this seminar, we will explore and evaluate the myriad ways in which land use law-and decision-making shape and reflect broader issues of social policy — from race to class, religion, age, disability status, and more. We will read cases and ideologically varied legal scholarship regarding local participation, the incidence of eminent domain, the impacts of landmark and historic preservation districts, fair and affordable housing, development and gentrification, transportation, accessibility, religious freedom, the burdens of environmental damage and environmental protection, private residential communities, and more. The goal of this seminar is to foster thoughtful and rigorous engagement with the sometimes-surprising drivers and consequences of land use lawmaking. To that end, students will be responsible for actively participating in all weekly discussions, writing reaction papers, and helping to lead one week's discussion.

Cryptocurrency and Digital Asset Regulation: Law, Policy, the Future of Finance

Pre/Corequisite: None

Recommended Class(es): Securities Regulation

Primary Project: Paper

This course aims to give students a general understanding of digital assets, cryptocurrency, and blockchain, and the legal, regulatory, and policy issues surrounding them. We will discuss the basics of digital assets, and the current state of regulation in the US, with some discussion of other jurisdictions. We will explore cryptocurrency, tokens, initial coin offerings (ICOs), Decentralized Finance (DeFi), NFTs, and stablecoins. We will discuss compliance issues implicated in digital asset trading and custody. The regulation of trading and digital asset exchanges will be emphasized. Special attention will be paid to the question of which regulatory bodies are best suited to regulate this area, with particular emphasis on the role of the SEC. Current issues in the space also will be covered, such as the recent FTX collapse, BlockFi bankruptcy, and SEC actions including the Ripple litigation.

Dispute Systems Design

Pre/Corequisite: None

Recommended Class(es): Mediation Clinic or other ADR, Negotiation or Mediation skills classes

Primary Project: Other

This course focuses on the study and practice of dispute systems design - understanding the structure and design choices made by, and the challenges presented to organizations. This includes examination of court processes and other government or private systems for managing conflict. Dispute systems designers also develop and improve upon mediation and other alternative dispute resolution (ADR) service programs, as well as provide assessments of their appropriateness in various contexts. The knowledge and skills developed in this course are transferable to the emerging needs of practicing attorneys who are more and more frequently called upon as systems designers. Many lawyers, even if they never take the design initiative to lead a project, often serve as stakeholders and representatives of bar or professional associations recruited by systems designers to participate in the design process. This course also enhances the basic mediation and conflict management skills learned in other ADR related courses by application to the dispute system design framework.

Students will be expected to read, write, discuss, critique and participate in simulated exercises. After an overview of dispute systems design theory and principles, students will, through readings, discussions and exercises, study seven actual systems that reflect

dispute systems design principles. Then through a series of additional hands-on role plays and simulations, students will have the opportunity to develop systems design skills and work on a mock consulting team during class. Simulations will lead students through the various stages or architecture of systems design, from taking design initiative through assessment, creating processes and systems and implementation. This course also focuses on advanced mediation and dispute systems design topics, including recent developments in neuroscience and their potential impact on dispute resolution, choice architecture and “nudge” principles, the impact of mediator orientations on program design, restorative justice practices, and transformative mediation. The practical and ethical implications of systems design work will also be explored, as well as opportunities for synthesis of systems design skills into legal practice.

Divorce Process

Pre/Corequisite: None

Recommended Class(es): Family Law

Primary Project: Other

Divorce Process is a course that will provide students with an inside look into the different divorce process choices available: litigation, mediation and collaborative law and provide an in-depth and hands-on look at both the similarities and differences between the process options. Students will be provided with an overview of each of the process choices (litigation, mediation, and collaborative law) through lectures, guests, written materials, observation, and participation in mock role plays. The course will take students into a courtroom, mediation room or a collaborative law meeting by providing real-life examples and scenarios to provide students with an experience on each divorce process choice. The course will tackle the myths and misconceptions of divorce through an interactive discussion of current family law and divorce articles and news.

Students will also learn the skills to represent clients going through a divorce in each of the process choices: litigation, mediation, and collaborative law. Students will gain an understanding of each process choice from both the client and attorney/mediator perspective.

Ethics and Social Justice Lawyering

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Exam

This course explores the substantive law of professional responsibility, while considering the ethical challenges that frequently arise in social justice lawyering and critically examining how social justice is defined and has evolved over time. While often associated with public interest advocacy, social justice concerns arise across the legal profession. Lawyers in corporate, government, nonprofit, and private practice settings all make decisions that shape access to justice, affect historically marginalized communities, and influence efforts to address systemic inequities. Lawyers committed to advancing social justice often confront dilemmas that extend beyond traditional professional responsibility doctrine, requiring them to navigate competing obligations to clients, communities, social movements, and their own personal values.

Through the lens of various practice areas, students will examine the ethical, strategic, and professional challenges that arise when representing individuals from communities historically marginalized by the law and legal institutions and pursuing efforts to address systemic inequities. Using the rules of professional responsibility as a foundation, the course considers how lawyers navigate issues of client autonomy, access to justice, cultural difference, limited resources, and the tensions that can emerge when professional obligations conflict with a lawyer's personal morality or vision of social change.

Global Corporate Compliance Seminar

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Exam

This course will explore the fundamental elements (statutory and regulatory) of a corporate compliance program, with a focus on financial institutions and financial crime. There will be required reading for each class, including actual case studies and public enforcement actions. In addition, there may be hypothetical cases assigned for in-class discussion. Subject to the size of the class there will be two in-class team presentations: one on a topic of the students' choosing (e.g., Artificial Intelligence, data breach and information security, privacy, cybercrime, anti-bribery and corruption, ethics/conflict of interest, cryptocurrency regulation, environmental compliance, compliance in the pharmaceutical industry, etc.), and a second * on either: (1) an OFAC country program

(Venezuela, Cuba, North Korea, Iran, and Russia), or (2) TBD. We will have several guest speakers over the course of the semester.

Hybrid Warfare and Conflict Management

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Paper

The threat of hybrid warfare — cyberattacks, misinformation campaigns, and lawfare (frivolous lawsuits by governments against private entities)—are current challenges faced by businesses, governments and citizens of democracies around the world. Lawyers need to be equipped to help their clients navigate the internal conflicts among their own “team” (CEO, IT, legal, etc), to manage negotiations with hostile actors holding their information or people hostage, and establish partnerships within business, law, and government to respond to the evolving reality and threat of hybrid warfare. Conflict management tools such as negotiation skills, team negotiation skills, hostage negotiation, and dispute systems design will all be addressed in this course.

Law and War

Pre/Corequisite: None

Recommended Class(es): International Law

Primary Project: Other

Does law continue to operate in times of war? This seminar will examine the knotty legal questions underlying current wartime debates, with a primary focus on modern conflicts facing the United States in the post-9/11 era. A complex architecture of international and domestic law governs states and state actors during wartime. Evolving threats, new technologies, and domestic politics have tested these legal frameworks, and the domestic and international laws of war continue to adapt to challenges to their relevance and viability. Topics for discussion may include, among others: Cyber operations, Guantanamo detention, targeted killing and drones, interrogation and torture, humanitarian intervention in conflicts like those in Libya and Syria, and the scope of the U.S. President's constitutional and statutory authority to wage war. This seminar will require writing regular reaction papers as well as a government decision-making simulation at the end of the semester.

Law of Settlement

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Paper

Most civil disputes settle before trial. Indeed, the statistics are not even particularly close: recent scholarship suggests that between 92 and 98% of civil cases are resolved before trial, depending on the jurisdiction and claims. Why do so many cases settle? When do they settle? And—perhaps most importantly—how can attorneys facilitate settlement in a manner that is most advantageous for their clients? This course will consider these important questions. First, we will set the stage by examining the full spectrum of processes that are available for resolving civil conflicts, such as negotiation, mediation, arbitration, and litigation. Second, we will review basic concepts of interest-based negotiation theory that lawyers regularly employ to settle disputes. Third, we will review the timeline of most civil litigation from the filing of the complaint through enforcement of judgment. Using this timeline, we will consider “leverage points” when settlement is most likely. Fourth, we will study settlement agreements themselves. What goes into a settlement agreement? What are best practices for drafting such agreements? Can they remain confidential? What happens if one party fails to comply? Finally, we will examine the rules of professional conduct that guide attorneys who negotiate settlement agreements on behalf of clients. Overall, students will emerge from this course with a strong understanding of why and how civil cases settle, including a practical sense of the mechanisms for memorializing and enforcing settlements.

President Trump, the Supreme Court, and American Democracy

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Paper

This two-credit seminar will explore contemporary challenges presented by President Trump and recent Supreme Court rulings to the quality and vitality of American democracy. The seminar will initially explore the idea of democracy and the founding governing structure designed to enshrine democracy by comparing the Articles of Confederation with the 1789 constitution as well as selective Federalist papers written in 1787 and 1788. Those classes will be followed by others that focus (among others topics) on the role of money in elective politics, political gerrymandering, recent court decisions regarding the 1965 voting rights act institutional, the functioning of President Trump’s Department of Justice as well as President Trump’s effort to impound funds allocated by congress, to impose tariffs, to use

administrative power and litigation efforts to censor the press, and to use the spending power (among others) with regard to law firms and universities. Research papers on the topics studied as well as related ones will be required. There will be no final examination.

Ripped from the Headlines

Pre/Corequisite: None

Recommended Class(es): Criminal Law

Primary Project: Paper

In recent years, significant litigations, both civil and criminal, have occupied the forefront of public attention. Those cases raise important legal and social issues that can meaningfully educate law students about why and how cases are brought—the strategic decisions, ethical dilemmas, and procedural challenges they involve—while connecting doctrinal concepts to real-world lawyering. Weekly assignments will focus on court filings in the cases to be discussed, supplemented by additional background materials and commentary.

Perhaps the best way to teach about these litigations is through a seminar where the participants in front-page cases — including judges, lawyers, and legal commentators — agree to informal classroom conversations under ground rules providing that what is said in the seminar stays in the seminar.

Given Cohen’s and Lat’s longstanding familiarity with the New York bar, judiciary, and legal-writing community, we believe we can bring newsworthy figures to the seminar on a weekly basis. Possible guests include participants in the Eric Adams, Nicolás Maduro, Sean “Diddy” Combs, Harvey Weinstein, and Mahmoud Khalil cases. (Cohen has produced a sitting judge in an important case weekly in his ongoing Cardozo seminar “How Judges Decide,” while Lat has interviewed many prominent judges and lawyers on his podcast.)

We look forward to bringing high-profile cases and the people behind them into the classroom, in a way that no casebook can replicate. “Ripped from the Headlines” will give students an unparalleled window into high-stakes litigation as it actually unfolds.

Tech Law Colloquium

Pre/Corequisite: None

Recommended Class(es): None

Primary Project: Paper

In this course, six law professors from around the country will travel to Cardozo to present fresh research on the regulation of AI and tech companies. Classes will be organized in two-week units. In first week of each unit, we will read background material on the legal issues that the speaker will be presenting on. In the second week, the speaker will present their work-in-progress to the class and take your questions. Each student will write an original research paper that critically engages with the research we read. The course will not assume prior knowledge of business law or tech regulation but will require enthusiasm to read up to 50 pages of challenging material each week. In some weeks, we may cover the law of other jurisdictions, such as China and the EU.

The Law and Limits of Executive Power

Pre/Corequisite: Constitutional Law

Recommended Class(es): Administrative Law

Primary Project: Other

Much of government is conducted through the federal administrative state, which regulates everything from immigration to public health to the environment. In recent years, federal agencies have invoked strong conceptions of “executive power” to justify more robust agency authority and intervention, and the President has invoked “executive power” to exercise increasing control and supervisory powers over federal agencies. This course analyzes various claims to executive and presidential power, particularly as these claims butt up against separation of powers concerns, on the one hand, and individual constitutional rights, on the other.

Trial Practice

Pre/Corequisite: Evidence

Recommended Class(es): None

Primary Project: Other

The first weeks of this course will focus students on how to develop a "theory of the case" - the guiding narrative that will govern how the case will be presented, organized and argued. After establishing that foundation, the course will then be taught in a clinical model: each week, students will be required to perform and develop some mastery of the

various aspects of a trial, including handling exhibits, opening statements, direct examination, cross examination, summations, motions in limine, objections, witness preparation, and jury selection. The culmination of the course will be a full jury trial conducted by the instructor.