

# CURRICULUM OVERVIEW



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## THE BC LAW CURRICULUM

### **B**ECOMING ONE OF THE WORLD LEADERS IN LEGAL EDUCATION COMES DOWN TO SOME PRETTY BASIC PRINCIPLES.

At Boston College Law School, we've been providing the very best in legal education and training for over seventy-five years. Just three years after we admitted our first students in 1929, the American Bar Association approved BC LAW as a "Class A" school—the first law school in the country to receive this rating within three years of its founding.

Ever since that very first class, our focus has always been on the basics: finding great teachers who are world class scholars and leaders in their fields, and encouraging them to teach the law with an emphasis on professional responsibility and ethics, reasoning and writing skills, and real-world training experiences. Our students have gone on to become leaders in the areas of business, politics, education, and the law. Our reputation for excellence has grown with each passing year. Today we are one of the world's most respected law schools, and we have one of the highest applicant-per-seat ratios in the country.

In 1929, the first BC LAW entering class had 29 required courses and only a handful of electives. Today's swiftly changing world demands more options. The BC LAW class of 2011 will have a handful of required courses and will choose from about 200 electives. Subjects such as Intellectual Property, Criminal Law, Emerging Enterprises, Environmental Law,

International Law, Legal History, and Mergers and Acquisitions are just a few areas that these electives cover. There are also numerous opportunities to "learn by doing," through our innovative clinical programs, advocacy teams, law review publications and study abroad programs.

Our *Curriculum Overview* is meant to introduce you to some of those choices. When it comes to specific subjects, the selection of courses contained in these pages will make it clear that we offer a wide range of possibilities. We have not provided an exact listing of next year's offerings, but rather a representation of those courses that have been offered most recently, to give you a better idea of what you might choose from during your three years with us (for a full list, please visit [www.bc.edu/law](http://www.bc.edu/law)).

But there are lots of law schools that offer what sound like great courses. What happens inside each and every classroom is what really counts.

Talk to our students and graduates, and we think you'll agree: here at BC LAW, our focus on research, writing and reasoning skills, oral advocacy, creativity, professionalism, and teamwork will help build your leadership skills and prepare you for any type of career you choose.



*Favorite class: Civil Procedure*

“I WAS SO IMPRESSED WITH THE FACULTY HERE. Not only with their scholarship, but perhaps more importantly, with the fact that they are enthusiastic, engaging people. They are genuinely curious about students’ life experiences and goals, and are committed to making the educational experience exceptional. First-year law school material has a reputation for being overly theoretical and esoteric, but my professors did a wonderful job making the material socially and politically relevant.”

## FIRST-YEAR PROGRAM REQUIRED COURSES

The first-year curriculum reflects our belief that traditional first-year courses should be supplemented by the study of legal sources and history, as well as by the professional responsibility issues and the lawyering skills that are so vital for the successful practice of law.

First-year students work on these skills in the Introduction to Lawyering and Professional Responsibility course, aspects of Property, and a two-semester Legal Reasoning, Research and Writing course.

### **Introduction to Lawyering and Professional Responsibility**

Students discuss the adversarial system and the professional responsibilities of the lawyer within that system. Through simulation exercises, students experience client interviewing, client counseling, case evaluation and planning, negotiation, pretrial discovery, motion practice and trial-level argument. Alternative dispute resolution processes such as mediation are also addressed.

### **Property**

Examines property rights and principles of personal and real property. Landlord/tenant law and conveyancing practices are reviewed. The course also focuses on the sources of law and the legal process, including legislative and administrative bodies and their relationships to the courts in creating, interpreting and enforcing the law.

### **Legal Reasoning, Research and Writing**

Written expression of legal analysis and traditional and computer-assisted legal research techniques are addressed. Assignments include drafts and rewrites of inter-office and advocacy memoranda. Taught in small sections to foster teacher-student interaction.

### **Civil Procedure**

Introduces rules governing the conduct of litigation using the Federal Rules of Civil Procedure.

### **Constitutional Law**

Introduces the concept of judicial review of legislation and executive action. Focuses on the express and implied powers of the federal government and the interstate commerce clause’s effect on federal and state power.

### **Contracts**

When is a promise legally enforceable? What does it mean to say that it is enforceable? These issues arise not only in the setting of commercial exchange but also in informal promises. The course provides an excellent vehicle for careful examination of the development of law by judicial decisions and for developing the skill of precision in the use of legal language.

### **Criminal Law**

This course addresses the reasons why society punishes its citizens. After exploring philosophical justifications for punishment, students will study the general doctrinal elements of criminal responsibility, including the significance of act, state of mind, causation of resulting harm, mistake, attempts, and group criminality. The course ends with a study of common defenses (justifications and excuses for otherwise criminal conduct), including insanity, self defense, necessity, duress, and entrapment.

### **Torts**

Examines non-consensual relations among individuals and emphasizes negligence law, the measure of damages, and newer developments such as products liability.

## DUAL DEGREE PROGRAMS

### J.D./M.B.A. PROGRAM

For those interested in corporate management or in becoming a successful corporate lawyer, BC LAW offers a four-year dual degree program with Boston College's Wallace E. Carroll School of Management. For the J.D. degree, you will complete the required first-year law curriculum, and the equivalent of three semesters of law courses. Students must apply to each school. For information about the M.B.A. requirements, contact the Carroll School of Management at 617/552-3920.

### J.D./M.S.W. PROGRAM

The J.D./M.S.W. reflects Boston College's commitment to educating individuals to help the poor and disadvantaged. To earn this dual degree, you will complete an extra two semesters. Two social work field placements, as well as two independent study projects integrating law and social work, are required. Students must apply to both schools, and should start the M.S.W. first. For information about the M.S.W. requirements, contact the Graduate of Social Work at 617/552-4024.

### J.D./M.ED. OR M.A. IN EDUCATION

This program is designed for students who are interested in serving the combined legal and educational needs of students, families and communities. Applicants to this program are encouraged to discuss their proposed focus of study with the School of Education and Law School Coordinator and ensure they receive prior approval for the program from both schools. Applicants must apply to both schools. Contact the Lynch School of Education at 617/552-4214.

### OTHER DUAL DEGREE OPTIONS

Students interested in programs with other schools and departments at BC or with other schools in the Boston area may receive permission to pursue individualized programs. Applicants must receive prior approval from both schools and apply to and be admitted independently to both schools. Tuition is arranged separately.

## SECOND- AND THIRD-YEAR PROGRAM REQUIRED COURSES AND ELECTIVES

The second- and third-year curriculum offers both a breadth of subjects and the opportunity to explore particular areas in depth. With the exceptions of Constitutional Law II, a professional responsibility course and a course with substantial writing experience, all of these courses are elective. More than 70 courses are available each semester. Please note that these are a sampling of courses from recent years; for a full list of current courses, please visit our Website at [www.bc.edu/law](http://www.bc.edu/law).

### BUSINESS LAW: COMMERCIAL

#### Antitrust (Trade Regulation)

Government regulation of businesses, including monopoly, mergers, restraints on trade and pricing controls.

#### Business Bankruptcy

Basic principles of federal bankruptcy law.

#### Commercial Law: Payment Systems

Focuses on law governing payment systems, including checks, credit cards and electronic transfers, and the Uniform Commercial Code.

#### Commercial Law: Secured Transactions

Article 9 of the Uniform Commercial Code governing secured transactions in personal property and fixtures.

#### Consumer Bankruptcy

Chapter 7 liquidation proceedings and Chapter 13 rehabilitation relief for individual debtors; includes pre-bankruptcy planning, state/federal exemptions, nondischargeable debts, reaffirmation agreements, and redemption rights.

#### Consumer Law

Changes to classical contract law resulting from federal and state consumer protection statutes.

#### Entertainment Law

Legal/business problems of the music, motion picture, and television industries.

#### Sports Law

Regulation of sports; examines leagues, standard contract forms, antitrust, labor law, collective bargaining, arbitration, rights of privacy and publicity.

### BUSINESS LAW: CORPORATE

#### Business Planning

Legal and business issues of a start-up company: organization/governance, financing/capital structure, protection of intellectual property; marketing, licensing, distribution arrangements; and sale/merger and going public.

#### Corporate Finance

Corporate finance for emerging businesses, ranging from bank and debt financing to venture capital, private placements and public offerings.

## ADVOCACY PROGRAMS

The **Wendell F. Grimes Moot Court Competition**, designed for second-year students, is a prerequisite for students aspiring to enter interscholastic competition, and is essential for others who simply want to build their appellate skills.

The **National Moot Court Team** competes against other schools in this mock appellate argument, one of the oldest, most prestigious competitions in the country.

The **Braxton Craven Moot Court** team briefs and argues at the regional and national level issues of constitutional law arising in a criminal context.

The **Judge Conrad B. Duberstein Bankruptcy Moot Court** team competes in a national competition centered around issues of bankruptcy law.

The **European Union Law Moot Court** team competes in an international competition that argues points of EU law.

The **Frederick Douglass Moot Court** team competes in a competition sponsored by BLSA, which focuses on issues important to minorities.

The **Saul Lefkowitz IP Moot Court** team briefs and argues questions of trademark law in a competition sponsored by the Brand Names Education Foundation.

The **Philip C. Jessup Moot Court** team strives to compete internationally as well as regionally and nationally. Organized by the American Society of International Law, students write briefs on both sides of a legal issue and argue an appeal in a case that could come before the International Court of Justice.

The **Mock Trial** competition, open to all third-year students, hones participants' trial skills. Winners are invited to participate in a regional program as well as finals held each year in Texas.

The **National Administrative and Environmental Moot Court Team** challenges students to draft a brief and compete in mock oral arguments in a simulated appellate case involving a cutting edge environmental issue.

The **John J. Gibbons National Criminal Procedure Moot Court** team briefs and argues a criminal procedure problem at a national competition for law students.

The **First Amendment Moot Court** team briefs and argues cases associated with speech and the press in a national competition.

The **Immigration Law Moot Court** team briefs and argues issues involving the law of immigration in a national competition.

### Corporate Governance

Focus on critical issues regarding the allocation of power among the principal actors in a corporation.

### Corporations

Develops an understanding of the laws governing corporations.

### Government Contracts

Study of the law applicable to the procurement, formation and enforcement of contracts between governmental entities, especially agencies of the United States government.

### Issues in Corporate Decisionmaking

Corporation's responsibilities to non-shareholder constituencies, including employees, communities, the environment and society.

### Law and Accounting

Acquaints students with financial accounting systems, and financial reporting.

### IPO and Securities Law

Intensive examination of the legal and practical issues in registering a company's securities for the first time under the Securities Act of 1933.

### Mergers & Acquisitions

The fundamentals of corporate acquisitions.

### Mutual Fund Regulation

Study of the policies, purposes and practicalities in the regulation of mutual funds under the Investment Company Act of 1940.

### Securities Law

Laws and regulations governing the issuance and trading of stocks, bonds and other securities; the practices of securities lawyers are addressed.

### Venture Capital, Fund Formation and Investment Process

Exploration of the structure, nature, and direction of the venture capital investment process as currently conducted in the United States.

## BUSINESS LAW: LABOR AND EMPLOYMENT

### Arbitration

Alternatives to litigation and the process of negotiating and settling disputes outside the courtroom.

### Employment Discrimination

Statutes and remedies designed to eliminate racial, sexual and religious discrimination in the workplace.

### Employment Law

Employee relationships outside the employer-union relationship, including employment contracts, wrongful termination and the various statutory schemes that affect the structure of the employment relationship.

### Labor Law

Collective bargaining model of industrial relations and worker participation in management decisionmaking established by the National Labor Relations Act; examines union organizing, collective bargaining, economic pressure tactics and contract dispute resolution.

*Teaches: Intellectual Property, Internet Law, Property*

“THE STUDENTS ARE A REAL STRENGTH OF THIS SCHOOL. They’re incredibly bright and motivated, but also remarkably well-adjusted and well-rounded. They manage to work very hard and excel without engaging in the sort of cutthroat competition that you sometimes see at other top schools...they are, quite simply, a joy to teach.”

## BUSINESS LAW: TAXATION

### Employee Benefits Law

Includes fiduciary ERISA requirements and preemption provisions, coverage/other rules relating to “qualified plans,” executive compensation.

### Estate and Gift Tax

Federal estate, gift and other tax provisions applying to gifts and transfers by will.

### Immortality and the Law

The role of immortality and the law is not limited to property rights, as criminal law has also recognized certain interests of the dead. This seminar looks at literature from other disciplines - including philosophy, psychology, sociology and religion--on the familiar desire of individuals’ to survive their deaths and explore some of the ways in which our legal system facilitates or impedes these bids for immortality.

### International Aspects of United States Income Taxation

Federal income tax aspects of the foreign activities of United States taxpayers and the United States investments of foreign taxpayers.

### Partnership Tax

Tax issues associated with partnerships and “S” corporations; partnership law.

### Taxation I

Introduction to federal income taxation; focuses on Internal Revenue Code, and legal and policy judgments implicit in technical tax principles.

### Taxation II

Taxation of corporations and the tax issues arising in their organization, acquisition, operation and liquidation.

### Taxation III

Taxable/tax-free corporate acquisition transactions, treatment of net operating loss carryovers, single corp. reorganizations, and the consolidated return rules.

### Tax Policy

Fundamental questions about the existing federal income tax; taxation of business and investment income; tax system response to inflation.

## CIVIL PRACTICE AND PROCEDURE

### Complex Litigation

Exploration of procedures used for complex multi-party litigation focusing primarily on mass tort cases.

### Conflict of Laws

The rules applicable to legal transactions and relationships involving several state or foreign jurisdictions, as well as the impact of constitutional principles upon the solution of these issues.

### Evidence

Federal rules of evidence and the impact of evidentiary rules outside of the courtroom; also focuses on problems encountered in proving facts at trial.

## LAW REVIEWS

Our prestigious Law Reviews allow you to gain research, writing and editing experience. Our students staff four law reviews and the **Uniform Commercial Code Reporter-Digest**, a publication of a national commercial service that summarizes and comments on all reported cases involving the Uniform Commercial Code. Each publication is produced by third-year editors and second- and third-year staff members. Membership is determined by grades and a first-year writing competition.

**Boston College Law Review** addresses a broad range of legal topics.

**Environmental Affairs Law Review** addresses issues such as environmental quality control, land use planning, urban development, nuclear power and hazardous waste.

**International and Comparative Law Review** considers international and comparative trade, finance, tax, corporate and commercial law.

**Third World Law Journal** focuses on the problems of minorities in the United States and worldwide, as well as on international human rights.

## STUDYING ABROAD

BC LAW students can study overseas through its London Program, a joint venture with King's College in London, and through its innovative new externship at the International Criminal Tribunals (ICT). The London Program provides exposure to another legal culture and helps prepare students for an international law practice. The ICT externships in the Netherlands gives students the chance to help investigate and draft indictments of those charged with violations of international humanitarian law, or to serve judges on a standing tribunal that tries war criminals in a wide variety of situations.

Some BC LAW students have also spent a semester studying abroad through the Boston College Center for International Partnerships and Programs. For more information on study abroad options, please contact the Office of the Dean for Students.

### Federal Courts

Issues arising in federal court litigation, sovereign immunity and the 11th Amendment, federal *habeas corpus*, Supreme Court appellate jurisdiction.

### Pretrial Litigation

Development of litigation cases, focusing on lawyering skills and ethical considerations at each stage of the proceedings.

### Scientific Evidence

Study of introduction and use of expert testimony and scientific proof in both criminal and civil trials.

## CRIMINAL LAW

### Advanced Criminal Procedure

Criminal prosecution and adjudication, including prosecutorial discretion, grand jury proceedings, the right to speedy trial, plea bargaining, double jeopardy and sentencing.

### Criminal Law Seminar: Perspectives on Crime and Punishment

Perspectives on the purposes, practices, and politics of criminal punishment.

### Criminal Procedure

Administration of criminal justice and constitutional provisions affecting searches and seizures, interrogations, confessions and identification.

### Death Penalty

Issues related to the imposition of death as a sanction for criminal behavior.

### Federal Criminal Law

Federal and state jurisdiction over criminal matters such as mail fraud, corruption of public officials; includes constitutional analysis of federal power.

### Mental Health Law

Topics such as insanity defense, civil commitment, and right to treatment.

### White Collar Crime

Issues in the prosecution and defense of white collar crimes, including corporate and individual criminal liability, fraud, bribery, financial crime, environmental crime, RICO and sanctions.

## ENVIRONMENTAL AND LAND USE LAW

### American Indian Law

Survey of laws and policies influencing the relationship of tribes with federal, state and local governments, including issues of civil and criminal jurisdiction, environment, and land use.

### Energy Law

Examination of the federal and state law governing the development, use, conservation and management of energy-related resources.

### Environmental Justice

Case studies and supervised research projects involving work with community groups; focuses on the role of law and lawyers in seeking equal environmental protection.

## CLINICAL PROGRAMS

### IN-HOUSE DIRECT SERVICE

#### Advanced Immigration Law: Seminar and Clinic

The seminar meets two hours per week; a variety of advanced topics in U.S. immigration law will be examined and discussed, with a focus on asylum and defenses to removal, although these topics necessarily involve questions of procedure, criminal law, constitutional law, and statutory construction. In the clinic, each student will be working with clients on immigration matters.

#### Civil Litigation Clinic

Students have the opportunity to work as practicing lawyers representing actual clients at the Boston College Legal Assistance Bureau (LAB), a fully functioning law office founded by BC LAW students in 1968. Students represent clients in every aspect of litigation, including appearing in court (Superior Court, Family and Probate Court, District Court, Housing Court) and at federal and state administrative hearings. Responsible for their own case load, students plan and conduct every phase of civil litigation, from

initial client interviews, through formulating a legal strategy, to counseling clients, conducting pretrial discovery and motion hearings, engaging in settlement negotiations, drafting pleadings, up to and including trials and administrative hearings, as well as drafting and arguing appeals.

#### Criminal Justice Clinic

The Criminal Justice Clinic is a unique and exciting program which examines the criminal justice system from the perspective of both defense attorneys and prosecutors. Students experience, participate in, and challenge the local criminal justice system. The Clinic is made up of two programs: BC Law Prosecution Program and BC Defenders. BC defenders represent indigent clients in District Court, while student prosecutors prosecute cases under the auspices of a District Attorney's Office. Each side meets separately once a week to focus more intently on skills particular to each profession and to discuss issues that students confront during the term. Both sides also meet in class together once a week to explore theoretical issues and practical problems and compare their experiences, analyses, and conclusions.

#### Environmental Law

Issues such as pollution and nuclear power; focuses on the legal doctrines and litigation techniques applicable to environmental controversies.

#### Environmental Law: Clean Air and Water

Complex environmental law and land use issues through statutory interpretation and regulatory analysis.

#### Environmental Law: Hazardous Waste

Development and implementation of federal and state regulatory mechanisms designed to control hazardous materials with emphasis on federal and state Superfund programs.

#### Environmental Law Seminar

Important issues in contemporary environmental law.

#### Environmental Law: Teaching Seminar

Law students teach environmental law to graduate and undergraduate students in other academic disciplines.

#### Environmental Law: Toxic Torts

Compares regulatory and common law approaches to controlling hazardous substances; includes topics on leading environmental, occupational health regulatory decisions, and toxic tort cases.

#### International Environmental Law Seminar

General principles, rules, and case studies on liability for nuclear damage, ozone depletion and climate change, deforestation and the protection of endangered species.

#### Land Use Planning

Emergence of municipal land regulation systems and the development of comprehensive planning, as well as regulatory and planning techniques.

#### Understanding Urban Ecosystems: Environmental Law and Policy

Scientific and legal elements of the protection and restoration of urban environmental resources, with a focus on the practitioner's need for a working understanding of scientific concepts and principles.

### FAMILY LAW

#### Domestic Violence and the Law

Describes the historical and social context of battering and the relevant civil and criminal law issues; explores alternative procedural frameworks and court programs addressing domestic violence.

#### Family Court Practice

Ethical considerations of family law practice as well as the psychodynamics of divorce, custody and property distribution; includes noted guest speakers sharing insights on family law.

#### Family Law

Substantive and procedural laws for marriage and marriage-type relationships.

#### Family Law: Child, Parent and State

Examines legal ramifications of the parent-child relationship in today's society.

## BC Defenders

The BC Defenders pick up cases at arraignment, where they interview their clients for the first time, and present bail arguments before a judge. Students then begin to prepare their cases, researching the legal issues, investigating the facts, and helping the client with services whenever possible. A pre-trial hearing is held usually within the first semester to finalize discovery and determine if the case can be resolved. If not, the case is scheduled for jury trial during the second semester. To prepare for jury trials, students role-play their cases in the form of mock trials with all students participating as witnesses, prosecutors, jurors and critiquers. Students handle misdemeanors and those felonies for which district court jurisdiction exists, from charges of assault to school zone drug sales. Students are responsible for their own cases and are closely supervised, both in court and out of court, by a defense professor.

## BC Law Prosecution Program

Students join a group of assistant district attorneys in a local District Attorney's Office and take up the demanding role of prosecutor in a highly challenging local criminal justice system. Each student will become an active participant in the criminal justice system, receiving

several cases during the semester and appearing numerous times in an adult court session. Students are responsible for their own cases and are closely supervised by Professor Sarda. Students' experiences in court will provide the basis for a close and critical examination of the criminal justice system, which will necessarily include self-reflection and self-critique, as students attempt to grapple with and understand the various roles they take up in the system, and their own participation in the dynamics that they witness.

## Homelessness Litigation Clinic

Students litigate cases on behalf of poor individuals who are homeless, or who risk becoming homeless if they lose their current housing. The course includes fieldwork and a weekly seminar. The fieldwork is based at the Law School's Legal Assistance Bureau in Waltham; the seminar will be held at the Law School.

Students are assigned to work with families or individuals who are facing eviction or have no place to live. Students can expect to defend eviction actions in local District Courts or Boston Housing Court; to represent

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## Juvenile Justice Seminar

Includes topics on delinquency, child neglect and abuse and free speech.

## INTELLECTUAL PROPERTY AND TECHNOLOGY LAW

### Copyright

Considers the ability of authors, publishers, artists and others to control the distribution, sale, duplication and performance of their work; considers application of copyright law to various art and technological subjects.

### Intellectual Property Research

Introduction to basic research skills in the field of intellectual property law.

### Intellectual Property Seminar

A seminar exploring advanced theoretical issues related to intellectual property involving economic theory and constitutional issues.

### Intellectual Property Survey

Covers the substantive law of copyright, trademark, patent, trade secret, rights of publicity, and unfair competition; provides students with a general working knowledge of the various intellectual property doctrines.

### Patent Law and Policy

United States patent laws as well as international treaties affecting United States patent law and comparative patent law.

## Technology Litigation

Litigation issues as they relate to cyberspace including personal jurisdiction issues, electronic evidence, domain name/trademark disputes, liability, defamation, obscenity, cybercrimes and privacy issues explored through case studies and real world examples.

## Trademark Law

Various aspects of trademarks, including trademark creation, registration, protection, and litigation, as well as state/federal systems of trademark law.

## INTERNATIONAL AND COMPARATIVE LAW

### Comparative Constitutional Law

Study of constitutional materials from a wide variety of modern countries and international organizations to illuminate issues such as judicial review, federalism, separation of powers, and protection of rights.

### Comparative Law

Characteristics of the European, or civil law, tradition drawn from history, procedure and substantive law.

### European Union Law

Addresses the legal system applicable to nations within the European Union.

### International Business Transactions

An introduction to the legal problems affecting crossborder transactions.

individuals before city Housing Authorities in an effort to obtain affordable housing for them; to work with community organizations seeking to increase the supply of affordable housing; and, on occasion, to assist in affirmative litigation on issues of low-income housing.

### Immigration Law Clinic

Students work with pro-bono attorneys on political asylum cases in conjunction with the Political Asylum/Immigrant Representation Project (PAIR); interviewing, counseling, and representing clients in INS Detention Facilities and Immigration Court, and working on various types of national and regional “impact” litigation, especially regarding INS detention policies. Students choose the type of work which most interests them and will be specially trained and supervised.

### Juvenile Rights Advocacy

Through the Juvenile Rights Advocacy Project (JRAP), students apply their education in juvenile justice and child advocacy to problem areas of juvenile representation and policy. Students primarily represent girls in the Massachusetts justice system with issues such as delinquency, post-disposition administrative advocacy, special education, personal

injury, status offenses, and child abuse and neglect. Students also work as guardians–ad-litem for girls in the status offender system. Drawing on the individual case experience, students work on policy development for girls in the system. Students work through Brighton High School and provide legal education to students and staff. JRAP operates in collaboration with Boston College counseling psychology and social work graduate students.

## EXTERNSHIPS

### Attorney General Program

Provides an intensive full-year clinical experience for students in the Government Bureau of the Massachusetts Office of the Attorney General. Students practice under the supervision of a faculty member who is an assistant attorney general in that Bureau. Students work directly with Bureau attorneys in the representation of state agencies and officials in state and federal courts. The clinic teaches litigation skills and strategy and includes the following types of legal work: (1) the drafting of pleadings, motions, discovery requests and responses, and other litigation documents; (2) legal research and writing of trial and appellate briefs; (3) oral argument in the state courts;

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### International Commercial Dispute Resolution

Resolution of international business and private sector disputes, international arbitration, and litigation and alternative dispute resolution.

### International Human Rights

The nature and scope of human rights in international law, enforcement of those rights, and the role of human rights in American courts.

### International Law

Relationships of nations and the laws that govern these relationships by examining the control of airspace, outer space and celestial bodies; immunity of the state; international claims; and the law of the sea.

### International Legal Research

Introduction to basic research skills in the area of international, European Union and transnational law.

### International Organizations

Discussion of non-governmental organizations and their role in the world order.

### International Trade Seminar

Focuses on the law and practice of international trade.

### Law of War, War Crimes and Genocide

Human rights violations that have been prosecuted in court featuring case studies on the Nuremberg war crimes trials and the trials of military officers charged with the disappearance of thousands in Argentina.

### London Program

Semester-abroad program combines courses at King’s College of the University of London with clinical placements in law offices and courts in London.

## LAWYERING SKILLS AND CLINICAL PROGRAMS

### Advanced Legal Research

An in-depth examination of legal bibliography and research methods; students work with a range of legal materials and solve legal problems.

### Advanced Legal Writing

Multiple courses focus on the basic lawyering skills of analysis, writing and research in a variety of contexts: an administrative agency proceeding, a settlement negotiation, a criminal proceeding, health law litigation, etc.

### Appellate Advocacy

Students enhance their written and oral advocacy skills; introduces appellate practice and procedure.

### Attorney General Clinical Program

Internship program places students in the Government Bureau of the Massachusetts Attorney General’s office; includes a seminar in lawyering skills.

### Civil Litigation Clinic

Clinical program places students at the Legal Assistance Bureau (LAB) allowing for development in understanding lawyering processes and skills.

*Favorite Class: Judge & Community Courts Clinic*

“I CAME TO BC LAW BECAUSE OF ITS STRONG REPUTATION FOR TEACHING THE LAW IN A FRIENDLY ENVIRONMENT. The BC LAW clinical programs allow students to learn the law’s real-world application. This past semester, clerking for a District Court Judge through the Judge and Community Courts Clinic, I learned how the law actually affects the public’s safety and individual freedoms in local communities. Without such programs one only learns the law in the abstract, which can be void of its true meaning and effects.”

**Criminal Justice Clinic**

Students represent the Commonwealth of Massachusetts or indigent defendants in criminal proceedings; an overview of the criminal justice system.

**Dispute Negotiation**

Negotiation; addresses the impact of professional responsibility concepts.

**Domestic Relations: Trial Practice**

Students take part in all aspects of contested and uncontested divorce cases, from the presentation of *ex parte* motions through trial.

**Judge and the Community Courts**

Students observe the work of judges; also focuses on the various roles judges play in the courts and on the interaction between local courts and the communities they serve.

**Judicial Process**

Students intern one day/week with Superior Court judges; included in bench and lobby conferences; attend a weekly seminar to evaluate experiences.

**Legal Interviewing and Counseling**

Stresses the importance of interviewing and counseling skills in providing quality legal services through simulation.

**Legal Writing: Judicial Opinions**

A study and engagement with the process and techniques associated with research and preparing judicial opinions.

**Mediation**

An overview of the need for alternative methods of dispute resolution and the theory of negotiation; includes introduction to mediation skills.

**Semester in Practice**

Individualized internships allowing students to refine lawyering skills; includes a classroom component where students analyze their experiences.

**Spanish for Lawyers**

Development of the vocabulary and grammar of the Spanish language of particular utility to the practice of law in a global world.

**Trial Practice**

Participation in mock trials in order for students to acquire skills required for successful litigation.

**Trial Practice: Evidence**

Combines trial practice with a more detailed study of evidence rules and their application in complex litigation situations.

**LEGAL HISTORY AND PHILOSOPHY****American Legal Education**

English and continental origins of legal scholarship and teaching, the development of formal legal education in America, the rise of legal realism and contemporary controversies.

and (4) other litigation tasks. Students will be expected to do a substantial amount of legal writing. Students will work on a variety of court cases involving administrative and constitutional law and federal courts, and also argue orally in Superior Court on behalf of state agencies. The clinical program includes a weekly two-hour seminar on litigation skills and substantive law topics. Topics include state and federal jurisdiction, administrative law and procedure, drafting litigation documents, motion practice, discovery, trial preparation, appellate practice, and the role of state attorneys general.

### ICT: Theory & Practice

Students work on-site either at the International Criminal Tribunal for the Former Yugoslavia (ICTY), or the newly-established International Criminal Court (ICC), both located in The Hague, Netherlands. The ICTY, established by the UN Security Council in 1993, is charged with prosecuting and trying persons allegedly responsible for serious violations of international humanitarian law committed in the former Yugoslavia. The ICC was created to serve as a standing tribunal to try war criminals in a

wider variety of situations. The goals of the program are provisions of a meaningful educational experience, instruction in international law, and exposure to different legal cultures. Typical work includes the investigation of pending cases and drafting of indictments in a setting that is one of the principal focal points for the current development of international law. This program also offers the unusual opportunity to “learn by doing” in the area of international law and to identify long-term academic and career options in the field.

### London Program

The London Program exposes students firsthand to a different legal culture, providing students with a critical insight into comparative legal institutions, and preparing them for international law practice, with special emphasis on international regulatory process, whether in environmental or securities regulation, antitrust, intellectual property or human rights. Students spend the spring semester at King’s College, London. Apart from the on-site Director, a BC faculty member, who gives a course and a seminar in London, the teachers are all members of the King’s College Law School faculty. The Program (which has received permanent

### American Legal History

The development of American law; includes the evolution of the American legal profession, conflicts between judicial power and majoritarian government, law and race relations, economic development and the law.

### American Legal Theory

Exploration of important developments in American legal theory from 1880 to the present, including legal formalism, legal realism, critical legal studies, feminism, etc.

### Critical Race Theory

A study of the methods of critique and results of examining the structure and nature of race in society.

### English Legal History

Examines how law originated and has changed; includes an in-depth coverage of English law and legal institutions from the Anglo-Saxon period through the 19th century Benthamite movement.

### Foundations of Western Law I and II

A comprehensive view of Anglo-American law and legal education, providing an understanding of the development of law and its relationship to other disciplines.

### Gender and Legal Theory

Legal theories that support and challenge gender hierarchy; includes a critique on the notion of “women’s different voices.”

### Jurisprudence: Theories of Law and Justice

The philosophy of law, its fundamental nature and theories of justice.

### Post-Modern Legal Theory

Explores the postmodern condition of late twentieth century legal culture.

### Women and the Law

Addresses how law structures women’s experiences with the court system by combining theoretical and clinical elements.

## PROFESSIONAL RESPONSIBILITY

### Professional Responsibility

Complex issues of professional responsibility in law practice; emphasizes the Model Code of Professional Responsibility and the newer ABA Model Rules of Professional Conduct.

### Professional Responsibility: Prosecutorial Ethics

Ethical responsibilities of government lawyers in the criminal justice system.

### Selected Topics in Moral Responsibility of Lawyers

Focuses on problems relating to the lawyer as a moral person, applied natural law theory, and the question of justified disobedience of professional rules; uses writings in ethical philosophy and jurisprudence, from Plato to H.L.A. Hart, as a basis for discussion.

**Note: Certain classes listed under other areas satisfy the professional responsibility requirement. Please check with Academic Services for details.**

accreditation from the Section of Legal Education of the American Bar Association) has two major components, one academic, and the other experiential. The academic component consists of three courses. In the fall semester, all students intending to go to London must take, or have taken, an introductory course in European Union Law.

In London, students take two required courses, Introduction to British Law and Institutions and European Community Competition Law, and choose an additional master's level course from the King's College Law School curriculum. In the past, students have taken courses in International Environmental Law, International Business Transactions, European Internal Market, The Theory and Practice of Parliament, International Securities Regulation and the Law of Treaties.

The centerpiece of the London Program is its internship component. Students spend 20 hours to 25 hours per week at their placement and maintain journals relating to their research, writing and observations. Students in London have worked with a number of non-profit environmental organizations, and also with the National Council for Civil Liber-

ties, Interights, a barrister's chambers, the Financial Services Authority, and the London branches of four major US law firms.

### Semester in Practice

Semester in Practice is designed to help students improve their lawyering skills while observing experienced local lawyers and judges. Students chose their placement from a pool of opportunities in areas such as labor, civil rights, environmental, law firms, public interest groups, in-house counsel, and judicial clerkships. It is also possible under certain circumstances for students to obtain their own placements, subject to approval of the director. Students will spend approximately 30 hours per week at their placement. The director monitors individual placements to ensure the supervising attorney is providing a significant educational experience, including feedback on work product, planned work assignments, exposure to the various aspects of lawyering, and mini-lectures.

CONTINUED NEXT PG.

## PROPERTY

### Advanced Property: The Commercial Lease

Examines the allocation of rights and obligations in a complex commercial transaction.

### Estate Planning

Explores the interrelationships of federal income, estate and gift taxation through discussion of typical property management planning decisions.

### Real Estate Finance

Focus on the issues and complications of financing real estate transactions for both commercial and residential use, including low-cost housing financing.

### Trusts and Estates

Examines intergenerational transfers of wealth among family members, as well as the legal profession's responsibility to meet public needs.

## PUBLIC LAW: ADMINISTRATIVE AND PUBLIC POLICY

### Administrative Law

Analyzes the role of state and federal administrative agencies in creating rules and policies and applying them in specific cases.

### Advanced Immigration Law Seminar

A seminar exploring topics such as the law of political asylum and defenses to deportation with an emphasis on legal writing.

## Health Care Law and Policy I & II

Considers the role of law in the relationship between health care providers and patients, and in allocating scarce resources and decisionmaking authority in the health care sector. Topics include quality control and malpractice, patients' rights, health care planning, genetic engineering and euthanasia.

### Immigration Law

Analyzes the history, theory and practice of United States immigration law and explores the social, political, economic and ethical questions it presents.

### Immigration Law Clinic

Studies the legal and political aspects of immigration and deportation.

### Life-and-Death Decisionmaking and the Rule of Law

An examination of legislation and other readings; considers the role of the law in regulating life-and-death decisionmaking in a medical context.

### Local Government Law

Distribution of power among municipalities and the state and federal governments; addresses the interrelationship of municipalities, the constitutional limits of home rule, problems of municipal finance, land use controls, exclusionary zoning and the relationship between municipalities and their citizens.

*Favorite class: Introduction to Lawyering & Professional Responsibility*

"I WAS ATTRACTED TO BC LAW'S NATIONAL REPUTATION FOR EXCELLENCE. As a 2L, I will be taking Corporations, Criminal Law, Tax Law, and Entertainment Law, a comprehensive curriculum that will allow me to become familiar with several disciplines on the professional spectrum before making an important career decision. Looking back on my first year, I'm thrilled with my choice of school. Whether I choose to become a sports agent, work in corporate law, or join the FBI, I'm confident that BC Law will send me into that field prepared."

## PUBLIC LAW: CONSTITUTIONAL

### Church and State

Consideration of the relationship between the institutions of government and the institutions of organized religion.

### Civil Rights in Education

An examination of the role of civil rights law and litigation in the context of educational institutions and practice.

### Civil Rights Litigation

Examines the issues that arise in litigation under the federal civil rights statute that is the source of much of the federal and state litigation based upon claims of violation of the Fourteenth Amendment to the Constitution.

### Constitutional Law II

Considers state action, individual liberties, equal protection, race discrimination and procedural due process.

### Education Law and Public Policy

Survey of public policy issues and laws governing public preschool, elementary, secondary and higher education, including free speech, religious freedom, due process, educational equity, etc.

### Election Law

Probe of problems in the American electoral system and the possibility of campaign finance reform.

### First Amendment

Addresses topics related to freedom of expression, including symbolic speech, libel and privacy, obscenity and commercial speech.

### Foreign Relations Law of the United States

Addresses the conduct of foreign relations by the United States; topics include the distribution of power between the Congress and the Executive in foreign affairs, the treaty power and the domestic law of treaties, and the role of the judiciary in foreign relations.

### Human Rights Litigation

An examination of the emerging practices and techniques and law applied in connection with litigating cases involving violations of human rights worldwide.

### Law and Religion

A seminar focusing on constitutional law issues surrounding the intersection of law and religion and of justice, righteousness and the rule of law.

### Libel Litigation

Surveys major libel decisions, which also involves applying case law to prepare a hypothetical libel case.

## OBSERVATIONAL

### Judge & Community Courts

This class examines the functioning of the judicial process in our lower-level trial courts. Attention is paid to the various roles (adjudicatory, administrative, educational, sanctioning and symbolic) that judges play in these courts, focusing on the interaction between the local court and the community it serves, with a view toward evaluating the role of decentralized, neighborhood-oriented courts in contemporary society. The contributions of various scholars to understanding these courts is reviewed, as well as distinct proposals for increasing judicial accountability, citizen participation, and court reform. Students undertake this study of lower court judicial performance through clerkship-like, fieldwork placements with individual justices of the District Court, Boston Municipal Court, Juvenile Court, and Housing Court Departments of the Massachusetts Trial Court. These justices are expected to assign research and writing projects to their students.

### Judicial Process

Judicial Process is a course which allows a student to sit as an intern one day per week with a series of Massachusetts Superior Court Judges (Trial Court). This is a unique opportunity to compare and contrast trial Judges in both civil and criminal proceedings. The student is in court as an observer, not as a law clerk. Readings will be assigned in preparation for weekly seminar meetings, which will be used to discuss various aspects of the judicial process in light of the students' actual courtroom and lobby experiences. The topics discussed include the following: Selection and Discipline of Judges; Role of the Jury; and a Critique of the Adversary System. One substantial paper and one oral presentation will be required. The two-hour weekly seminar meetings will be scheduled at the convenience of the participants and professor. Each student must have one day per week free in his or her schedule for court observation.

### National Security Law

Addresses the increasingly important and urgent field of national security law. Topics considered will include: the definition of "national security," e.g., defense or military, economic, technological, environmental, weapons proliferation, and immigration control; law of shared--and separation of--powers, the roles of the President, Congress and the judiciary, especially as to war powers; the domestic effect of international law; war and war crimes; arms sales; organizing to counter, and managing the consequences of, terrorist actions and investigating and trying terrorists and other international criminals; internal security (emergency powers, citizen surveillance and FBI, CIA and other intelligence agency activities); and restraints on publication.

### State Constitutional Law

Considers the history and function of state constitutions, their relation to the federal system, their protection of individual liberties and principles of separation of powers under state constitutions.

### Supreme Court Seminar

Examines both the legal and broader policy implications of cases; includes an analysis of issues currently before the United States Supreme Court.



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