

# SEMINAR - DICKINSON SCHOOL OF LAW (SEM)

## SEM 903: History of International Law: Seminar

### 2 Credits

The general historical introduction and seminar presentations and projects are designed to accentuate problems and issues which enable students to better understand the foundations of the law of nations and encourage independent research skills. SEM 903 History of International Law: Seminar (2) This seminar invites participants to choose between two basic projects, and within each project a virtually unlimited choice of concentration. The first three sessions are devoted to lectures by the instructor setting out some basic background in the field. Each Seminar participant is required to prepare a written project or paper and present the same orally to the Seminar. The final submission should take into account observations and criticisms made of the presentation. The course aims to offer instruction through the seminar method and independent research projects insight into the historical foundations and sources of the law of nations. The general historical introduction and seminar presentations and projects are designed to accentuate problems and issues which enable students to better understand the foundations of the law of nations and to encourage independent research skills. Accordingly, students of this seminar should: (1) develop a more profound understanding of alternative approaches to legal reasoning and of legal concepts, terms, and institutions within the framework of the history of international law; (2) enhance their skills of legal analysis (3) develop a greater awareness of concepts of legal science and legal system; (4) read in some depth on the contemporary relevant principal documents for their project and appropriate doctrinal writings. At the end of the course students should: (1) have a sound grounding in the aspect of the history of the law of nations which they have chosen to investigate; (2) be more demanding and rigorous in formulating and evaluating ideas and propositions; (3) have a sense of the virtues and limitations of historical comparison as a method of scientific inquiry in law through the analysis of relevant national legislation; (4) have a thorough command of the main principles and rules of the law of nations which they have investigated; (5) give evidence of an ability to understand the other side of an argument, and better appreciate the strengths of an opposing view; (6) develop a willingness to question, to probe, to seek further information, and to display initiative in expanding one's knowledge (7) develop a command of the library and internet resources available for historical legal research.

## SEM 905: EU and International Trade Law Seminar

### 3 Credits

This seminar seeks to examine selected aspects of the Commercial Law of the European Union. It provides an introduction to the distinct methodology of EU law and the European Court of Justice, examines the principles of the internal market, and focuses on aspects which are particularly important for US lawyers from a practical or theoretical perspective. It covers, among others, the following topics: Introduction to the fundamentals of the EU Legal Order; the internal market; free movement of goods, customs duties, discriminatory companies; financial services; aspects of competition law; anti-competitive agreements and monopolies; enforcement of competition law; selected comparisons with WTO and NAFTA.

## SEM 907: The Supreme Court in Comparative Perspective

### 3 Credits

This course examines the contribution of the judiciary to political governance in comparative perspective. It focuses on the Supreme Court and the European Court of Justice, which is the highest court of the European Union. It also takes into account selectively judgements of other constitutional courts. It seeks to explore the function of judicial review in modern democracy through a study of judicial decisions in selected areas. It examines the relationship between the judiciary and the other organs of government and the role of courts in protecting the citizen. It focuses on the following areas: federalism, the protection of human rights, the principles of democracy, non-discrimination, equality, proportionality, legitimate expectations, and fair hearing; Locus standi, remedies for the protection of constitutional rights, and the liability of public bodies and state agencies.

## SEM 908: Comparative Law in Globalized World Seminar

### 3 Credits

This seminar gives students experience in researching, drafting and orally presenting an in-depth comparative scholarly work product. Early in the seminar, in consultation with the professor, students identify and select a timely and important topic which will serve as the subject of their Seminar research paper. Each student's research and written drafts are subject to ongoing review and critique by the professor and student colleagues throughout the Semester. When completed, each research paper is presented orally to the Seminar at the end of the course. The comparative research and drafting exercises sensitize students to the civil law tradition and contemporary national and supranational legal system in Europe and around the world that have grown out of or have been substantially influenced by the civil law tradition. Students also develop client counseling skills.

## SEM 909: Dispute System Design Seminar

### 2 Credits

This seminar is for students who: have closely examined at least one dispute resolution system (e.g., civil or criminal litigation, administrative adjudication, investment treaty arbitration, contractual tiered systems for the provision of negotiation, mediation and arbitration); seek to gain an empirically-grounded understanding of the lifecycle and dynamics of conflict, conflict resolution and the pursuit of justice; and will use such understanding to propose the creation or reform of a public, private or hybrid dispute resolution system. Students will conduct original legal and (if possible) empirical research, using the principles, theories, research and dispute system law and procedure studied in the seminar.

**Prerequisite:** prior coursework in dispute system law and procedure is recommended

## SEM 910: Cross-Border Legal Practice Seminar

### 2 Credits

This seminar will focus on two different themes. It will explore what it means to be a lawyer in the United States in comparison with what it means to be a lawyer in other countries. Among other things, participants will discuss the lawyer's role in society and the type of conduct that is regulated. This course will also examine the cross-border practice regulation that has emerged in response to the increasingly common

circumstance of lawyers who handle a matter in a country other than their own.

**Prerequisite:** or concurrent: CORE 934

SEM 911: Education Law Seminar

2 Credits

This course covers the basic premises of compulsory education; issues concerning exclusion of students; school control of student behavior and curriculum; teacher employment problems; and issues of funding, minority rights, and school liability.

SEM 913: European Union Law Seminar

3 Credits

This seminar examines the main elements of European Union (EU) law. It covers the institutional structure of the EU and its law-making process and compares it with US government and federalism. It explores the judicial architecture of the EU and the role of the European Court of Justice. It looks at the legal framework covering EU inter-state trade, corporate mobility, and free movement of persons within the EU. It also examines trade between the EU and third states, in particular of persons the US, and foreign relations law of the EU.

SEM 914: Federal Regulatory and Legislative Practice Seminar

2 Credits

A seminar devoted to exploring the details of federal regulatory and legislative practice in Washington, D.C.

SEM 916: Class Actions Seminar

2 Credits

This seminar explores the class action device, tracing its historical origins from the earliest forms of aggregate litigation through various amendments to Rule 23 and passage of the Class Action Fairness Act. Although other non-class aggregation techniques are discussed, they are addressed only for comparative purposes. The unique nature of representative litigation and the special issues that arise during the course of a class action are the subject of discussion and student presentations during seminar sessions. Considerable discussion is devoted to the roles of the various "players" in a class action: the qualifications of the class representative, the qualifications and interest of class counsel, and the fiduciary role of the district judge.

**Prerequisite:** Civil Procedure

SEM 925: Jurisprudence Seminar

2 Credits

This seminar will investigate basic themes in constitutional jurisprudence from the perspectives of legal and political theory. A tentative list of topics includes separation of powers, the rule of law, sovereignty, democracy, civil and religious liberties and constitutional interpretation. This seminar will emphasize theoretical, as well as historical, dimensions of these topics, and also consider some of their contemporary implications.

SEM 926: Law and Individuals with Disabilities Seminar

2 Credits

Major issues and concepts in law and social policy regarding individuals with handicaps are introduced. Topics include: income maintenance programs, special education, federal and state anti-discrimination laws, accessibility, special health issues, institutionalization and deinstitutionalization.

SEM 927: Law of Artistic Persons and Properties Seminar

2 Credits

The objectives of this course include an examination of the interface between law and the arts with an eye to both theoretical and practical implications and a striving to identify creative and serviceable solutions to the problems that have frustrated the growth and harvest of the creative effort. The investigation will be directed toward subject areas that reflect functional divisions within the arts; i.e., the visual arts, dance, music, the literary arts, and areas such as television and film. The course includes a mandatory field trip to New York City at the student's expense.

SEM 928: Law and Semiotics Seminar

3 Credits

Legal semiotics is the study of law focusing signs and symbols as well as the construction of meaning in law in legal discourse. Law's communicative structures are essential in this context. Moreover, recent large-scale economic, political and social developments in the Western hemisphere have increased the need to expand our knowledge about law, and semiotic studies sustain that need.

SEM 929: Law and Aging Policy Seminar

3 Credits

Examination of laws and public policies affecting older adults and families, including health and long-term care. This seminar will analyze demographic trends of aging world populations, including alternative public benefit and private retirement strategies affected by laws. Medicare, Medicaid, Social Security, protection of older adults, long-term care planning, and consumer protection laws will be introduced, with opportunities for students to select individual topics for in-depth research, writing and presentation in class. The seminar will also examine roles for specialists in elder law, whether in private practice or as public advocates.

SEM 931: Lawyering and Ethics for the Business Attorney Seminar

2 Credits

This seminar provides students with an opportunity to analyze and discuss ethical and legal issues relating to representation of business entities. Issues covered include (1) who is the client for the lawyer who represents a business entity; (2) what special rules govern confidentiality and information sharing in the representation of a business entity; (3) how should a lawyer respond to evidence of client fraud or other illegal activities; (4) what are the potential liabilities for furnishing legal advice or providing legal opinions for business transactions that are later found to have been fraudulent or illegal; (5) when is a business entity required or permitted to reimburse employees for legal expenses relating to their employment activities; and (6) what special obligations and

responsibilities are imposed on "in-house" attorneys who are full-time employees of a business entity.

**Prerequisite:** CORE 934 and CCLAW963

SEM 933: Protection of Individual Rights Under State Constitutions Seminar

2 Credits

With the perception that the federal judiciary is increasingly hostile to constitutional claims, individuals have turned to state constitutions as an independent source of rights in civil and criminal litigation. This course will explore the unique procedures and methods of state constitutional rights interpretation. In lieu of an examination, persons enrolled in the course will brief questions of state constitutional law in an arena where the United States Constitution fails to afford protection.

SEM 934: Race, Racism, and American Law Seminar

2 Credits

The purpose of this seminar is to facilitate discussion and understanding of the role law has played in both the subordination and promotion of the rights of people of color in America. Subjects for discussion will include race and the American criminal justice system, hate speech and the First Amendment, affirmative action policies, and the quest for effective schools.

SEM 937: Forensic Genetics Seminar

2 Credits

An examination of the history of and current issues in using genetic identification in the criminal law.

**Prerequisite:** SKILS955

SEM 938: The Supreme Court Seminar

2 Credits

The Supreme Court, including procedure and practice, principles of adjudication, and history, as well as the topics of the current term are studied. Students are required to present analyses of current cases as well as an analytical paper on approved topics of constitutional law.

SEM 939: Tax Policy Seminar

2 Credits

This course examines the fundamental issues in tax policy, focusing on trends and on current legislative proposals. Specific subjects include the underpinnings of the various tax systems, the tax legislative process, the use of tax structure and incentives to implement social and economic objectives, the legal methodology of controlling tax abuse, and similar subjects.

**Prerequisite:** TAX 949

SEM 941: The United Nations and International Law Seminar

2 Credits

The inexorable paces of globalization and interdependence have made the need for international cooperation more acute. The role of the United Nations in these processes has become both more relevant and

controversial. Notwithstanding the critical voices that have questioned the relevance or usefulness of the world body from certain national perspectives and points of view, the United Nations, through its activities and programmes, continues to have a considerable impact on countries and societies around the world, in such areas as conflict prevention and resolution, control of population displacements, humanitarian action, and social and economic development. These considerations, among others, make a study of the United Nations and International law more important today than it has ever been.

SEM 943: International Justice Seminar

2 Credits

The seminar will address international trial investigative techniques, tribunal jurisdiction and procedure, and areas of international civil and criminal law that are most relevant to legal practice before international tribunals.

SEM 945: Congressional Investigations Seminar

2 Credits

This seminar will examine the laws and procedures governing congressional investigations through a series of historically based case studies and student analytical presentations on approved areas of congressional investigations law and procedure.

SEM 946: Policy Issues in Corporate Crime Seminar

2 Credits

This seminar focuses on the theoretical and policy justifications underlying the prosecution of white collar crime.

SEM 948: International Financial Law

3 Credits

This seminar examines selected aspects of international financial, securities, and banking law. It covers broadly four areas: First, it provides elements of financial law. Secondly, it examines aspects of international financial and securities regulation. Thirdly, it discusses economic and monetary union in the EU and the eurozone crisis. Finally, it provides an overview of the law of the IMF and the international financial architecture.

SEM 949: Comparative Constitutional Law Seminar

3 Credits

This seminar explores constitutional law differences in the US, Canada, Australia, and South Africa.

SEM 950: Evidence-Seminar: Testimonial Privileges

2 Credits

This Seminar will examine the testimonial privileges that permit or require professionals, family members, individuals, companies, and governmental actors to withhold testimony in furtherance of a competing public interest.

**Prerequisite:** SKILS955 , CORE 934 recommended

SEM 968: International Uniform Enforcement of Human Rights Seminar

3 Credits

A study of the structure, value, and progress of the international Human Rights Law Project.

SEM 969: Electronic Evidence Seminar

3 Credits

This seminar cover the case law, procedural rules, evidence rules, and rules of professional conduct implicated by the unique attributes of information created and/or stored electronically, as well as the filing and courtroom presentation of documents in electronic format. There are three components to the course. The first part concerns the discovery of ESI, and covers the nature, sources, and terminology of ESI; the different formats of ESI and the implications for preservation and production of ESI attributable to the different formats; the evolution of the rules and case law regarding discovery of ESI; and the obligations of counsel with respect of the preservation of ESI.

SEM 970: Russian Law Seminar

2 Credits

This 2-credit seminar is concerned with the development of the law, legal system, and legal institutions of what is popularly known as Russia but also correctly and officially known as the Russian Federation within the boundaries presently occupied and, historically, within the boundaries of the Russian Empire. By "law" we mean formal legislation, customary rules, relevant international legal rules, legal doctrine, and anything else regarded by the Russian State or by Russian jurists as comprising part of the "law." For our purposes "legal institutions" encompasses all law enforcement agencies or any other agencies of the State or empowered by the state which are concerned with the law in any manner whatsoever, including educational institutions.

SEM 997: Special Topics

1-9 Credits/Maximum of 9

Formal courses given on a topical or special interest subject which may be offered infrequently; several different topics may be taught in one year or term.