

CERTIFICATE COURSE (CERT)

CERT 901: Accounting for Lawyers

3 Credits

In this course students learn why financial accounting is a system for measuring and communicating the outcomes of business activities to parties outside the firm. The purposes of this course are to: (1) provide students with a basic understanding of the concepts and principles (i.e., the jargon) underlying financial accounting practices; (2) make students comfortable with financial data (in particular, opening a 10K or annual report); (3) enable students to have a conversation with accountants; and (4) provide students with the technical tools and references to analyze how a particular transaction affects a firm's financial statements.

CERT 902: Advanced Criminal Procedure

3 Credits

This course examines the constitutional, statutory and rule-based issues that arise in the formal processing of a criminal case. Subjects include prosecutorial discretion, grand jury and preliminary hearing, joinder and severance, bail and pretrial release, discovery, plea bargaining and guilty pleas, speedy trial, jury composition and selection, pre-trial publicity, confrontation, cross-examination and the privilege against self-incrimination.

CERT 903: Arbitration: Domestic & International

3 Credits

This course provides an introduction to the domestic and international law and practice of arbitration. It assesses the statutory and decisional law basis for arbitration, especially the provisions of the Federal Arbitration Act. It investigates the central doctrinal issues in the field: the enforceability of unilaterally-imposed arbitration agreements, the arbitrability of statutory rights - in particular, civil rights matters, and the use of contract to establish the law of arbitration between the arbitrating parties. Emphasis is placed upon practical problems that have emerged in the practice of arbitration law: the selection of arbitrators, the use of discovery and evidence-gathering in arbitral proceedings, and the content of arbitration agreements.

CERT 904: Civil Liberties Litigation

2 Credits

Traditional courses in constitutional law analyze the boundaries of rights guaranteed by the United States Constitution. This course begins with the premise that constitutional rights have been violated, and examines the additional veneer of doctrines that determine whether a remedy will or will not be afforded for deprivation of those rights. In the course of analyzing these doctrines, the course will address advanced issues of constitutional law and theory, statutory interpretation, case analysis and litigation strategy for counsel for the civil liberties plaintiff as well as the lawyer representing the government and its officials.

CERT 905: Copyrights

3 Credits

Copyright law is founded on the tension between incentivizing authors to create and disseminating information as widely as possible. The course

will explore the legal and societal difficulties this creates along with emphasizing familiarity with doctrinal issues through practical exercises.

CERT 906: Counterterrorism Law

3 Credits

This course will take an in-depth look at counterterrorism. The course will examine competing conceptions and definitions of terrorism at the national and international level and the institutions and processes relevant to operational counterterrorism. This course will include the study of the balance between national security interests and civil liberties found in the following topical areas: relevant Supreme Court decisions in the surveyed nations, legislative provisions in response to acts of terrorism, operational counter-terrorism considerations (including targeted killing), intelligence gathering (including interrogations), policy recommendations, the use of military tribunals or civil courts in trying suspected terrorists, the emerging law regarding enemy combatants and their detention, and the arguable need for new self-defense doctrines at the global level.

CERT 907: Election Law

2-3 Credits

This course covers federal and state election law and will examine the constitutional basis for the regulation of elections, the development of the law in this area over the last 30 years, as well as criminal and civil enforcement of the law, the role of the Federal Election Commission, the formation and regulation of political action committees, as well as related federal tax law provisions impacting operation of political committees and advocacy organizations. The course will also examine the intersection of the election law with congressional ethics rules, lobbying regulations and representation of political candidates and entities in election law matters.

CERT 908: Employee Benefits Law

2-3 Credits

Employer-provided pension and health care programs play a critical role in the lives of individuals, families, and communities. They also affect corporations, financial markets, and the economy as a whole. Employee benefit programs are, in short, an important staple of modern law practice. This course surveys the Employee Retirement Income Security Act and relevant portions of the Internal Revenue Code. Classes examine what benefit plans must do regarding reporting and disclosure, accrual, vesting, funding, and fiduciary standards. The course covers health care reform, the shift from defined benefit to defined contribution programs, and the effect of stock market volatility on benefit programs. Students examine the policy goals underpinning federal benefits law. The course surveys major issues in ERISA litigation, including that statute's claims and remedies provisions, as well as its preemption of state law.

CERT 909: Employment Law

3 Credits

This course presents a broad survey of both the common law rules and major statutes that govern the relationship between employers and employees. Students will learn about the evolution of the law governing the workplace, and about the interplay of state and federal laws and regulations commonly encountered by attorneys practicing employment law. The topics covered include the legal nature of the employment relationship, employment at-will and its limitations, compensation for

workplace injuries, worker safety, wage and hour laws, employee privacy, noncompetition agreements, the protection of trade secrets, and the arbitration of employment related disputes. While the course will provide a broad overview of anti-discrimination law, the substantial body of legal issues on that subject will not be addressed in detail. The course will not address Labor Law or Employee Benefits.

CERT 912: Federal Courts

3 Credits

This course focuses on the relationship of federal Article III courts to many other dispute resolution forums: Article I courts, state courts, administrative courts, and private and ad hoc dispute resolution forums (e.g., arbitration, mediation, 9/11 Victims Compensation Fund). Building on Civil Procedure, the course examines implied federal rights of action, "arising under" jurisdiction, removal, Erie's progeny, forum non conveniens, federal common law, and preclusion. Building on Constitutional Law, the course examines standing, political question doctrine, and Congress' power to restrain federal jurisdiction and allocate authority between Article III judges and other public and private adjudicators. This course is especially useful to students who anticipate clerking for a judge or plan to litigate before federal or state courts, administrative agencies, or arbitral or other dispute resolution forums.

CERT 913: Federal Criminal Practice

2 Credits

This course is an in-depth examination of all stages of a federal criminal prosecution, commencing with the decision to charge, and continuing through trial and sentencing. Subjects will include the Bail Reform Act of 1984, investigative techniques, motions to suppress, immunity, privileges, trial techniques, and the Federal Sentencing Guidelines. Strategic decisions involving pre-trial proceedings, trials, and sentencing will be addressed via presentations by experienced judges, practitioners, and other participants in the process. The goal of the course is to provide students with practical advice and insightful tips regarding every aspect of federal criminal litigation.

CERT 914: Federal Securities Regulation

3 Credits

This course will provide an introductory overview of the federal securities laws. The primary focus of the course will be the Securities Act of 1933 and the Securities Exchange Act of 1934. The course will examine the principal provisions of those acts and the implementing regulations of the United States Securities and Exchange Commission, as well as judicial decisions that interpret and apply the federal securities laws. The course will also examine how the SEC administers and enforces those laws. The first part of the course will focus on the registration requirement that applies to public offerings of securities, the registration and "due diligence" process, and the various exemptions from the registration requirement that may be available to an issuer. The second part of the course will focus on the antifraud provisions of the federal securities laws, corporate reporting and disclosure requirements, lawsuits by private plaintiffs, and the SEC's enforcement powers.

CERT 915: Homeland Security Law

3 Credits

This course examines the multifaceted concept of homeland security and the legal authorities governing the protection of the homeland. This

course will be divided into three components. The first will examine the most significant threats to homeland security, whether natural or manmade, including terrorism, cyber activities, hurricanes, earthquakes, floods, power outages, hazardous materials spills, pandemic health threats, and others. The second component will provide an overview of the organization of homeland security institutions, and examine the division of homeland security responsibilities and jurisdictions between federal, state and local governments, and the private sector. This section will also consider the appropriate level of interagency and intergovernmental coordination. The third and most significant component, will explore the legal architecture governing how the public and private sectors identify, prepare for and respond to threats to homeland security. This section will also consider how political decision-making structures influence the development of homeland security laws, and the appropriate balance between security and civil rights and liberties. By the end of this course, students will have a solid understanding of the complex set of actors, institutions and processes that make up the homeland security infrastructure, a strong working knowledge of the governing legal authorities, and an appreciation for the most significant and persistent controversies in the field.

CERT 916: Immigration Law

2-3 Credits

This class surveys the immigration laws of the United States, including the administrative and regulatory framework of the United States agencies charged with enforcing U.S. immigration laws. The topics covered by this course include the power of the Congress to regulate immigration; substantive provisions and procedures governing admission and exclusion; nonimmigrant and immigrant visa classifications and visa processing; asylum and refugee status; the effect of criminal acts on immigration status; grounds of removal from the United States; relief from deportation; judicial review; and the law of naturalization and derived citizenship.

CERT 917: Information Privacy Law

3 Credits

As information technology advances, the legal issues surrounding information privacy, data collection, data retention, data access, and data disclosure grow increasingly complicated. This course will explore information privacy and security issues arising from technological change and resulting shifts in societal perceptions of individual privacy, including how private and government actors electronically gather data, what type of data is gathered (personally identifiable information, biometric data, geolocation data, intimate personal details), and how such data is compiled, shared, bought, and sold across private industry data platforms and government electronic databases. The course overviews the current legal regime in the United States meant to address such issues. This overview will take into account constitutional, statutory, contract, and common law sources of information privacy and electronic surveillance law, at both the federal and state level. There will be particular focus on the First and Fourth Amendment concerns that result from such data gathering. The course concludes with a focus on developing fair information practices and principles to mitigate constitutional privacy concerns.

CERT 918: International Business Transactions

2 Credits

This course considers private business transactions that cross national boundaries. Topics include formation and enforcement of commercial agreements, forms of international transactions (e.g., agencies, distributorships, licensing agreements, franchising, and foreign subsidiaries), government regulation, electronic commerce, international and cross-cultural business negotiation and techniques for resolution of international business disputes (e.g., judicial procedure, arbitration, mediation).

CERT 919: International Criminal Law

3 Credits

This course traces the history of criminal law, from its earliest manifestations in cultural texts, to the first attempts to codify the laws of war by Henri Dunant and Francis Lieber. Before examining the most recent efforts to enforce international criminal laws as embodied by the International Criminal Tribunal for the former Yugoslavia and the International Criminal Court in The Hague, students will explore the legacy of Nuremberg and its contribution to modern criminal law. The course will include a detailed study of the Geneva Conventions, crimes against humanity and genocide and explore, not only the related jurisprudence, but policy issues arising out of attempts to hold senior political and military officials responsible for the commission of international crimes.

CERT 920: International Investment Transactions

2 Credits

The course aims to offer thorough instruction on the role of the State in foreign economic relations, the purpose of foreign investment laws, the nature of foreign investment guarantees, the transaction aspects of foreign corporate vehicles, and the role of arbitration in settling foreign investment disputes.

CERT 921: Internet Law

3 Credits

The course examines how the rise of the Internet has challenged traditional areas of the law, while also exploring how law has shaped the Internet. The course covers issues such as network structure, governance architecture, domain names, jurisdiction, intellectual property, and e-commerce.

CERT 922: Intro to Intellectual Property

3 Credits

The introduction to intellectual property (IP) course investigates whether and, if so, how to protect different types of creations of the individual mind - e.g. inventions, artwork, slogans, etc. The course examines the three major areas of IP (trademarks, copyrights, and patents) along with numerous subsidiary IP regimes (trade secrets, right of publicity, unfair competition, and numerous sui generis protections). The course is suitable for those wanting to receive a general overview of intellectual property and how it might relate to their area of concentration or to students desiring to specialize in one or more fields of IP.

CERT 923: Labor Law

3 Credits

This course is an extended study of the federal National Labor Relations Act focusing on the right to form and join labor organizations, strikes, boycotts and picketing, collective bargaining, and the enforcement of collective bargaining agreements.

CERT 924: Military Law

2 Credits

This course examines the military justice system, essentially military procedural and substantive criminal law. Students will learn about the statutes, policies, principles, standards, and rules governing the military justice process and jurisdiction from investigation through trial (including sentencing such as death penalty) and the appellate process. The course will begin with an overview of the military justice system. It will then address military criminal procedure. Next, will be a review of substantive criminal law, focusing on crimes and defenses specific to the military.

CERT 925: National Security Law

3 Credits

This course examines the domestic and international legal frameworks governing the use of national security powers by the U.S. It explores the use of military force, the structures of the law enforcement and intelligence communities, and counterterrorism activities; and considers the interplay of law with legislative, administrative and policymaking processes. Students will gain a strong working knowledge of the most significant controversies surrounding the use of national security powers, and the relevant constitutional, statutory and international sources of law, and will be able to articulate and critique arguments about the legality of the exercise of governmental and military power in response to national security threats.

CERT 926: Nonprofit Organizations

3 Credits

This course presents an overview of laws and policies that affect the nonprofit sector, a vital component of national and international economies. Students will examine alternative legal structures (including how to form a nonprofit corporation under U.S. law), federal and selected state tax laws, fiduciary duties of governing boards, charitable gifting rules, restrictions on private inurement, and the important roles played by nonprofits nationally and globally. The course will permit students to examine specific legal issues relating to selected nonprofit organizations such as religious organizations, private schools, hospitals and long-term care facilities, social clubs, trade and professional organizations or political organizations.

CERT 927: Patent Law

2-3 Credits

This course examines the theory behind patent protection and the societal ramifications of providing limited legal monopolies to inventors. The course explores patentable subject matter, the requirements for obtaining a patent, patent rights, infringement, remedies, and different patent types - e.g., utility patents, design patents, and plant patents.

CERT 928: Post-Conviction Process

3 Credits

This course examines the sentencing process, sentencing guidelines, community-based sanctions, the death penalty, probation and parole, appeals, federal habeas corpus, state post-conviction remedies and prisoner's rights.

CERT 930: State & Local Government Law

3 Credits

This course survey important issues in governmental organization and management. Emphasis is placed on intergovernmental relations, the legislative process, personnel issues, financing, and contracting. The course will conclude with a consideration of recent trends toward metropolitan regionalism.

CERT 931: Taxation of Business Entities

3 Credits

This course covers the taxation of common business structures and their owners including corporations, partnerships, and limited liability companies.

CERT 932: Trademarks

2 Credits

This course examines numerous theoretical justifications for trademarks - i.e., words, names, symbols, or devices that identify and distinguish goods and indicate the source of the goods. The course also explores what can be trademarked, infringement standards, federal registration, trademark dilution, defenses to infringement, and remedies.

CERT 933: White-Collar Crime

3 Credits

This course provides an introductory overview of the investigation, prosecution, and defense of white collar criminal cases. The objectives of the course are to introduce the principal white collar offenses, to provide an understanding of the legal process through which white collar crimes are investigated and prosecuted, and to impart a familiarity and comfort level with the special "rules of the game" that apply to lawyers (both prosecutors and defense counsel) in white collar criminal cases.

CERT 934: Corporate Compliance

3 Credits

This course will introduce students to the growing field of compliance. Students will learn why compliance programs are necessary in the corporate environment, as well as how they can be structured and enforced. Students will learn about assessing risk and the different roles that boards and management play in compliance programs, and will learn about conducting investigations, taking corrective actions and communication with internal and external stakeholders.

COREQUISITE: REQ 911 BAR 906

CERT 935: Health Law: Business Organizations & Finance

3 Credits

This course will provide an overview of laws relevant to health care institutions, particularly insurers, hospitals, and provider groups. Topics covered in-depth will include insurance regulation (including ERISA requirements governing the division of state and federal authorities, ACA requirements, and Public Health Services' Act requirements); professional and facility regulation; antitrust laws as applicable to health care entities; fraud, waste, and abuse rules (including the False Claims Act); institutional and managed care liability; financing and reimbursement systems (including advanced payment models currently redefining physician payment under MACRA, Accountable Care Organizations, and risk adjustment); referral fee laws; and corporate compliance. Students should leave the course with three substantive competences. First, students should have an understanding of the most significant areas of health law for business entities. Second, students should have an up-to-date understanding of current trends in and the likely direction of efforts to reform the laws applicable to business entities in healthcare, including an ability to track and understand future such efforts. Third, students should have an understanding of the normative tools applied to the evaluation of reforms in this area, from adverse selection to health justice, and ability to utilize those tools in support of legal arguments.

CERT 936: Cyberlaw in Practice

3 Credits

Cyberlaw" is a loosely used term that means different things to different attorneys, but understanding cyberlaw is essential for practitioners. Cyber or online activities occur in every facet of modern human life, and this ubiquity of cyber or online activity in business and personal life demands every attorney, regardless of practice area, be familiar with the melded body of laws that comprise cyberlaw. Cyberlaw in Practice defines what cyberlaw is, identifies the sources of cyberlaw and teaches students to understand how these manifold sources of law - integrated together - comprise "cyberlaw." The course addresses by subject/practice area how and why cyberlaw is now an essential component in practicing law, including but not limited to electronic evidence issues.

CERT 937: Public Health Law

3 Credits

Public health issues are in the news every day. This course is a survey of the constitutional, statutory, administrative, and common law that govern the field of public health in the United States. We will explore the legal and policy aspects of addressing public health problems such as new disease epidemics, drug overdoses, mass shootings, drunk driving, hospital patient injuries, contaminated food and water, and others.

CERT 997: Special Topics

1-3 Credits/Maximum of 9

This course will be for special topics that can count towards a certificate program.