Topics in Law – Course Descriptions

(FKA *Special Topics*)

Spring 2027

Antidiscrimination Law Colloquium

Pre/Corequisite: None
Recommended Class(es): Constitutional Law II
Final Project: Other

This colloquium examines foundational and contemporary questions in antidiscrimination law. Topics will include the meaning of discrimination on the basis of race, sex, and other protected characteristics, as well as philosophical questions about what it means to act for a reason and how reasons figure in determining what counts as discrimination. The colloquium will feature leading scholars of antidiscrimination law and theory, who will present their work for discussion with students and faculty.

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.

Arts and Media Law Externship & Seminar

Pre/Corequisite: The externship and seminar components are mandatory corequisites.
Recommended Class(es): None
Final Project: Other

The Arts and Media Law Externship Seminar is designed to support students in their professional development as they hone their legal skills and learn to reflect on and navigate issues encountered in their externships. During their externships, students will be introduced to practice under the supervision of experienced attorneys. The externships encompass a breadth of arts and media organizations, such as museums, auction houses, performing arts organizations, film or television companies, music publishers or performance rights organizations, news organizations, book publishers, and non-profit legal organizations that support artists. The seminar will address issues across these different sectors within the arts and media landscape.

For each seminar session, we will devote some of the time to practical, skills-based exercises, designed to make you familiar with some of the day-to-day work lawyers do, including onboarding and advising clients, fact-gathering and interviewing, negotiating and drafting contracts, and litigating disputes. We will typically devote the second half of each seminar session to introducing you to a different industry or sector within the broader field of art, media and entertainment — namely, the private art market, museums and other non-profits, music, and film and television.

Cardozo Colloquium

Pre/Corequisite: None
Recommended Class(es): None
Final Project: Paper

Religion and politics have been inextricably intertwined. Religions and the religious have had their own politics. Political actors have invoked, used, adapted, and at times reworked religious traditions, symbols, and elements to suit their worldly objectives and agendas. Accordingly, two correlated phenomena have spread side by side: religion's appropriation of politics and the politicization of religion. The first of these seeks to infuse the dictates of a particular religion into the laws and politics of the relevant polity. The second phenomenon consists of the appropriation by political actors of religious symbols, creeds, or practices for what are primarily identitarian and cultural purposes.

As against this, liberal constitutionalism sought to disentangle religion from politics by institutionalizing secularism. In recent times, however, institutionalized secularism has

come under increasing attack as being biased and anti-religious contrary to its proclaimed commitment to neutrality.

Furthermore, consistent with this, many have asserted that we have entered into a post-secular era. The Colloquium will concentrate on the substantial changes in constitutional and human rights treatment of the relationship between religion and the state attributable to embrace of post-secular perspectives. In particular, these perspectives have reframed the dynamic between liberty and equality rights. In some cases, expansions of religious liberty have come at the expense of erosion of the equality rights of women and LBGTQ+ persons; in others, in greater dominance of the majority religion coupled with discriminatory consequences for minority religions. These phenomena are particularly glaring in recent instances of exclusionary nationalist and of illiberal populist agendas that invoke religious identity and culture as markers for dividing the polity into "insiders" and "outsiders".

The Colloquium will address and present a wide variety of perspectives on the above issues and others related to them through a combination of classes led by the co-conveners and presentations of original papers by a number of American and foreign scholars in law, political science, and philosophy. Focus will bear on US and relevant foreign court decisions on constitutional and human rights issues involving clashes between secular and post-secular approaches to the above-mentioned rights. In addition, the Colloquium will address the legal/ constitutional, ethical, and political issues associated with transition to post-secularism as well the role of social movements in setting post-secular political agendas and in seeking to influence changes in constitutional adjudication.

The papers to be presented by invited scholars will be circulated in advance, and will be discussed with the conveners, the students, and other participants at the Colloquium.

Children, Families and the Law

Pre/Corequisite: None
Recommended Class(es): None
Final Project: Exam

Family Courts see some of the most interesting, challenging, and sad cases in the legal system. They are a mixture of law and social work, requiring great sensitivity, creativity, and problem-solving. This advanced seminar focuses on issues facing children and families in these cases. This is a great course for those interested in working with children and families, government service, and real-life courtroom experience in NYC.

We begin by reviewing the purpose and history of Family Court, and then we turn to the specific types of cases, the roles of lawyers, and systemic issues. As a real-world

practitioner, I will focus on the nuts-and-bolts of cases; the investigations and evidence; ethical issues; efforts to provide services and solutions for litigants; and the flavor of working in high-volume courthouses under emotional circumstances. We deal daily with horrific tragedy, uplifting stories of resilience, and the unique juxtaposition of law and family life.

Types of cases include:

1. Child welfare cases, where NYC's Administration for Children's Services accuses parents and guardians of abusing and neglecting children. We examine the purpose of the child welfare system; the tension between protecting children and the rights of parents; and the prevalence and difficult realities of dealing with poor families of color. Allegations involve sexual abuse, physical abuse, homicide, domestic violence, mental health concerns, substance abuse, and a lack of support and services. We review the range of outcomes, including supervising intact families, foster care, and adoption or guardianship when family reunification is not viable
2. Juvenile delinquency cases, where teenagers are charged with crimes in Family Court. We explore the problems and causes of crime committed by juveniles; when cases go to Criminal or Family Court; the unique balance between meeting the accused's needs and protection of the community; the types of services and supervision available for youth; and the similar prevalence poor litigants of color
3. Custody cases. These are private actions between the parties, but they raise issues of domestic violence, child abuse and neglect, parental "alienation," and difficult social issues. We study the role of the child's wishes in these cases, the nature of working with "high conflict" litigants, and the impact of custody battles on children
4. Miscellaneous cases such as Child Support; "Destitute" children; Special Immigrant Juvenile Status (SIJS); Paternity; and Order of Protection Petitions

The course will also feature presentations by actual practitioners and litigants, including attorneys, case workers, medical experts, parents and children.

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: Take Home Exam

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.

Employment Law Drafting

Pre/Corequisite: None
Recommended Class(es): Employment Law
Final Project: Other

Legal drafting is crucial in modern workplaces. Key employment documents set expectations, reflect company culture and help prevent liability. These documents often play a decisive role in employment law cases.

In this practice/simulation course, students will develop the legal skills needed to represent clients in the context of employment law. In the first half of the semester, the course will introduce students to the law and mechanics of employment-related policies and agreements such as employment agreements, non-compete agreements, employee handbooks, severance agreements, and letters to clients. Students will come away with a solid understanding of the statutes, regulations and cases governing these aspects of workplace law, as well as drafting techniques to minimize legal liability.

During the second half, we will follow the progress of a typical civil rights dispute lawsuit involving a terminated employee. Students will learn how to draft EEOC position statements, court pleadings, motions, discovery requests and settlement agreements, with a focus on the strategic skills needed by both management and employee attorneys.

Throughout the semester, students will engage in simulations and exercises in class and complete reading and drafting assignments outside of class, with and without AI assistance.

Gender and the Law

Pre/Corequisite: None
Recommended Class(es): None
Final Project: Paper

This course's aims are: to make students familiar with feminist and queer theories and critiques of liberalism and liberal legal systems to the extent that they incorporate biases relating to gender and sexual orientation; to show them how seemingly neutral legal norms are shaped by particular conceptualizations of gender, sexuality and sexual orientation; to introduce them to the debate concerning the partnership of feminism and multiculturalism and prompt them to reflect on what constitutes gender (in)equality in a culturally diverse world; to make them familiar with the ways in which the law has contended with sexual difference, sexual orientation, gender-based stereotypes and the meaning of sexuality in domestic, transnational and international contexts.

The course will tackle cutting-edge issues about gender, law and policy, including: gender and political representation, gender and cultural diversity, the constitution of the family, reproductive rights, domestic violence, gender violence in armed conflicts, sex work and pornography, sexual orientation, and intersections of gender with race, ethnicity, class, and sexual orientation.

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 and 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.

Law and Practice at the United Nations

Pre/Corequisite: None
Recommended Class(es): International Law
Final Project: Paper

Most of the hottest issues of the day internationally come to the United Nations, and almost all these issues implicate international law. This course provides an overview of legal issues at the United Nations. It examines the relationship between the UN Security Council and the UN General Assembly, including the tensions that sometime exist between these two principal organs of the UN, in particular in situations where the veto has been exercised, such as in the Syria, Ukraine and Israel/Gaza situations. It examines the Security Council's role in making law, institution creating and keeping peace. It also explores the General Assembly's role in the negotiation and adoption of treaties. It further examines the process of becoming a UN Member State.

Readings will include the UN Charter, UN Security Council Resolutions, UN General Assembly Resolutions, and reports of the UN Secretary General.

Legal and Equitable Remedies

Pre/Corequisite: None
Recommended Class(es): None
Final Project: Exam

This course examines how lawyers choose among legal and equitable remedies and how courts decide what relief to grant. Drawing on cases in both public law and private law, students consider how courts set compensatory damages for injuries with no market price, when punitive damages are warranted, and when a client might seek restitution, a declaratory judgment, or an injunction. The course also examines the defenses that can limit relief, the enforcement of judicial commands through the contempt power, the practical problems of collecting money judgments, and the contours of drafting injunctions that a court can enforce. This course is wholly distinct from *Remedies and the Law*.

Mass Tort Victim – Survivor Settlement Funds

Pre/Corequisite: None
Recommended Class(es): None
Final Project: Paper

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.

More About Professor Lelchuk…

Professor Lelchuk is a mediator and mass tort claim administrator, and her work focuses on mass torts, sexual harassment and assault, sexual discrimination, and Title IX. She recently mediated a class action lawsuit brought by the sexual abuse victim-survivors of Jeffrey Epstein. This case settled for $75 million dollars. Professor Lelchuk also served as

the independent Claims Examiner to allocate the Sexual Misconduct Claims Fund, a fund established to compensate the victim-survivors of Harvey Weinstein and to resolve sexual abuse claims against Harvey Weinstein and two of the companies with which he was affiliated (Disney/Miramax and The Weinstein Company).

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.

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.

Right of Publicity

Pre/Corequisite: None
Recommended Class(es): None
Final Project: Exam

This course explores the Right of Publicity: a collection of statutory and common law doctrines that govern the commercial exploitation of an individual's name, image and likeness (NIL). In this course, students will analyze the evolution of the right of publicity, examine the three critical elements that make up this right, and analyze court decisions that balance this right against the First Amendment. Particular attention will be placed on the legal treatment of the right of publicity in artistic works, the use of individuals' names and likenesses in gambling and online gaming activities, and the transformative effect of NIL licensing on collegiate and professional sports.

Statutory Interpretation II

Pre/Corequisite: None
Recommended Class(es): None
Final Project: Exam

This course, taught by a U.S. District Judge, provides instruction and in-class exercises in statutory interpretation, with emphasis in three areas:

- **practice** (how it is done by courts, and by lawyers who advocate in court and before administrative agencies);
- **theory** (how those practices are explained and legitimized, both descriptively and normatively); and
- **doctrine** (the textual and substantive canons of statutory construction).

Offered for several years here at Georgetown Law, Boston College Law, and other law schools, the course is designed to be both intellectually engaging and highly practical.

While much of the first-year law school curriculum focuses on "common law reasoning" (identifying applicable judicial precedent and, if necessary, distinguishing the case at hand), much of modern law practice involves applying statutory law produced by the Congress and state legislatures, as well as administrative law in the form of rules and regulations. "Thinking like a lawyer" involves mastering the practices and doctrines of statutory interpretation.

This course covers those practices, the doctrines that govern them, and the theories that (purportedly) explain or justify them: purposivism, intentionalism, textualism, and

pragmatism in its various forms. You'll also place them in historical context through three historical approaches, or schools of thought: Formalism, Legal Realism, and Legal Process.

You'll learn some substantive law, but the class won't focus on it. Instead you'll encounter text, figure out the interpretive problems the text presents, and learn how courts, advocates and academics have approached those problems.

Learning Objectives:

The course has three overall goals:

1. Enabling you to recognize the "moves" undertaken by courts and advocates in interpreting statutes and regulations, and to make and oppose the arguments underlying those moves.

2. Mastering a reasonable number of canons of statutory construction (both textual and substantive), as well as other related tools such as "ordinary" and "plain" meaning, legislative intent, statutory purpose, and deference to administrative agencies.

3. Exposing you to the theoretical debates that inform and animate statutory interpretation. A judge's theoretical understanding of statutory interpretation may affect the judge's decision making and opinion writing (which are two different things) in statutory cases. This may help you form your own theoretical position on statutory interpretation, which may in turn inform your view of the origin, nature and functions of law.

Taxation of Business Entities

Pre/Corequisite: None
Recommended Class(es): Federal Income Tax
Final Project: Exam

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.

Theatre Law

Pre/Corequisite: None
Recommended Class(es): Contracts and Copyright
Final Project: Paper

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.