LITIGATION AND ARBITRATION (LITARB)

While every effort is made to ensure course lists are accurate, change is inevitable and courses may show alternate program restrictions at the time of scheduling. Courses used to satisfy graduation requirements must be designated as such at the time of registration. Not all courses are offered each year.

LITARB 530 Civil Procedure (3 Credit Hours) This course focuses on the structure and organization of the federal and state judicial systems, jurisdiction over the person and subject matter, process and pleadings, parties, joinder of claims, pre-trial motion practice, discovery of evidence, division of functions between judge and jury, in-court procedures, post-trial motions, and appellate review. The course is litigation practice-oriented and uses the Federal Rules of Civil Procedure as a model.

LITARB 540 Advanced Problems in Evidence (3 Credit Hours) This seminar will examine in much greater depth than possible in evidence courses select issues and areas in the field of evidence. This will include doctrinal areas such as burdens of proof and presumptions, the hearsay rule (including its constitutional manifestation in the confrontation clause), character evidence rules, as well as structural issues such as the implications of probability theory and other cognitive tools such as inference to the best explanation for understanding the nature of juridical proof specifically and the operation of the legal system more generally. A syllabus will be distributed but the students in the class will be able to suggest other topics that they would like to examine. The class will be informal and interactive. The grade will be based on a combination of class involvement and a research paper that meets the research writing requirement. Drafts will be discussed in class and a final draft submitted by the end of exam week. All reading materials will be provided by the instructor. The class will be valuable both for those who wish to become litigators and those with a jurisprudential interest in the law. As to the former, a deeper understanding of both the rules of evidence and the structure of the field of evidence will be invaluable. As to the latter, the seminar will examine some of the profound epistemological challenges the legal system faces. A prerequisite for this Seminar is Evidence. Additional Course Information: Satisfies Research Writing degree req

LITARB 600 Legal Ethics (2 Credit Hours) This course is an examination of some of the ethical problems encountered in individual practice and issues facing the profession as a whole. Topics include: representing conflicting interests, preserving client confidence, corporate lawyers' responsibility, client fraud, obligation to represent an unpopular client, access to legal services, advertising, admission to the bar, discipline, and the application of the Model Rules of Professional Conduct to those problems. This class will involve student participation including group analysis and presentation of problems factually based on professional responsibility issues. Additional Course Information: Meets Legal Ethics degree requirement, Counts toward Appellate Law Concentration

LITARB 600G Legal Ethics in a Global Legal Practice (2 Credit Hours) This course explores the professional and ethical obligations of lawyers in the United States and in other countries. Topics include ethical issues that arise in multinational practices, the organization and regulation of the bar, admissions, advertising and solicitation, client confidentiality, conflicts of interest, and rules of conduct in advocacy. While we will focus much of our attention on the ABA Model Rules of Professional Conduct, we will also survey other sources of law and compare the professional codes of different countries. Additional Course Information: Meets Legal Ethics degree requirement

LITARB 600L Legal Ethics for Business Lawyers (2 Credit Hours) This course explores the professional and ethical obligations of lawyers in a business practice. While we will survey the laws and rules that govern lawyers in a business practice, we will also focus on practical, "realworld" issues. Topics include the problems involving proper identification of the client, the role of the business lawyer as a gatekeeper or counselor, the protection of client confidences in a digital age, liability for client wrongdoings, conflicts of interests and the representation of corporate families, waivers and imputation, the ethics of negotiations, and rules of conduct in advocacy for business lawyers. We will consider issues that lawyers have faced in recent corporate scandals. Additional Course Information: Meets Legal Ethics degree requirement

LITARB 600P Legal Ethics for Public Interest and Government Lawyers (2 Credit Hours) Public interest and government lawyering are unique areas of practice and present distinct ethical issues. While we will study the substantive law governing all lawyers regardless of their practice area, we will focus on the ethical challenges most frequently encountered in cause or government lawyering. Topics for discussion will include identification of the client; competence; confidentiality; allocation of decision-making authority; conflicts of interest between clients; issues in class representation; and pro bono efforts in the legal profession. We will also discuss the special responsibilities of being a government lawyer, and the limitations facing a law firm's freedom to pursue public interest work. We will use examples from real ethical dilemmas that public interest lawyers and government lawyers have faced. This course is highly interactive, relying on student participation. Grades will be based on class participation, short written assignments and quizzes, and a term paper on a topic chosen by the student. This course satisfies the ethics requirements for graduation. Additional Course Information: Meets Legal Ethics degree requirement

LITARB 604 International Business Law Negotiation (3 Credit Hours) This course teaches hands-on, real-world negotiation skills in a simulated negotiation in which law students at Northwestern University Pritzker School of Law will represent either a US pharmaceutical company, KJH Pharmaceutical Corporation (KJH), and students at American University School of Law (D.C.) represent an African agricultural production company, Malundian Cassava Corporation (MCC). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava produced by MCC. The form of their collaboration could be a letter of intent, a joint venture agreement, a licensing agreement, a long term supply contract or some variation. The negotiations will take place through written exchanges and live negotiations that will be conducted in person at Accenture’s Legal Offices at 161 N. Clark Street. The purpose of the course is to provide students with an opportunity to: (i) experience the development of a business transaction by negotiating, drafting and redlining agreements; (ii) participate in a live, extended negotiations in a context that replicates actual legal practice with an unfamiliar opposing party and unfamiliar environment; (iii) understand the business and legal issues that impact the negotiation; (iv) gain insight into the strategies used in negotiations and the dynamics of international business transactions; and (v) learn about the role that lawyers and the law play in these negotiations. Students are expected to spend time working in teams outside of class to prepare written communications and for live negotiations. Class discussions will focus on the deal framework, strategy for the negotiations and tactics, as well as the substantive legal, business and policy matters that affect the transaction. Evaluation will be based upon class participation, contributions to the written
Communications and a final paper. Course materials: Textbook: D. Bradlow and J. Finkelstein, "Negotiating Business Transactions: An Extended Simulation Course" (Wolters Kluwer, Aspen Coursebook Series, 2013). Course requirements: In order to successfully complete this class, students must meet the following requirements: 1) Active participation in: (i) class discussions; (ii) meetings outside of class to develop and respond to written communications exchanged in the negotiations; (iii) live negotiations; and (iv) class analysis of the negotiations. Each participant will serve as part of a negotiating team for at least one negotiation session. The functions of the negotiating team include: (i) preparing an initial draft communication for the class to consider as it develops the next communication in the negotiations; (ii) presenting the strategic thinking and rationale leading to the draft written communications and responding to class discussions on these matters; and (iii) preparing and submitting the final communication to the opposing party in a timely manner. Contributions as negotiators and leadership in preparing negotiation materials and strategy are highly valued. Participation in class discussions will constitute 25% of the final grade. Participation and conduct of negotiations (in which a student is on the negotiation team) will constitute 25% of the final grade. 2) Throughout the class and the negotiations, each student must prepare 2 written memorandums updating management on the process, strategy and progress of the negotiations. Each memorandum should be approximately 2 pages and no more than 3 pages (double spaced). The memorandum should contain the student's pre-negotiation summary, the progress and tactics of the negotiation, and an analysis of the team's strategy versus outcome. To the extent that the student is making significant contributions in meetings or discussions, the student should reference these contributions and their relationship to the success of the negotiations. The 2 memoranda will collectively constitute 20% of the final grade, and are evaluated based on insight, organization and clarity of writing. 3) Each student will prepare a paper on a topic as agreed to by the student and Professor. The topic will be determined during the final week of live negotiations, and will include an assessment of the degree to which the class achieved the goals established by the Board of Directors (in secret instructions), along with an assessment of the merits and limitations of different strategies employed by the class. The final paper should be in the form of a memorandum to the Board of Directors. 8 - 10 pages. The paper is due on the last day of Final Exams, submitted to the Professor via email. The final paper will constitute 30% of the student's final grade. Course materials: There is a reasonable amount of reading materials required for this course, including materials for the first class, which should be read prior to the first class. Pre-requisite: Negotiation LLM students may enroll in Negotiation and International Business Law Negotiation concurrently with professor permission. Additional course information: Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

LitARB 604T International Business Law & Negotiations (3 Credit Hours) IBLN is a simulation-based course structured around a negotiation exercise in which students from Northwestern Pritzker Law and Tel Aviv University Law School will represent either Malundian Cassava Corporation, an African agricultural production company, or KJH Pharmaceutical Corporation, a U.S. pharmaceutical company, in a complex international business transaction. The companies are exploring a collaboration concerning a new technology developed by KJH Pharmaceutical Corporation that uses cassava produced by Malundian Cassava Corporation. The negotiations will take place through written exchanges and live negotiation at Tel Aviv University. Travel information: Round-trip coach airfare between Israel and Chicago as well as a cultural tour of Jerusalem is covered by a grant. Students may be responsible for housing costs at Tel Aviv University. Students will be responsible for paying for their own meals and other daily expenses. Course dates: Travel dates for the course are TBD; however travel is expected between May 18-28th. There will be two 2-hour preparation classes in Chicago on May 9th and May 16th from Noon-2pm. Please do not apply for this course if you are unable to commit to the time and travel requirements. Registration requirements: Interested students may apply for the 3 credit course by submitting an application. Details TBD. There are no prerequisites. However, students who have previously enrolled in IBLN are not eligible. Course materials: D. Bradlow and J. Finkelstein, Negotiating Business Transactions: An Extended Simulations Course (Wolters Kluwer, Aspen Coursebook Series, 2013). Additional course information: Satisfies Experiential Learning degree req

LitARB 605 Trial Advocacy ITA (4 Credit Hours) Trial advocacy skills are developed through students' presentation of solutions to problems at weekly class sessions. The problems require students to examine witnesses; introduce physical, documentary, and other types of evidence; present and challenge the testimony of expert witnesses; present opening and closing arguments; and select a jury. Pre-requisite/Restrictions: LitARB 635 Evidence is a pre- or co-requisite. JD students only. Additional course information: First Class Attendance Required, Satisfies Experiential Learning degree req, Counts toward Civil Litigation Dispute Res Conc

LitARB 605I Introduction to Trial Advocacy (International Track) (4 Credit Hours) Introduction to Trial Advocacy (International Track). This is a course in basic trial advocacy, adapted for International LLM students. The focus is on the basic skills of courtroom advocacy -- including direct and cross examination of witnesses, opening and closing address, and argument to the court -- that can be utilized in trials, arbitrations, and other forms of fact adjudication. Effective advocacy techniques will be emphasized; specific American rules of evidence and procedure will be de-emphasized. Every student will participate in two simulated trials, conducted before practicing lawyers and judges. The course will meet concurrently with the JD sections of Introduction to Trial Advocacy, with instruction in small groups of 4-6, but will be graded separately. Pre-requisites/Restrictions: LLM students only. Additional course information: LLM Candidates only

LitARB 606 Evidence (ITA) (3 Credit Hours) The law of evidence provides the grammar rules of the distinctive language practices that prevail in the American trial. These rules have traditionally been thought to support the rule of law by enhancing the accuracy of trial "fact-finding" and by keeping the inquiry focused on the issues indicated by the substantive law. An Evidence course will examine the rules of evidence, usually focusing on the dominant Federal Rules of Evidence. These rules include relevance, hearsay, expert testimony, impeachment of witnesses, rules surrounding the use of exhibits and evidentiary privileges. An Evidence course may also explore the relationship between these rules and the function of the trial in our legal order, the methods best calculated to result in reliable knowledge of past events, and the moral and political values that shape and qualify our search for such knowledge. JDs - Successful enrollment in LitARB 605 Trial Advocacy ITA is required for enrollment in Evidence ITA. LLMs - Successful enrollment in LitARB 605I Trial Advocacy Int'l Track is required for enrollment in Evidence ITA.

LitARB 607 Legal Ethics (ITA) (3 Credit Hours) This section is coordinated with Introduction to Trial Advocacy (ITA) and its companion Evidence (ITA) course. It forms the third of the Introduction to Trial Advocacy "trilogy." You must be taking or have taken Trial Advocacy (ITA) to take this course. In this section students will participate in simulated interviews, counseling sessions, negotiations, and trial exercises that
present central issues in professional responsibility. Students will defend and prosecute simulated cases against attorneys; other students will deliberate on the cases and present opinions. The course will cover the traditional range of topics in Professional Responsibility, with an emphasis on those that arise in relation to litigation and negotiation.

PRE-REQUISITES/RESTRICTIONS: JDs - Successful enrollment in LITARB 605 Trial Advocacy ITA is required for enrollment in Ethics ITA. LLMs - Successful enrollment in LITARB 605I Trial Advocacy Int'l Track is required for enrollment in Ethics ITA. Additional Course Information: Meets Legal Ethics degree requirement

LITARB 608 Crisis Litigation and the Court of Public Opinion (3 Credit Hours) Like publicly charged political campaigns, preparation for high stakes crisis and litigation must include a multidirectional strategy for producing a narrative that resonates as well on Main Street, Wall Street, and on social media as it does in the courtroom, and the halls of Congress. From the Financial Times the Wall Street Journal and Huffington Post to the World Wild Life Federation, Change.Org and Green Peace, crisis litigation risk has dramatically escalated because everyone is participating. This course introduces students to the sophistication and rigor that "campaign" oriented lawyering requires to navigate the intersection of law, social policy, risk management, advocacy and public opinion. Structured as a "lab" course, students will deconstruct the atmospherics of high profile crisis and litigation and create public strategies that include value judgments, strategy, and executional tactics that help clients manage a world defined by risk. The issues and cases examined will be based on the instructor’s involvement in the cases as well as recent high profile crises and litigation. The class will also include presentations by former White House staff, investigative journalists, general counsel, business leaders, and social influencers in the court of public opinion. Through group presentations and written assignments, students will be evaluated both on the ability to vet conflicting considerations that arise in high profile crisis litigation and to develop a strategic framework for insights-based lawyering. Students will also be expected to participate actively in class as we explore the pull and tug of public opinion on high stakes crises and litigation. Additional Course Information: Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

LITARB 610 Introduction to Trial Advocacy (3 Credit Hours) The faculty consists of sitting judges and active trial lawyers all of who have extensive experience teaching trial practice. In the classroom, students perform problems as trial counsel in small groups with a faculty member in charge of each group. These problems include direct and cross examination of lay and expert witnesses, adverse examinations, introduction of exhibits, impeachment, opening statements, and closing arguments. Each student’s performance is critiqued by a faculty member. Faculty will also occasionally give demonstrations of trial skills and brief lectures. Many of the student performance are videotaped and then reviewed by the student with a faculty member. In addition, students prepare and try two complete cases—a midterm bench trial in the Circuit Court of Cook County and a final jury trial in the Federal District Court. Unlike the Fall semester Trial Advocacy (ITA) program, this course has no coordinated co-requisite Evidence and Ethics sections. Evaluation: No final examination. Grade is based on simulation performance.

Teaching method: Lecture, discussion and simulation. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 611 Conflict Management in Legal Practice (3 Credit Hours) The goals of this course are to help students learn to manage conflict and to write, in a lawyering context, about managing conflict. The managing conflict portion of the course runs along three tracks, which we will frequently weave together, in simulations, because they reinforce one another: 1. Managing external conflict, (between people), through four negotiation models. 2. Managing focus, awareness, stress and emotions, through mindfulness, a way of paying attention that can improve performance and satisfaction. 3. Managing internal conflict (within a person), through internal family systems (IFS), a psychological model of the mind that includes internal Subpersonalities” or “Parts” that interact as a system. The writing portion of the course will involve a simulation in which you will prepare about three documents (one or more of which may be rewrites) advising a senior lawyer (and maybe a client) about how to understand and address a particular case or situation.

LITARB 612 The Strategy of Litigation (2 Credit Hours) This course is designed primarily for third year students (but 2Ls will be admitted) who are interested in pursuing a career in civil litigation. The Strategy of Litigation is designed to be a practical, real world approach to discussing and analyzing the strategy of civil litigation. Topics include (i) picking and developing a theme for the prosecution or defense of a case, (ii) developing a strategy for discovery, (iii) avoiding the pitfalls of discovery, (iv) managing litigation risks, (v) dealing with troublesome litigation situations (i.e., a hostile judge, sleeping jurors, a critical client), (vi) negotiating the settlement of a complex case, (vii) understanding fully the pros and cons of the adversarial system, as well as (viii) being effective with clients. A number of guest speakers appear during the course. Students will receive a realistic perspective on what challenges are presented by big stakes commercial litigation.

LITARB 613 Mental Models in Conflict Resolution (3 Credit Hours) This seminar course focuses on the "mental models" that play- or could play-roles in the development, evolution, and attempts to address conflict. In studying these models (some of which overlap or are intricately interrelated), students will draw upon perspectives from social science disciplines such as economics and psychology; neuroscience; and cognitive maps of lawyering (e.g., traditional, client-centered, collaborative), negotiation (e.g., adversarial and problem-solving), and mediation (e.g., narrow, broad, transformative, understanding-based). Students will also explore the following: relationships between and among mental models, emotions, and lawyering and other dispute resolution strategies and techniques; whether the mental models are explicit or implicit, conscious or subconscious; and which mental models are most appropriate in particular circumstances. Evaluation: Final paper, presentation of paper, and class participation Teaching Method: Some lecture, discussion and student presentations. Prerequisites: None Text: Leonard Riskin, Managing Inner and Outer Conflict Mindfully (forthcoming book, Spring 2019 Draft), which will be available on Canvas at no cost to students. Additional Course Information: Satisfies Research Writing degree req

LITARB 614A Intellectual Property Litigation: Pretrial Skills (2 Credit Hours) This class is designed to teach both analytical and practical skills for handling intellectual property disputes, using an imaginary fact pattern that takes the student-attorneys from the beginning of the case when the client first walks through the door up through a summary judgment motion. Along the way, student-attorneys will gain hands-on experience in dealing with pretrial considerations (including profiling considerations and preparing cease and desist letters), initial pleadings in federal court, discovery, and possible preparation of a summary judgment motion. The class will involve patent and trademark issues. Student-attorneys will focus on both written and oral skills as part of this course. During the first half of the course, weekly assignments will focus on short writing assignments, and during the second half of the course, the emphasis will be on developing oral skills, such as questioning witnesses in a deposition. The primary objective of the course is to prepare student-attorneys for the types of assignments they would likely
LITARB 560 Pre-Trial Advocacy (2 Credit Hours) In this class, we will examine strategies, procedures, and simulations dealing with pre-trial proceedings, with a particular focus on obtaining preliminary relief and motion practice. Specifically, students will draft a complaint, an answer, a motion for a preliminary injunction, a motion in limine, and a summary judgment brief. In addition, you will have an opportunity to argue a number of these motions in a simulated courtroom setting. Through course materials, lectures, and discussions, you will garner the tools and insights necessary to perform these real world litigation tasks. Therefore, we expect you to prepare for each class meeting by completing the assignments designated for that meeting. Additional Course Information: Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

LITARB 619 Pretrial Litigation (4 Credit Hours) This course introduces all aspects of the pretrial process including investigation, interviewing, counseling, discovery, and motion practice. Students are assigned to two- or three-person law firms to engage in the simulated litigation of a single case throughout the semester. Under the supervision of a "senior partner," the students generate a series of litigation exercises by scheduling interviews, meetings, depositions, and motions. The students develop a "theory of the case" and are responsible for effectuating it in accordance with the rules of professional responsibility. The course emphasizes student decision-making in a litigation setting. There are no set exercises in Pretrial Litigation. The content of the weekly sessions is determined solely by the student litigation plan. All litigation exercises are observed and critiqued by faculty members, including practicing lawyers and judges. The course concludes with the formal argument of contested motions. NOTE ON SCHEDULING: This class is scheduled for two time slots of three hours each, but the class will not meet for six hours each week. Students must keep all six hours available for this course. Students may not drop this course after the first week of classes. Evaluation: Grades are assigned on the basis of the students weekly performances, senior partner meetings, and presentation of final motions. Teaching method: Lecture and simulation Text: Prerequisites:

LITARB 620 Advanced Trial Practice (3 Credit Hours) This course is an advanced study of trial practice, intended for students who are seriously considering careers as courtroom advocates. Students will perform weekly simulation exercises, focusing on advanced concepts in the trial of civil and criminal cases. Issues will include trial theory development, expert testimony, complex trials, and advanced examination techniques. The course will be taught by a team of experienced practitioners. Classroom participation and attendance is mandatory. Teaching Method: Discussion and simulation Prerequisites: Trial Advocacy ITA, LITARB 605 or Introduction to Trial Advocacy. LITARB 610 is a prerequisite for this course. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 621 Appellate Advocacy (3 Credit Hours) Appellate Advocacy is an advanced course that teaches the substance of appellate practice and process and develops students’ skills and judgment as appellate writers and oral advocates. Students will pursue a simulated appeal as the primary pedagogical device, applying core doctrines of appellate review and learning the dynamics of bringing an appeal and how to frame winning issues and arguments. Students will also hone their writing and analytical skills, preparing several pieces of work product that an appellate lawyer would create in the course of pursuing an appeal. Students’ work will culminate in a final appellate brief and oral argument. The course’s primary goal is to prepare students to be effective appellate lawyers, whether in a clinic, law firm, or other practice setting. As such, the course is demanding, imposes multiple, tight deadlines, and places high value on students ability to work independently. As the payoff, students will gain a strong understanding of major appellate advocacy concepts and the roles of appellate courts and lawyers, as well as more sophisticated skills in case assessment, creative thinking, the writing process, the structure and rhetoric of legal argument, and persuasive writing at the sentence level. Students who complete this course will also be well-prepared for moot court competitions. Overview of Class: Appellate Advocacy is a problem-based simulation course that emphasizes active learning and lively classroom exchanges and thrives on each student’s committed, frank participation. Class sessions will be a mixture of short, interactive lectures on conceptual and substantive topics; exercises focusing on a particular skill or concept; peer review of work product; and workshops examining the craft of professional appellate advocates. Students will also share work product and research materials with each other. After you are introduced to core concepts of appellate advocacy and procedure in the first few class sessions, you will embark on a simulated appeal to apply and engage deeply with those concepts. You will work on portions of the appeal collaboratively, much as you would in a clinic setting. Other aspects of the appeal will require you to work independently. In addition to completing the course’s formal written and oral assignments, you will occasionally be assigned short, discrete research or analysis projects related to the appeal requiring a quick turnaround time. These projects are designed both to advance the appeal and to mimic a real-life clinic or law office experience. Enrollment is limited to JD and JD-MBA candidates. This course satisfies the Professional Writing Requirement. Learning Objectives: To understand major appellate review and advocacy concepts: o Structure and workload of appellate courts o Scope of review (issue preservation and waiver) o Standard of review o Appellate jurisdiction o Dynamics of bringing an appeal To understand the role and develop the skills of an appellate lawyer through simulation: o Understand the appellate judicial audience o Assess a record for appealable issues o Strategize about issue selection o Develop a coherent theory of the case o Determine strengths and weaknesses of the case o Learn to dig deep and think creatively, not quit without fully exhausting options o Research the court and its judicial predilections o Understand and apply rules governing briefs and argument o Work in teams to improve a product o Prepare to work in an appellate or Supreme Court clinic o Understand professionalism at the appellate level To become more effective at written and oral advocacy and argumentation: o Develop an effective and deliberate writing process o Internalize classical rhetorical concepts o Learn theories of persuasion o Become well-versed in types of legal argument o Become sophisticated in using facts and authorities and in handling weaknesses o Understand effective brief-writing organizational paradigms o Write with clarity, concision, accuracy, and precision o Write to persuade o Develop strong self-editing skills o Learn the principles of effective oral argument o Develop your own oral argument style Teaching Method: Class Participation, Demonstrations, Discussion, Films/Videos, Group Work, Guest Speakers, Lecture, Observation, Online work, Presentations (Final oral argument before judging panel), Problem sets, Readings, Research project (As part of writing assignments), Simulation/role-play, Writing Assignments (Several writing assignments). Evaluation Method: Students will be assessed on the quality of their written submissions and oral argument, and their class participation, including completion of ungraded

LITARB 623 Power, Status and Negotiations (2-3 Credit Hours) This course introduces participants to social exchange theory and its application to negotiations. We first work to understand how structures of networks and resource dependence influence outcomes of negotiated and reciprocal exchange. To do this, we study four principle components of social exchange theory: resources, power, brokerage and status. We evaluate questions like, when are actors more or less likely to resort to coercive power? When are they more likely to resort to reward power? Which is more effective? How does status impact outcomes? When is it better or worse for an actor’s alternatives to exchange to have many or few alternatives to exchange? When is it good for an actor for her alternatives to exchange to know each other? We then study how negotiation processes may be informed by structure in influencing outcomes of exchange. Here we evaluate when and how actors may influence outcomes in their negotiations using information about network structures and resource dependence models. For instance, how could you talk your way out of a parking ticket? Is it ever a good idea to start an argument in a negotiation? When, if ever, is it a good idea to apologize in a negotiation? Is Facebook a good place to find love, a job, or both? How can job applicants signal that they are high status, and avoid signaling that they are low status actors?.

LITARB 625 Advanced Topics in Litigation (3 Credit Hours) This class will address a series of advanced topics in litigation practice. Taking students beyond the substantive legal principles governing litigation and investigations, the course will explore practical strategies for recognizing and addressing issues that arise in these matters. We will focus on four topics that are of increasing importance in the modern practice of complex litigation: (1) Project Management in Discovery; (2) Government and Internal Investigations; (3) Scientific and Economic Experts; and (4) Technology and Intellectual Property. These areas raise some of the most interesting and challenging problems in complex litigation, e.g.: - balancing the benefits of cooperation against the need for zealous advocacy in government investigations; - meeting heightened expectations of counsel for electronic discovery after the 2006 amendments to the Federal Rules of Civil Procedure; - litigating the limits of credible science in Daubert motions; - and the relationship between antitrust law and intellectual property protection. The first half of each class will consist of a lecture given by a Mayer Brown LLP lawyer who practices in the area under discussion, and the second half will consist of a student presentation on an assigned topic related to the area and a subsequent class discussion of the key concepts in the area, which the Mayer Brown LLP lawyer will facilitate. Each student will be required to prepare a written paper and oral presentation to the class. Students will be evaluated based on their written paper (70%), presentation to the class (15%) and class participation (15%). Course Materials. The materials for this course will consist of cases, articles or other excerpts distributed by each instructor at least two weeks prior to the beginning of each section of the course. Evaluation Methods: The grade in this course will be based on the following three components: 1) a paper, 2) a presentation to the class and 3) class participation. Students will work in teams of two or three on both the papers and presentations. Paper. Seventy (70) percent of the students’ grade will be based on a final written paper on a topic related to one of the areas covered in the course. Grading for the paper will be based on quality of analysis, value of legal research, ability to argue persuasively for a proposition and clarity of writing. Successful submissions will generally start with a clearly stated hypothesis or proposition and include a clear and logical argument in support of that hypothesis or proposition. The final submission should be approximately 20 double-spaced pages in length, excluding footnotes. Presentation. Fifteen (15) percent of the students’ grade will be based on a presentation to the class. The purpose of this oral report is to share the topic, thesis and conclusions of the paper in a manner that facilitates a robust class discussion. Class participation. Fifteen (15) percent of the student’s grade will be based on student’s participation in class throughout the semester. This includes, but is not limited to, attendance. In order to learn the material thoroughly, it is essential that students prepare for and actively participate in class. This class meets the Research Writing Requirement. Additional Course Information: Satisfies Research Writing degree req

LITARB 626 Dispute Resolution in Sports (2 Credit Hours) This course will provide an overview of how dispute resolution processes are used in the world of sports. This course aims to give students a basic overview of the various areas of dispute resolution that occurs in sports. In addition to regular readings and discussions, there will be interactive simulation exercises to expose students to the various dispute resolution processes in sports. Students will learn about the negotiations, mediations, and arbitrations that take place in professional, Olympic, and collegiate sports. Students will also develop an understanding of how to apply the World Anti-Doping Code to the athlete's case, as well as the basics of how labor law, antitrust law, and contract law apply to sports dispute resolution. PRE-REQUISITES/RESTRICTIONS: LITARB 670 Negotiation is recommended, but not required. Additional Course Information: Satisfies Prof Writing degree req

LITARB 627 Dispute Resolution (2 Credit Hours) This course will teach students about the various dispute resolution processes. Students will learn about the basics of the Negotiation, Mediation, Arbitration, and Restorative Justice processes, as well as the hybrid processes and variations that are used to resolve disputes. Students will learn to evaluate which process works best for their client’s interests in various situations, as well as the benefits and drawbacks of the various processes for society as a whole. Students will be required to compose a short policy paper relating to this. Students will also learn the basics of representing clients in these processes. Arbitrability, as well as arbitration forum selection will be covered and students will learn the basics of composing dispute resolution agreements. Students will learn through class discussion, simulation, lecture, and readings. Students will learn about the variations of the dispute resolution processes that are used in different areas of society, including in financial regulation, sports law, employment law, international commercial disputes, and consumer disputes. Meets Professional Writing requirement. Please note: If you have taken Dispute Resolution (LITARB 677) you should not enrolled this course. Additional Course Information: First Class Attendance Required, Satisfies Prof Writing degree req

LITARB 630 Civil Rights Litigation (2 Credit Hours) Class description: This seminar explores how litigants vindicate federal constitutional rights in the courts. Topics include 42 U.S.C. 1983, which provides the primary cause of action to remedy constitutional violations; defenses and immunities of individuals and municipal governments; and various forms of monetary and injunctive relief. Class instruction is a mix of in-class discussion of doctrinal topics and in-court observation (when scheduling allows) and discussion of actual civil-rights trials, pretrial conferences, and other court hearings presided over by Judge Chang. Grading: Grades are based on a final exam, with class participation as a possible basis to improve (not reduce) the final grade. Location: The
class meets in Judge Chang’s courtroom in the federal courthouse at 219 South Dearborn Street, Chicago. Maximum enrollment: 14. Pre-requisites: None. **Please note the Location: the class meets in Judge Chang’s courtroom in the federal courthouse at 219 South Dearborn Street, Chicago. Pre-requisites: none. Additional Course Information: Counts toward Appellate Law Concentration

LITARB 632 Patent Litigation - Specialized Patent Office Trials (2 Credit Hours) This class is designed to teach both analytical and practical skills for handling specialized patent litigation in the U.S. Patent Office. Patent Office litigation is used in almost all patent disputes and has increased dramatically over the last few years. Though the America Invents Act ("AIA"), new, specialized adverse litigation proceedings were initiated in the Patent Office late in 2012 and early in 2013. The use of these specialized litigation proceedings is predicted to become more frequent. The class provides hands-on experience with all aspects of Patent Office litigation. Using facts from actual and imagined disputes, students will prepare principal and reply briefs, prior art claim charts, and Petitions. Students will take and defend depositions before a live court reporter. Students will engage in an oral argument before mock Judges at the end of the class attacking or defending the validity of a particular patent. The class will be taught as a seminar with student involvement in each class. The class will include lecture and discussion on relevant substantive and procedural patent issues. The class also will include discussion on comparative Patent Office litigation in other countries. Students will develop written skills and oral advocacy skills throughout the class. A principal objective of the class is to prepare students to become actively engaged in specialized Patent Office litigation and succeed in the types of matters they likely will work on during their early years as patent lawyers and litigators. Because this is a "hands-on" class in which students learn by doing, class attendance and participation is essential. Registration Requirements: One intellectual property class is a prerequisite. It is preferred for students to have taken patent law. Students who consult with the professor and agree to prepare a substantial paper for the end of the class with Professor Berghammer may enroll in LAWSTUDY 500 to receive an additional credit, for a total of three credits for Patent Litigation - Specialized Patent Office Trials. NOTE: This course will NOT satisfy the writing requirement. Evaluation Method: The basis for the grade will be as follows: 40% for writing assignments; 20% for class participation; 40% for depositions and final oral argument. Class Materials: (1) Case file materials provided to students by Profs. (2) Text book TBD -- two different texts being considered (3) Relevant rules and statutes.

LITARB 635 Evidence (3 Credit Hours) Evidence law governs practices in the American trial. This course will closely examine the rules of evidence in their own right, and further examine them from the perspective of their philosophical, political, and social implications. The twin objectives of the course are to convey a complete command of the law of evidence (including relevance, hearsay, witness examination, expert testimony, privilege, and exhibits), and to enhance the student's understanding of the deep issues lying just beneath the surface of the rules, including such matters as the nature of truth and its significance for dispute resolution and the role of other values in the litigation process, such as anti-discrimination policies or welfare maximization. The doctrinal focus of the course is the Federal Rules of Evidence, although divergences between the Federal Rules and the common law of evidence are noted and examined. **For Professor/section specific information please see class level description** Additional Course Information: Counts toward Appellate Law Concentration

LITARB 650 Civil Procedure II (3 Credit Hours) This litigation-oriented course focuses on the right to a civil jury trial, the place of the jury in the civil justice system, and the procedural law controlling the trial and post-trial practice. The course covers the Seventh Amendment right to jury trial, judicial control of the jury, post-trial practice, appeal ability, claim preclusion (res judicata), issue preclusion (collateral estoppel) and other topics. Evaluation: Final Examination. Teaching method: Lecture Prerequisites: Civil Procedure is a prerequisite. Please note: Under no circumstances will the civil procedure I prerequisite be waived. Additional Course Information: Open to First Year Students, Counts toward Appellate Law Concentration

LITARB 656 Remedies (3 Credit Hours) Knowledge of available legal and equitable remedies shapes the strategies a lawyer can bring to bear in resolving a client's problem through litigation. The forms of relief which may be available to a client in seeking redress for harm drives the lawyer's strategic thinking about which theories of recovery or causes of action can be asserted, survive defenses, and ultimately, achieve the goals of the client. This course examines the forms of and limits on judicial relief in civil actions. We will use our investigation of remedies theory and practice as a method of ordering our critical thinking about the multiplicity of legal and equitable claims that can arise out of a single set of facts in a dispute. Using this approach, we will attempt to bridge the gap between knowledge of available claims and the exercise of an attorney's judgment in how and when to pursue legal action. Prerequisites: Civil Procedure, Contracts and Torts. This course may be taken concurrently with Torts. Teaching Method: Case Studies, Class Participation, Discussion (detailed discussion of cases, theories, and method). Lecture Evaluation Method: Attendance, Class Participation, Final Exam Class Materials: Rendelman, Doug Remedies: Cases and Materials, Eighth Edition (Thomson West) ISBN-13: 978-031426466. Additional Course Information: Open to First Year Students, Counts toward Appellate Law Concentration

LITARB 657 Persuasive Techniques (2-3 Credit Hours)

LITARB 659 Civil Discovery (3 Credit Hours) A vital part of any litigation practice involves the effective use of the civil discovery process to uncover evidence needed to evaluate the client’s case, and to prepare for settlement, summary judgment or trial. In this seminar, you will learn not only the civil discovery rules, but also how to plan for the discovery process as well as how to use interrogatories, document requests,
Negotiation is a major part of every professional's duties. For lawyers, the professional legally-trained judge; and recent innovations in the conduct of jury trials. This class meets the Research Writing Requirement. Additional Course Information: Satisfies Research Writing degree req

LITARB 672 Advanced Negotiation Workshop (2 Credit Hours) The Advanced Negotiation Workshop builds on the theory learned in the basic workshop. The focus is on self-awareness, emotional intelligence and understanding your negotiating self through multiple levels of feedback from peers and outside professionals. Students will engage in several multi-party complex simulated negotiations. The class will offer training in awareness practices, dealing with emotion, both your own and that of others, and improvisational techniques. Prerequisite: Negotiations Evaluation Methods: Faculty Observation; Peer evaluations; Coach Evaluations; Quiz; Pre-negotiation Analysis; Process and Outcome
LITARB 675 Mediation and Advocacy (4 Credit Hours) This course will focus on the mediation process from two perspectives: (1) that of the mediator and (2) that of the advocate considering whether mediation is appropriate for a particular dispute, and, if so, representing the client in mediation. The course is designed to provide students with both a theoretical background and hands-on experience in mediation and mediation advocacy. The skills taught in this course are invaluable if you want to mediate or simply be a better negotiator - research shows that the best negotiators have received mediation training. Even if a student does not plan to be a mediator, this course provides unparalleled experience thinking on your feet with personalized and intensive feedback from dispute resolution professionals. All students will also have an opportunity to observe a mediation in the Cook County courts. A portion of the course will consist of mediation skills training conducted by the Center for Conflict Resolution (CCR, www.ccrchicago.org). Those students who successfully complete the skills training portion of the course and meet all of CCR's certification requirements for their model of mediation, will have the opportunity to become certified as CCR mediators. PRE-REQUISITES/RESTRICTIONS: LITARB 670 or 670K Negotiation, or LITARB 674 Cultural Negotiation are a co-requisite for this course. Attendance in class is mandatory. The last date for dropping the course will be 5:00pm of the first class. No drops will be allowed after that. Additional Course Information: Satisfies Experiential Learning degree req, Counts toward Civil Litigation Dispute Res Conc

LITARB 676 Practicum: Mediation Practice (4 Credit Hours) This course is a continuation of Mediation and Advocacy for those students who continue to perform mediations under the supervision of faculty. The professor determines the frequency and number of supervised mediations. In support, this course meets once a week in seminar to supervise, monitor and improve mediations skills. LLMs are allowed with permission of instructor. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 677 Dispute Resolution (3 Credit Hours) The purpose of this course is to help students learn how lawyers (and to some extent other professionals) can help their clients and society select and carry out the most appropriate (that is, efficient, productive, and humane) methods for managing conflict. To that end, we will cover the following topics: the nature of conflict; client interviewing and counseling; negotiation; mediation; adjudication (principally arbitration); mixed dispute resolution processes; and how to select and design dispute resolution processes. The course generally takes the perspective of a practicing lawyer and explores the idea of the lawyer as problem-solver, but also will include client, court, and societal perspectives. We also will consider how one's state of mind can affect performance, and address issues of professional responsibility. Methods of instruction will include reading, lectures, demonstrations (live and video), role-play and other exercises, and journaling. Grades will be based on class participation; the journal and (possibly) other very brief writing assignments; and an examination. The only required book is Leonard L. Riskin, et al., Dispute Resolution and Lawyers (5th ed., Hardcover, Westgroup 2014,) ISBN: 978-0-314-28590-4. Do not buy the abridged, paperback version of this book. Rely on the ISBN above. Additional Course Information: First Class Attendance Required

LITARB 679 Judicial Decisionmaking (2 Credit Hours) This seminar is designed for students who are planning on clerking after law school and for those interested in studying judicial decisionmaking and opinion-writing. During this intensive Intersession course, we will begin by discussing the theoretical underpinnings of judicial decisionmaking: (1) the impact of judicial philosophy; (2) judicial activism vs. judicial restraint; (3) ethical issues in judging; and (4) judicial temperament. We will then turn to the role of the clerk and the art and craft of opinion writing. Finally, we will examine how judges cultivate their unique voice and style. A panel of former clerks, and perhaps a panel of sitting judges, will round out the experience. This course will yield three important and practical writing projects. First, the students will prepare a bench memorandum for a pending case in the Federal Appellate Clinic. Second, after mooting the Clinic students in their cases (at a mutually agreed time during the semester separate from the Intersession classes), the seminar students will conference as a panel of judges and draft an opinion deciding the case. Finally, one important focus of the course is to actively study a particular judge with an eye towards identifying that judge's decisionmaking approach and writing style, topics that will prepare students for an upcoming clerkship. Students will write a final paper due by the end of finals that analyzes a particular judge's judicial philosophy, writing style and other important aspects of the judge's practice. Ideally, the student would study the judge for whom the student will be clerking, but if a student has not yet secured a clerkship or is not intending to clerk, a student may choose any judge. Students will be evaluated based on their preparation for the intensive Intersession courses, their class participation, their role in mooting and conferencing the clinic course, and based on the three written assignments. Students earn 2.0 credits, and this course does not fulfill any upper-level writing requirements.

LITARB 681 Law, Advocacy & Public Persuasion (3 Credit Hours) For those attorneys who choose to pursue careers in government, politics or business, the crucial determiner of success is often the ability to persuade within the public arena. But contemporary legal practice requires virtually every attorney to influence an array of "public" audiences: corporate boards, governmental bodies, bar associations, law firm management committees, stockholder meetings, community groups, and the public at large. Indeed, today's complete lawyer - whether deal-maker or litigator, whether in private practice or public service - will persuade audiences beyond those involved in a trial or a negotiation, and frequently when the stakes are highest. This course will train lawyers to influence public audiences with both the written and spoken word; it seeks to provide practitioners with four primary tools: (1) an understanding of the lawyer's historical and contemporary role as public persuader; (2) strategic sensibilities in approaching non-lawyer audiences; (3) the tactical ability to use more powerful language and arguments for persuasive effect; and (4) improved capabilities as public speakers/presenters, through intensive practice and critique. Additional Course Information: Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

LITARB 683 Creating Change as a Lawyer (3 Credit Hours) In this course, we will explore the role lawyers and other individuals play as advocates for social, political, and civic change. Students in this class will engage in real-life and class-based learning. There will be three principal assignments: 1. Students will work for an approximate total of 30 hours during the semester with a community-based or change-oriented organization. "Change-oriented" means any organization working actively to move the needle on a particular issue or set of issues. The professor can help you find an organization that would specifically interest you or you can pick an organization in need of help. Regardless, the organization needs to be approved by the professor. (You should begin looking for an organization prior to the semester on your own. If you struggle to find an organization, have questions, or need help, contact the professor for assistance.) 2. Students will complete a final project with the same organization. The final project should yield a product that
an organization would find useful in their efforts to create change. The
30 hours described above are separate from the time devoted to the
final project. A substantive part of the final project will be in writing, but
there is no specific page requirement because the length may depend
on your organization’s needs. In the past, for the 30 hours and/or the
final project, students have helped organizations by strategizing with
community members and different stakeholders on how to identify and
resolve particular issues, crafting the message of a campaign, doing
issue and legal research, reviewing and analyzing pending legislation,
attending legislative sessions, writing press releases or different types of
articles, surveying and interviewing community members and different
stakeholders, preparing a report on pertinent issues, creating fact
sheets and manuals, planning events, and conducting “know your
rights” presentations for particular communities. 3. Students will have
assigned readings and/or a small assignment relating to course topics
every week, which will sometimes be provided by the guest speakers
for that week. Small assignments in the past have included posting a
comment on an article or a video of an interesting campaign on Canvas,
interacting with fellow students online, or students writing their goals for
the class. Topics we will cover include: organizing and different theories
of change, the tools and strategies of lawyers working for change, the
history of lawyers working with different movements and communities,
and how race, class, and power affect particular movements and your
work. There are also weeks when we discuss whatever topics students
suggest. We will have discussions based on the assignments, student
suggested topics, and your experiences at your organizations. Guest
speakers will join us for some classes. In the past, they have included
communications experts, organizers, nonprofit leaders, and lawyers
working for change. This class meets the Research Writing Requirement.
If you have questions about any aspect of the course, please contact the
professor. The professor is willing and eager to answer any questions
about the course by phone or email at anytime. Additional Course
Information: Satisfies Experiential Learning degree req, Satisfies Research
Writing degree req

LITARB 684 Law, Advocacy & Public Persuasion II (2 Credit Hours)
This course is an advanced workshop in public advocacy. It broadens
and deepens the skills learned in Law, Advocacy & Public Persuasion I,
fooding on improvement of the persuasive abilities of its participants
in a series of challenging public settings. The emphasis will be on the
targeted, hands-on application of persuasive tools – both in content
development and especially in content delivery – within a series of
predominantly “informal” legal, business, policymaking and leadership
scenarios, including board and panel presentations, hostile questioning
& related Q&A availabilitys, organizational meetings and town halls,
and contemporary public thought-leadership settings. The course
operates in a workshop format, and feedback is frequent, plentiful and
personalized. Evaluation: Assessment will be based on two substantial
persuasive presentations and a series of in-class persuasion, speaking
and Q&A exercises. Readings/Materials: - Nancy Duarte, HBR GUIDE
TO PERSUASIVE PRESENTATIONS (2012) - Supplemental readings -
Additional reference materials TBD Prerequisites: Law, Advocacy &
Public Persuasion I. Additional Course Information: Satisfies Experiential Learning
degree req

LITARB 685 Theory of Judicial Decisionmaking (3 Credit Hours)
Judicial Decision-Making is a course designed to explore the process
underlying the development and application of law generally. For law to
be comprehensible, even predictable, requires not only looking at output
- case decisions - but also at the process by which those decisions are
reached. Understanding what shapes judges’ decision-making process
yields insights into all areas of law. In addition, that same inquiry is key to
appreciating the role of judges and courts in the broader political system.
For instance, if the extreme view that judging is just a product of what
the judge had for breakfast is true, then law needs to be understood
not as binding exogenous constraint, but simply as a rhetorical device
for masking raw ideological preference, or even idiocyncrasy. Whereas
if judges seriously consider legal factors- methodology, formalism,
federalism and other such factors - then we need to ask how, when,
and how much each of these factors play in, and can they be precisely
and rigorously characterized, and their impact assessed. Once that
most fundamental question is answered, there still remain many other
potential factors in the judicial decision-making process. For instance,
does public opinion affect judges - and if so, does it operate only at
the limits of public acceptability, or as a more common influence? Similarly,
how do separation of powers constraints limit judicial choice - do the
other branches only affect the selection of judges, or do they influence
the ongoing decision-making process, for example through aversion
to congressional overrides? This course will take a cross-disciplinary
approach to understanding judicial behavior and the judicial decision-
aking process. It will examine: classic and modern theories of the role
of the judge in society; how judges are selected; how judicial preferences
are measured; how much of judicial decision-making can be predicted
by ideological preferences; whether and how judges set their own agendas;
how the structure of the judicial system shapes judicial preferences,
including multi-judge courts and the judicial hierarchy; and how external
factors affect judicial decision-making, including public opinion and the
political branches.

LITARB 686 Contemporary Problems in Complex Litigation (2 Credit Hours)
This course will focus on selected problems in contemporary
complex litigation. Using materials from articles, recent and current
cases, as well as a leading casebook, the instructors will lead discussion
of such topics as the nature of complex litigation and the roles of the
parties, counsel, and the judiciary in resolving societal problems, how
counsel develops a theory of the case, aggregation techniques, issue
preclusion and the need for finality, class actions, consolidation of
cases, coordination of judgments across different judicial systems, and
methods of resolution. We also expect that we will discuss the use of
dispositive motions, expert testimony, document production, and witness
preparation. The course will also include guest speakers on the topic of
how to excel as a law clerk or law firm associate.

LITARB 687 Arbitration in the United States (2 Credit Hours)  This seminar focuses on arbitration as a method of resolving both domestic
and international commercial disputes. The course will explore the
advantages and disadvantages of arbitration as compared to both
mediation and litigation in the courts. In addition, the course will address
the statutory basis for U.S. arbitration; the nature and scope of arbitral
jurisdiction; the nature of the arbitral process; techniques of effective
advocacy in arbitral hearings; the enforcement of arbitral awards; and
judicial review of arbitral proceedings. The course will also review a
series of recent Supreme Court decisions in which the Court has limited
the scope of judicial review of arbitral awards and clarified the ways in
which arbitral agreements can limit liability (for example, by barring class
actions). Finally, the course will examine international arbitration in the
United States, including the U.S. enforcement of international awards and
the conduct in the U.S. of arbitrations between governments and private
parties ("Investor-State" arbitrations). Additional Course Information:
Satisfies Prof Writing degree req

LITARB 690 Mediation Practicum (4 Credit Hours)  ***There is a mandatory
training session for all students on Saturday, October 3, 2015 from
8:30-5:00pm*** Students planning to participate in the 4 credit hour
Mediation Practicum in the spring semester will also have to attend
This course will focus on the mediation process from two perspectives: (1) that of the mediator and (2) that of the advocate considering whether mediation is appropriate for a particular dispute, and, if so, representing the client in mediation. Effective advocacy in mediation has some elements in common with effective advocacy in litigation, but also many different elements. The course is designed to provide students with both a theoretical background and hands-on experience in mediation and mediation advocacy. The skills taught in this course are invaluable if you want to mediate or simply be a better negotiator. Research shows that the best negotiators have received mediation training. Even if a student does not plan to be a mediator, this course provides unparalleled experience thinking on your feet with personalized and intensive feedback from dispute resolution professionals. All students will also have an opportunity to observe a mediation in the Cook County courts. A portion of the course will consist of mediation skills training conducted by the Center for Conflict Resolution (CCR). CCR is a non-profit organization that provides free mediation services in Chicago through the Cook County court system and community-based referrals (www.ccrchicago.org). Those students who successfully complete the skills training portion of the course and meet all of CCR’s certification requirements for their model of mediation, will have the opportunity to become certified as CCR mediators, and to conduct actual mediations on behalf of CCR in the 4 credit hour practicum during Spring (LITARB 676). In addition to the training held by CCR, students pursuing certification may be required to do other activities and simulations inside and outside of class in order to meet certification requirements. Once students complete their practicum experience, they may maintain their certification by continuing to mediate once a month at CCR. Attendance in class is mandatory. A student who misses a class for any reason other than illness will lose participation points that could result in the loss of a letter grade. Any student who is not present at the first class meeting will be dropped from the course. The last date for dropping the course will be 5:00pm of the first class. No drops will be allowed after that. Prequisites: Negotiation, LITARB 670 or 670K or Cultural Negotiation LITARB 674 are a co-requisite for this course. Students concurrently bidding to be enrolled in Negotiations may bid on this course. Evaluation: Grades will be based on demonstrated comprehension of the principles of mediation as demonstrated in class participation (25%), self-analysis of videotaped mediation (30%), reflection paper of a court mediation observation (15%), and group project (30%). Text: Mediation: Mediation Representation (3rd Edition) by Harold Abramson. Additional Course Information: First Class Attendance Required, Counts toward Civil Litigation Dispute Res Conc

LITARB 692 The Visual Display of Evidence at Trial (2 Credit Hours) This course is designed to describe and teach the fundamentals of presenting evidence at trial, with a particular focus on how to display complex information and data in a manner this is accessible, understandable, and persuasive to jurors. The course will build on basic trial advocacy techniques and combine faculty lecture and demonstrations with student "on-your-feet" exercises that simulate real-world courtroom experiences. Specifically, students will be asked to prepare arguments and witness examinations incorporating demonstratives and other mechanisms for displaying information. Lectures, discussions and required reading materials will cover topics such as storytelling through visuals, using the high-tech courtroom, the "new" jury, the development of the use of graphics and other demonstratives in the practice of law, and evidentiary issues raised in the electronic world. The course is presented through NU Law’s Fred Bartlit Center for Trial Strategy. It will be taught by experienced trial lawyers from Bartlit Beck LLP. Classes will take place in Bartlit Beck’s own Courtroom and "Forum" in the historic 1892 Cook County Criminal Courts building, located a few blocks from the law school at 54 West Hubbard Street. Prerequisites: None Teaching Method: Simulation, demonstration and lecture Course Materials: TBD Additional Course Information: Satisfies Experiential Learning degree req

LITARB 693 International Arbitration (2 Credit Hours) This seminar is designed to provide an introduction to the law and practice of international commercial arbitration. It will consider the fundamental characteristics of international arbitration including its advantages and disadvantages as a form of dispute resolution; the network of international treaties (e.g., the New York Convention), national laws, procedural rules and guidelines that apply to international arbitration; the role of institutions and other organizations in supporting international
arbitration; and the relationship between international arbitration and national courts. The seminar will cover key topics such as drafting arbitration agreements, selection of arbitrators, conflicts and other ethical issues, provisional remedies, preparing and presenting cases to tribunals (including obtaining evidence, witness testimony, experts, written submissions and hearings), arbitral awards, enforcing agreements to arbitrate, and actions to enforce and set aside arbitral awards. Students will be evaluated on the basis of class participation and a final exam. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 695-L Negotiation (2 Credit Hours) For most lawyers, negotiation is a major part of their professional duties. Of those matters that come into a lawyer's office, the vast majority are resolved by negotiation. Negotiation - communication for the purpose of persuasion - is also a major element of everyday life. This course is designed to give students experience in negotiation, as well as a grounding in negotiation theory. The emphasis of the course is on experiential learning. Students spend most of their time participating in negotiation simulations, as well as discussing negotiation problems. The negotiation simulations cover a wide range of situations. In past years, students have negotiated the settlement of lawsuits, neighborhood disputes, personal services contracts, contracts for the sale and purchase of commercial and residential property, intra-family disputes, corporate takeovers, international disputes and labor disputes.

LITARB 698 Trial Team I (1 Credit Hour) This course is limited to the members of the Northwestern University School of Law Trial Team.

LITARB 699 Trial Team II (2 Credit Hours) This course is limited to the members of the Northwestern University School of Law Trial Team.

LITARB 700 Clinic: Entrepreneurship Law Center (4 Credit Hours) This is an intensive clinical experience under the direct supervision of clinical faculty. It involves the actual, hands-on representation of entrepreneurs, start-ups and not-for-profit organizations. The student will gain practical experience meeting with clients, identifying and prioritizing legal problems, finding solutions and taking whatever actions or drafting whatever documents may be required to assist the client in meeting his or her objectives. The student also gains experience in billing clients and basic aspects of law office administration. Issues most frequently encountered include choice of entity, entity formation, trade name and trademark searches, intellectual property protection, shareholder agreements, operating agreements and other contract drafting. Pre-requisite/Corequisite BUSCOM 631 Entrepreneurship Law is a pre-requisite course for Fall and Spring semesters. BUSCOM 631 may be taken as a co-requisite only in the Summer term. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 700T Clinic: ELC Bay Area Trip (1 Credit Hour) Students enrolled in spring 2017 DPELC clinic may elect to participate in a spring break trip to the Bay Area. The DPELC Bay Area Immersion is designed to expose students to the vibrant west coast entrepreneurial community and provide experiences for them to directly engage in this space. Students who participate in a spring break trip to the Bay Area will meet with clients, conduct workshops and/or office hours at entrepreneurial hubs and attend interactive sessions with prominent guest speakers including entrepreneurs, venture capitalists and lawyers. We will visit accelerator programs and incubators as well as law firms that have start up practices. Housing will be at least partially subsidized, but students will be responsible for their own travel expenses. Students will also assist faculty with building new relationships for the DPELC on the west coast.

LITARB 704 Clinic Practice: Wrongful Convictions and Juvenile Justice (4 Credit Hours) Students in this clinic will participate in the investigation, litigation, and argument of individuals’ post-conviction claims of wrongful conviction, based on innocence and/or violations of his or her constitutional rights, with a special focus on defendants who were arrested and convicted as teenagers or children. Students may also participate in the representation of clients in parole or clemency hearings, the writing of briefs as amicus curiae in cases across the country, and the pursuit of strategic reform/policy work. Through these activities, students will intensively develop their legal writing, oral advocacy, and witness interviewing skills, as well as skills related to the development of case strategy. The course will also examine systemic issues in criminal and juvenile justice, including criminal procedure, access to justice both pre- and post-conviction, and the reliability of forensic and non-forensic evidence. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 705 Clinic Practice: Civil Litigation (4 Credit Hours) Students in this clinic represent clients (under faculty supervision) in civil cases, primarily defending subsidized housing tenants in circuit court and administrative hearings. Students, working alone or in pairs, are assigned primary responsibility for their cases. Depending on the stage of the litigation in the case, students interview clients and witnesses, engage in fact investigation, develop case strategy, draft written discovery, manage discovery disputes, take and defend depositions, and prepare and argue pre-trial motions. If a case proceeds to a trial or hearing, the students handle all aspects of the proceeding. Students regularly appear in court at the Daley Center and at administrative hearings at the Chicago Housing Authority. In most of our cases, we partner with lawyers from LAF and Cabrini Green Legal Aid who provide invaluable assistance and expertise. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 706 Clinic: Juvenile Justice/ Criminal Trials and Appeals/PreTrial Representation (4 Credit Hours) Students in this section of the Clinic will represent clients in juvenile and criminal trials and appeals. Students will also work on issues involving the conditions of confinement in prisons and jails. The purpose of involving students in these cases is to develop skills in interviewing, counseling, investigation, oral advocacy, and writing and to expose students to the strengths and weaknesses of our Justice System. Each student will have individual clients for whom he/she will be responsible. In the more complex criminal cases students will work together in groups. Weekly class sessions will be held during which there will be presentations on cases, skill development, and broad issues affecting the juvenile and criminal justice systems. Readings relevant to our section’s work will be assigned. Students may also become involved in efforts to safely decrease Illinois’ prison population and reduce the state’s overreliance on incarceration. Weekly class sessions will include case presentations, skill development training, and discussion of broad criminal justice issues, including identified systemic flaws and possible solutions. Skills students can expect to develop in this course include interviewing, counseling, investigation, creative problem-solving, and written and oral advocacy. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 708 Clinic Practice: Center on Wrongful Convictions (4 Credit Hours) Students in this clinic section will participate in the Center on Wrongful Convictions’ (CWC’s) representation of imprisoned clients who were convicted of serious crimes and have compelling claims of innocence. This course emphasizes teamwork and collaboration, and students typically work in groups of two or more and meet weekly outside of class on individual cases. Case work may include: visiting and counseling incarcerated clients, interviewing witnesses and other
field investigation, legal or forensic science research, and drafting court documents. Qualifying students may appear in court as permitted by Illinois Supreme Court Rule 711. Weekly class time is devoted to guest lectures by criminal justice leaders and experts, discussion of post-conviction litigation, skills development, and visits by former CWC clients exonerated in high-profile cases. Additional Course Information: Satisfies Experiential Learning degree req

**LITARB 712 Clinic Practice: Center for Criminal Defense (4 Credit Hours)**
This Clinic’s primary focus is the trial level representation of adult defendants facing criminal charges, both Federal and State. Pending cases raise issues involving, among others, perjured informants, self-defense, battered woman’s defense, and malicious prosecution - which may involve a trial for damages on behalf of a former client wrongfully convicted of murder. In addition to frequent and direct client contact, opportunities are often presented for students to participate in courtroom advocacy, including jury trials, pre-trial evidentiary hearings, and sentencing proceedings. PRE-REQUISITES: CRIM 610 Constitutional Criminal Procedure or LITARB 635 Evidence are recommended, but not required. Additional Course Information: Satisfies Experiential Learning degree req

**LITARB 714 Clinic: International Human Rights Advocacy (4 Credit Hours)** Students in IHR Advocacy Clinic will have the opportunity to work on cases or projects using the norms and mechanisms of IHR law. E.g., students may work with NGO activists or victims of human rights violations to prepare submissions to UN human rights mechanisms. Students may have the opportunity to engage in fact-finding trips to countries of concern or to participate in advocacy in Geneva before IHR treaty bodies. Students will increase their substantive knowledge and their practical skills in legal analysis, IHR legal research, strategic thinking, written human rights advocacy, effective interviewing, and working as a team. Additional Course Information: Satisfies Experiential Learning degree req

**LITARB 716 Clinic Practice: Juvenile Justice Trials and Criminal Appeals (4 Credit Hours)** This course will be involved in representing juveniles charged with crimes in the juvenile and perhaps criminal court system. The purpose of involving students in these cases is to develop skills in interviewing, counseling, investigation, oral advocacy, and writing and to expose students to the systemic failures of our justice system, including ineffective assistance of defense counsel, police and prosecutorial misconduct. Student will have individual clients for whom she/he will be responsible and will also work together in groups. Weekly class sessions will be held during which there will be presentations on cases, skill development, and broad issues affecting the juvenile justice systems. Readings relevant to our section’s work may be assigned. Third year students will have the opportunity to represent clients in court. Students will also participate in advocacy efforts relating to juvenile justice reform. Second year student earn 3.0 credits. Third year students earn 4.0 credits. Enrollment is limited to JD candidates. Additional Course Information: Satisfies Experiential Learning degree req

**LITARB 719 Clinic Practice: Federal Criminal Appellate Practice (4 Credit Hours)** Student attorneys work collaboratively in two teams of three students on their primary cases, and work as a unified whole on all of the clinic cases. In their primary appeals, students will take the case from start to finish - from research and briefing in the fall and early winter through oral argument in the spring. NOTE: only 3Ls may participate in oral argument, and participation is not guaranteed. The pedagogical goals are to develop advanced legal-research, legal-writing, analytical and appellate-advocacy skills, to expose students to the intricacies of representing a client on appeal, and to introduce students to the substantive areas of the law in an in-depth and hands-on way. Teamwork and a collegial atmosphere are extremely important in real law practice and those skills are emphasized here. Because the nature of appellate work and the briefing timeline is not limited to one semester, students are strongly encouraged to sign up for a full academic year. REGISTRATION RESTRICTIONS: 3Ls can bid on Section 1 2Ls or 3Ls can bid on Section 2 PRE-REQUISITES/Corequisites CRIM 610 Constitutional Criminal Procedure and LITARB 630A/630H/630J Evidence are strongly recommended, but not required. LITARB 621 Appellate Advocacy is recommended as a pre-req, and should not be taken as a co-req. Additional Course Information: Counts toward Appellate Law Concentration, Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

**LITARB 720 Clinic Practice: Human Rights Advocacy at Home and Abroad (4 Credit Hours)** In this clinical course, students will work on projects that will expose them to diverse forms of human rights advocacy before domestic courts, international tribunals, and foreign courts. The clinic is litigation-oriented, although clinic students will also be exposed to legislative advocacy and may have the opportunity to engage in fact-finding and research regarding human rights violations abroad. A current sampling of projects includes: (1) representation of Mexican nationals on death row in Texas who are facing imminent execution in violation of the Avena Judgment of the International Court of Justice, a case that mandated judicial hearings in the cases of 52 Mexican nationals on death row whose consular rights have been violated; (2) appellate advocacy on behalf of prisoners in Malawi who have been denied the right to counsel, and collaboration with lawyers in Malawi to reduce prison overcrowding and protect the rights of pre-trial detainees; (3) representation of Mohamed al Ghahtani, a prisoner at Guantanamo who was tortured by U.S. interrogators, in federal habeas proceedings; and (4) working with lawyers around the world to promote the implementation of international norms regarding the application of the death penalty. NOTE: There will be a mandatory clinic student orientation hosted by clinic faculty on Sunday, September 8, 2013 from 1:00 to 5:00 pm. Additional Course Information: Satisfies Experiential Learning degree req

**LITARB 721 Clinic: Civil Rights Litigation (4 Credit Hours)** The Civil Rights Litigation Clinic, taught by the professors in the MacArthur Justice Center, focuses on enforcing the civil rights of individuals who are involved with the criminal justice system through complex civil litigation. Students will be assigned to one or more case teams. The students on each team will collaborate as junior counsel with MacArthur Center attorneys in the litigation of a pending case. Typically, students research and draft pleadings and legal memoranda, including briefs to trial and appellate courts; assist with and/or conduct formal and informal discovery; and assist in the in-court presentation of evidence and argument. This course aims to provide students an opportunity to apply the principles they have learned in the classroom in a concrete procedural context where they and an experienced attorney attempt to use the law to achieve concrete goals, including the advancement of social justice. It is hoped that students in the course will face and address issues of professional responsibility in a real life context; that they will reflect upon the connection between their practice and their personal values; and that they will begin to learn how to be effective colleagues. To maximize students’ opportunity to learn and participate in the Center’s complex cases, students are encouraged to enroll both semesters of the academic year. Additional Course Information: Counts toward Appellate Law Concentration, Satisfies Experiential Learning degree req
LITARB 722 Clinic Practice: The United States Supreme Court (4 Credit Hours)  Students will have the opportunity to work with practicing attorneys on matters at all stages of litigation before the United States Supreme Court. Clinic projects will include: (1) researching and drafting merits briefs to be filed with the Court; (2) researching and drafting amicus curiae briefs at the merits and petition stages; (3) participating in moot courts for cases to be argued during the Term; (4) researching and drafting petitions for writs of certiorari; (5) researching and identifying issues and cases that are worthy of petitions for certiorari. While the particular mix of projects will be subject to timing and availability, students can expect ample opportunity to engage in each of the various types of projects over the entire year. During either the fall and spring semesters (or potentially both) students will also have the opportunity to attend oral arguments at the Supreme Court. The goal of the Clinic will be to provide a thorough working knowledge of the Court, its unique procedures and the types of cases that attract the Court’s attention and the kinds of arguments that can capture the votes of a majority of the Justices. Students will develop skills in all aspects of advocacy, including oral presentation skills, with a heavy emphasis on research and writing skills. As a specialized appellate practice, the Clinic most frequently operates as an adjunct attorney; therefore, students should not expect direct client contact. The value of the Clinic lies in the researching, crafting and preparing of briefs at the highest level possible. As the Supreme Court’s Term largely corresponds to the academic year, students are strongly encouraged to enroll in both semesters. The work of the second semester also tends to permit more individual, rather than team-based efforts. In addition, the Clinic’s projects often require unexpected or short-term assignments in light of the nature of the Court’s procedures (e.g., compressed briefing schedules, supplemental briefing, reply briefs). While not exclusively reserved for 3Ls, 2L students with significant course loads and/or extracurricular activities may wish to defer to their 3L year. Additional Course Information: Counts toward Appellate Law Concentration, Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

LITARB 728 Clinic Practice: Immigration Law (4 Credit Hours)  The Immigration Law Clinic is a broad-based clinic representing low-income immigrants in proceedings before the immigration court, Board of Immigration Appeals (BIA), and the Department of Homeland Security (DHS). The cases handled by the clinic are diverse and, depending on the availability of cases, usually include: asylum applicants, appeals of asylum denials, applicants for relief under the Violence Against Women’s Act, immigrants eligible for T (trafficking) visas and/or U (crime victim) visas, as well as green card holders and undocumented immigrants facing removal from the United States. Our previous clients have included children, women and men from countries such as: Honduras, Guatemala, Ethiopia, China, Indonesia, Mauritania, Cameroon, Kenya and Tanzania. As part of the clinic, student lawyers are responsible primarily for interviewing clients and witnesses, conducting factual investigations, drafting pleadings and motions, preparing legal briefs, and representing clients at hearings before the immigration court, the BIA, DHS or the Chicago asylum office. Please note that second-year students are allowed to practice before the BIA, DHS, as well as the Chicago immigration court and asylum office; and, in the past, we have actually had second-year law students litigate cases before these bodies. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 729 Clinic Practice: Environmental Advocacy (4 Credit Hours)  This course is designed to provide a multidisciplinary clinical experience, emphasizing a broad based view of legal strategy, skills development and environmental solutions. Clinic cases generally focus on environmental justice, energy and sustainability, and natural resources protection, including opportunities to work on international sustainability projects. The clinic often partners with leading environmental organizations, including the Environmental Law & Policy Center, Natural Resources Defense Council, and the World Wildlife Fund. The clinic includes a weekly seminar during which students interact with clients and practicing attorneys across a broad spectrum of environmental law practice. The Environmental Advocacy Clinic teaches students to pursue environmental solutions through strategies that incorporate a broad range of legal and advocacy options. Students may participate in environmental litigation, administrative proceedings, legislative and rulemaking proceedings, public advocacy and media activities and work with attorneys, scientists, economists and legislative experts. Through their participation in environmental cases, projects and weekly seminars, students will develop skills in assessing environmental issues and developing strategies, often using multiple legal and advocacy strategies, to address environmental issues. The clinic also focuses on development of lawyering and advocacy skills. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 730 Clinic Practice: Complex Civil Litigation & Investor Protection (4 Credit Hours)  Students will be given the opportunity to learn the practical aspects of complex civil litigation. Complex civil litigation will cover the range of lawyering skills, including client relations, drafting of pleadings, the discovery process, depositions, arguing motions in court, bench and jury trials as well as appeals, and whistleblower suits. In addition, students will be exposed to the economic considerations that are involved in the litigation process and will become involved in marketing, fee negotiation and budgeting, as well as related ethical concerns. Students will work on a range of cases, such as: civil rights litigation, business disputes, real estate, insurance, product liability, personal injury, shareholder rights litigation and securities litigation. Students in this course will also work in the Investor Protection Center, which provides representation to investors with limited income and have disputes with stockbrokers, investment advisers, or securities firms. Students will be given the opportunity to learn the practical aspects of securities mediation and arbitration. Students will be responsible for interviewing and counseling clients, explaining the arbitration and mediation process, investigation and selecting potential arbitrators, conducting discovery, negotiating settlements, and participating in arbitration trials and mediations. Finally students will be exposed to the economic considerations that are involved in securities arbitration. REGISTRATION RESTRICTIONS: 3Ls should bid only on Section 1 2Ls should bid only on Section 2. Additional Course Information: Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

LITARB 733 Clinic: Juvenile Justice: Pre-Trial, Trial, and Post-Disposition Advocacy (4 Credit Hours)  Students enrolled in this clinical course will represent youth in a wide variety of proceedings, including: delinquency trials and pre/post-trial hearings in juvenile court; juvenile appeals; post-conviction proceedings in criminal court; and various collateral proceedings (e.g. educational, criminal records expungement, and registry hearings). Students will also have the chance to engage in groundbreaking litigation related to the recent U. S. Supreme Court decision in Miller v. Alabama (banning mandatory life sentences for youth). In addition to direct representation of clients, interested students will have the opportunity to play a key role in law reform initiatives impacting youth. Additional Course Information: Satisfies Prof Writing degree req, Satisfies Experiential Learning degree req

LITARB 734 Clinic: Second Chances: Juvenile Justice: Post-Sentencing Advocacy and Reform (4 Credit Hours)  This clinic section will focus on supporting youth and young adults who have been in conflict with the law and are now struggling to return to their communities
and a positive life path. Work will include direct representation in a variety of cases and policy projects designed to support reform of the criminal and juvenile justice systems. This year, our case load will also include civil representation and public education regarding barriers to school, housing and employment for young people with prior system involvement. Students can expect to develop many lawyering skills in this course including interviewing, counseling, investigation, legal research, negotiation, written and oral advocacy, and client relations. Students will also have opportunities to represent clients in both trial and appellate courts, as well as administrative hearings, and to participate in reform efforts at the local, state and national levels. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 735 Clinic Practice: Criminal Defense - The Death Penalty (4 Credit Hours) Students will help defend indigent clients in state and federal court who are facing execution. Death penalty defense is complex litigation, comprising many different and challenging tasks, and the work to be done will vary from case to case. Students may research, draft, and revise legal pleadings such as appellate briefs, trial motions, clemency petitions, and applications for habeas corpus relief. At the same time, they may contribute to investigation and fact development - visiting clients on death row, interviewing witnesses, and evaluating evidentiary documents. Students will help brainstorm case strategy, to develop lawyerly judgment. They will generally work in teams, giving them a chance to sharpen the skills that foster effective collaboration - not just with other lawyers, but with professionals in allied fields. All these activities will also give us a rich opportunity to examine the ethical concerns unique to capital defense work and client relations. They will also give us occasion to reflect on the ways in which one may ground work as a lawyer in broader personal or political commitments. Although this clinic focuses on litigation, we aim to emphasize the broad range of settings, from the traditional to the unconventional, in which dedicated and courageous advocacy is possible. Additional Course Information: Counts toward Appellate Law Concentration, Satisfies Experiential Learning degree req

LITARB 736 Clinic: PreTrial Representation and Corrections Policy (4 Credit Hours) Students in this section of the Clinic will represent indigent criminal defendants incarcerated in the Cook County Department of Corrections because of their inability to pay the bail amounts required for their pretrial release. Students will be assigned to represent individuals by submitting in writing and arguing in court motions to reduce set bail amounts to affordable levels or for release under agreed conditions. To prepare such motions, students will, at a minimum, interview their clients in jail, collect and verify critical facts, seek supporting documents and individuals, and explore available supervision, treatment, education or other suitable options. Students will also have the opportunity to use their experiences providing direct bail representation as the foundation for other policy-oriented advocacy projects designed to improve Cook County's criminal justice system, particularly its current pretrial release and bail-setting practices. Students may also become involved in efforts to safely decrease Illinois’ prison population and reduce the state’s overreliance on incarceration. Weekly class sessions will include case presentations, skill development training, and discussion of broad criminal justice issues, including identified systemic flaws and possible solutions. Skills students can expect to develop in this course include interviewing, counseling, investigation, creative problem-solving, and written and oral advocacy. This course is a collaborative effort with the Office of the Cook County Public Defender. Students are strongly recommended to reserve at least one class-free weekday. Registration requirements Enrollment is limited to second- and third-year JD candidates eligible to receive certification under Illinois Supreme Court Rule 711. Evaluation method Quality of representation is the primary criterion for evaluation. Students are expected to be diligent, zealous and creative in the representation of their clients. Class Materials There will be reading assignments, but no required books. NOTE: There will be a mandatory clinic student orientation hosted by clinic faculty on Monday, September 7, 2014 from 1:00 to 5:00 pm. Additional Course Information: Third year students only

LITARB 737 Clinic: International Human Rights LLMs Fieldwork (4 Credit Hours) International Human Rights LLM students will work under the supervision of Professor Tom Geraghty and Visiting Professors Adam Stapleton and Kathryn English on human rights/access to justice projects in developing and post-conflict countries. Possible projects will include representation of prisoners in Malawi and access to justice projects in Kenya and Ethiopia. Students will be required to attend weekly classes sessions while in the U.S. and will also be required to submit a final paper. Students may have the option of travelling to Malawi in 2015 - January 1-11, March 21-29 or after classes/before graduation. Registration Requirements: This course is open to LLM IHR students only. This is not a biddable course. Enrollment by permission of the instructors. The bid point cost for this course is 100 points (25 points per credit). Students planning on taking this course must set aside 100 bid points to be able to enroll in this course after receiving instructor permission to enroll.

LITARB 738 Clinic: Mediation Advocacy (4 Credit Hours) This clinic focuses on two important developments in the practice of law: 1) the increasing use of mediation to resolve disputes and 2) the impact of technology on the future of legal services. In most jurisdictions, well over 90% of civil cases settle before trial through a variety of settlement processes including mediation and judicial settlement conferences. The Mediation Advocacy Clinic (the MAC) provides students with an opportunity to advocate for a live client in a mediation. MAC students will engage in specific tasks including: -reviewing the strengths and weaknesses of the client’s legal case; -identifying the interests and alternatives of all parties; -preparing a negotiation strategy for the mediation; -working with the client on how best to present themselves and their case in the mediation; -working with the other side on creative solutions; -enlisting the support of the mediator; and -maximizing the outcome for the client. The arrangement with all MAC clients will be a limited representation agreement and will focus solely on preparing for and representing the client during the mediation phase of any litigation or proceedings. We will partner with the EEOC, The Lawyers Committee for Civil Rights, The Chicago Commission on Human Relations, and other organizations to obtain cases. In addition to partnering with one of these organizations, students will use the Access to Justice (A2J) Author computer-based platform to design and create an interactive guide pro se clients can access online to prepare for a mediation. By designing a guide using A2J Author, students must not only demonstrate an understanding of effective client interview strategies, but will also have the opportunity to explore unique issues technology presents in today’s legal practice. Integrating A2J Author in the MAC increases students’ exposure to emerging technologies, enhances their technology fluency, and increases the MAC’s impact to include pro se clients outside the Chicago area. Pre-requisites: Negotiation, LITARB 670 or 670K or Cultural Negotiation LITARB 674 are a pre-requisite for this course. As in all clinics, students must be Rule 711 eligible (having completed at least half of your total hourly credits required for graduation). Both 3Ls and second-semester 2Ls are responsible for obtaining certification to practice as student attorneys under Illinois Supreme Court Rule 711. Text: Tomorrow’s Lawyers: An Introduction to Your Future 1st Edition by Richard Susskind Please note: This is a one-semester clinic only offered in Fall 2017 and
will not be offered in the Spring 2018 semester. Mandatory Clinic Student orientation on Monday, August 28th at 12p in Lincoln Hall.

LITARB 739 The Nature of Juridical Proof (3 Credit Hours) Prof. Allen, and a former student at NU, now a professor at Alabama, Michael Pardo, are writing a book to be entitled The Nature of Juridical Proof. The book will be an inquiry into the conceptual foundations and the empirical reality of American evidentiary practice. Its scope will thus range from conceptual inquiry into such things as the nature of inference, probability, and plausibility to intensely practical questions such as the actual operation of relevancy, the hearsay rule and the uses of expert testimony. The seminar will be a good complement to the basic Evidence class (which is a prerequisite) for either the potential litigator who wants a deeper understanding of the field of evidence or the person with intellectual interests in evidence and inference. The readings will be either selected articles on the pertinent topic, or drafts of chapters if they are available (we are just beginning the project). The class will be conducted mostly as a discussion group. A paper will be required on some topic related to evidence, which each member of the seminar can choose; the topic need only be related to the field of evidence and need not map directly onto the subject matter of the book. The papers will be presented to the class for discussion and critique. A second draft will be required, and thus the seminar will satisfy the Research Writing requirement. The students who take the seminar will receive acknowledgements in the published book. Pre-req: Evidence. Additional Course Information: Satisfies Research Writing degree req

LITARB 740 Civil Rights Lawyering Seminar (3 Credit Hours) This seminar explores a variety of aspects of civil rights lawyering, both historically and currently. It examines the lawyers and their organizations, roles, strategies, and challenges, as well as the relationship between litigation and social movements and community organizing. It is not a doctrinal class. It is not focused on civil rights constitutional case law or civil rights statutes, except as they arise as part of the examination of the lawyers and lawyering. By the end of the seminar, students should understand the creation of civil rights lawyers, the roles they have played, the strategies employed by civil rights lawyers, the challenges they have faced, and the relationships between civil rights lawyers and social movements. This is a three credit Research Writing course. It requires a paper that meets the requirements for such courses, in terms of its length and the draft and revision requirement. In light of the purpose and scope of the seminar, the readings will focus on law review articles, book chapters, and two books related to civil rights lawyering. There will be a course pack, and you will need to purchase the two books: 1. Bryan Stevenson, Just Mercy 2. Tom Witosky and Marc Hansen, Equal Before the Law, How Iowa Led Americans to Marriage Equality This seminar satisfies the Research Writing requirement. Additional Course Information: Satisfies Research Writing degree req

LITARB 741 Clinic: International Human Rights Law and Practice (4 Credit Hours) Students will work on projects using international human rights law, norms and mechanisms in partnership with international organizations, domestic NGOs and human rights experts. Work will be focused in the domains of health and human rights. Given the nature of the field, the project will be interdisciplinary and involve research and collaboration with doctors and public health specialists. In particular, the field, the project will be interdisciplinary and involve research and collaboration with doctors and public health specialists. Students will also contribute to UNDP work in the area of TB and HIV/AIDS, including developing their organizational strategy on how to remove human rights-barriers to accessing TB services and protect the rights of people with TB. Students may also participate in an infectious disease law reform workshop in Beijing, China, to promote better law and policy governing the prevention, testing, treatment and care of TB and other infectious diseases. PRE-REQUISITES/RESTRICTIONS: This section is open to JD, LITARB, and IHR students. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 741-0 Clinic: International Human Rights Law and Practice (4 Credit Hours) Students will work on projects using international human rights law, norms and mechanisms in partnership with international organizations, domestic NGOs and human rights experts. Work will be focused in the domains of health and human rights. Given the nature of the field, the project will be interdisciplinary and involve research and collaboration with doctors and public health specialists. In particular, students will work on the global health challenges presented by HIV/AIDS and tuberculosis (TB) using a human rights-based approach. Partners will include the UN Development Program (UNDP), UN Stop TB Partnership, University of Chicago Department of Medicine, and domestic NGOs in Kenya and India. Students will research, draft and promote use of a judicial handbook titled TB, Human Rights and the Law. The handbook will be a resource for judges around the world to inform them about the disease and human rights-based approaches to adjudicating cases involving people with TB. Students will also contribute to UNDP work in the area of TB and HIV/AIDS, including developing their organizational strategy on how to remove human rights-barriers to accessing TB services and protect the rights of people with TB. Students may also participate in an infectious disease law reform workshop in Beijing, China, to promote better law and policy governing the prevention, testing, treatment and care of TB and other infectious diseases. PRE-REQUISITES/RESTRICTIONS: This section is open to JD and IHR students. Additional Course Information: Satisfies Experiential Learning degree req

LITARB 742 Artificial Intelligence, Technology, and Ethics (2 Credit Hours) The modern lawyer must have at least a basic understanding of the latest technological innovations to remain competent and competitive in today’s legal market. In this course, we will study the application of AI and legal informatics to the legal profession while focusing on the ethical concerns inherent in the adoption and use of Al by lawyers. We will also examine the ethical ramifications of similar technological advances, including the adoption of lawbots, social media concerns, and the use of data-mining and algorithms in e-discovery, lawyer advertising and setting fees. Students will be allowed to explore innovations that interest them. Registration Requirements: A legal ethics course is recommended but not required. Evaluation Methods: Three short papers, possible other more minor assessments, attendance and class and group participation. Class Materials: Students should have access to a laptop computer. All other course materials will be posted on Canvas.

LITARB 743 Legal Ethics in Motion (2 Credit Hours) This course is designed to bring legal ethics to life, by using hypothetical complex ethics problems that will result in a mock disciplinary proceeding, thus furthering students’ study and application of Legal Ethics and enhancing students’ skills in civil procedure, discovery and litigation. Students will engage as lawyers in a simulated disciplinary matter complete with discovery and motion practice while considering compliance with civil procedure and regulatory rules. The course will include assignments involving investigation of a matter in preparation for litigation, preparation
of pleadings, preparation of motions and briefs, interview of witnesses, preparation of witnesses for depositions, and presentation of testimony in a trial. The course will satisfy the ABA's experiential and the proposed professional writing requirement. This course is not intended to satisfy the ABA ethics requirement and is intended to follow an ethics course (the traditional Legal Ethics course, the ITA course, Legal Ethics for the Business Lawyer, Legal Ethics for the Global Legal Practitioner, or Legal Ethics for the Public Interest and Government Lawyer). Accordingly, students should have a basic understanding of legal ethics and ethical issues before enrolling in this course. Evaluation Method: Written exercises and oral presentations

Class Materials: Professors will provide all written materials. Additional Course Information: Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

LITARB 800-L Civil Procedure (2 Credit Hours) This course focuses on the structure and organization of the federal and state judicial systems, jurisdiction over the person and subject matter, process and pleadings, parties, joinder of claims, pre-trial motion practice, discovery of evidence, division of functions between judge and jury, in-court procedures, posttrial motions, and appellate review. The course is litigation practice-oriented and uses the Federal Rules of Civil Procedure and the California Code of Civil Procedure as models. Where possible, the course will incorporate international civil dispute resolution into the readings and discussions. Final Examination.

LITARB 802-L Legal Ethics (2 Credit Hours) All lawyers must possess the skills to efficiently identify and resolve ethical dilemmas. This course will explore the most common ethical issues facing the legal profession. We will focus on the ABA Model Rules of Professional Conduct and the California Rules of Professional Conduct and address how these Rules shape and govern attorney behavior and decision-making.

LITARB 802E Legal Ethics: The Law of Professional Responsibility (2 Credit Hours) This course is an examination of some of the ethical problems encountered in practice, as well as a general introduction to the American civil and criminal procedure contexts in which those ethical problems are resolved. Topics include: an attorney's duties of competence to and communication with clients, representing conflicting interests, attorney-client privilege, preserving client confidentiality, ethical issues in the context of class action and other aggregate settlements, the role of the judge and jury (including judicial and jury misconduct), and court and bar sanctions for misconduct. Final examination.

LITARB 804E Evidence (2.5 Credit Hours) This course is designed for the Executive LLM program. The law of evidence provides the grammar rules of the distinctive language practices that prevail in the American trial. These rules have traditionally been thought to support the rule of law by enhancing the accuracy of the trial "fact-finding" and by keeping the inquiry focused on the issues indicated by the substantive law. The Evidence course will examine the rules of evidence, usually focusing on the dominant Federal Rules of Evidence. These rules include relevance, hearsay, expert testimony, impeachment of witnesses, rules surrounding the use of exhibits and evidentiary privileges. The course may also explore the relationship between these rules and the function of the trial in our legal order, the methods best calculated to result in reliable knowledge of past events, and the moral and political values that shape and qualify our search for such knowledge.

LITARB 809I Trial Advocacy (2 Credit Hours) The aim of this course is to help students develop skills as trial advocates, including basic techniques of direct examination, cross examination, and argument. The scope of the course includes: ? Development of an analytical framework for advocacy problems. ? Appreciation of the obligations of the advocate to his/her client. ? Recognition of limits of advocacy. ? Experimentation with different modes and styles of advocacy. In order to accomplish these goals each student will perform as trial counsel in a variety of simulated courtroom exercises. Every student will engage in direct examination, cross-examination, opening statements and closing arguments. In addition, every student will act as counsel in one trial. This course is taught in the "simulated courtroom" method. For each session, you will be assigned to perform as trial counsel in one or more advocacy problems. For the most part these problems will consist of direct and cross examinations. The witnesses may be played by members of the faculty, but frequently you will be called upon to play the witness (especially in those problems for which you have been assigned a direct examination). At the beginning of each class session court will "convene." From that point onward you are expected to act in the role of trial counsel at all times other than during critique or discussion. Critique At various times during each class session the student performances will be critiqued by the faculty. The purpose of critique is to help you evaluate the strengths and weaknesses of your own performance, with an eye toward future improvement. Our goal in critique is not to criticize you either as an advocate or a person, but rather to alert you to any mistakes and to make specific and forward-looking suggestions. Lectures and Demonstrations Although it is necessary to practice trial skills in order to learn and assimilate them, the theory and analysis of trial advocacy are often best conveyed through lecture and demonstration. Thus, many class sessions will either begin or conclude with lecture and/or demonstration of specific skills and techniques. The point of the demonstrations is not to give you a model for imitation, but rather to give you a basis for analysis and understanding. In the course of each demonstration you should ask yourselves: (1) why the instructor chose a certain approach to the problem, (2) whether it was effective, (3) whether the approach was consistent with the instructor's theory, and (4) how and why you might have approached the problem differently. Faculty In addition to Prof. Lubet, the faculty for this course will include a group of outstanding trial lawyers from different practice backgrounds. A list of the adjunct faculty, including their addresses and telephone numbers, will be distributed.

LITARB 890 Litigation (3 Credit Hours) This course is limited to Executive LLM students only. Instruction occurs overseas.

LITARB 890M Litigation and Alternative Dispute Resolution (2 Credit Hours) Executive program only. Madrid Instruction.

LITARB 891 Civil Procedure (2.5 Credit Hours) Civil Procedure is the field of law that governs how civil lawsuits are brought and resolved in United States courts. Civil lawsuits are legal disputes between people or organizations that arise when one person or organization has harmed another. Examples of civil lawsuits are commercial disputes, personal injury cases, civil rights cases, and property rights cases. What makes Civil Procedure different from your other courses is that you will not be learning the law that governs breaches of contract or civil rights violations or personal injuries. Instead, you will learn the rules that govern how those disputes are resolved in American courts. Specifically, you will learn how a lawsuit begins, how the parties get important information from each other during the lawsuit, how judges manage and decide civil cases, and how U.S. courts get the power to decide civil cases in the first place. LLM Executive Program Only.

LITARB 895 Clinical Study on Negotiation and Mediation (3 Credit Hours) Limited to Executive LLM candidates. Teaching location overseas.
LITARB 895E Negotiation [Executive LLM Tel Aviv] (2 Credit Hours)
Negotiation is one of the most important skills you will learn as an attorney. No matter how excellent your ideas, or how sophisticated your analyses, most achievements in the practice of law require the ability to effectively communicate with and influence others. Whether negotiating with your clients, other attorneys, judges, your boss, your subordinates, your colleagues, your spouse, friends or enemies, this course will offer techniques and tools to enhance your power and ability to achieve your objectives. Negotiation is something you learn by doing, so the emphasis of the course is on experiential learning grounded in negotiation theory. Students spend most of their time participating in negotiation simulations, as well as discussing negotiation problems. Students are observed in their negotiations and receive feedback. The negotiation simulations cover a wide range of situations, such as negotiating the settlement of lawsuits, neighborhood disputes, personal services contracts, and employment disputes. This course is the equivalent of LITARB 670K (Negotiations KSM) and also Cross-Cultural Negotiations. Students may take only one for credit. Teaching method: Some lecture, discussion and simulation.

LITARB 895M Negotiation (2 Credit Hours)
Most lawyers, negotiation is a major part of their professional duties. Of those matters that come into a lawyer’s office, the vast majority are resolved by negotiation. Negotiation: communication for the purpose of persuasion is also a major element of everyday life. This course is designed to give students experience in negotiation, as well as a grounding in negotiation theory. The emphasis of the course is on experiential learning. Students spend most of their time participating in negotiation simulations, as well as discussing negotiation problems. Students are observed in their negotiations and receive feedback. Several negotiations are videotaped for later viewing and feedback. The negotiation simulations cover a wide range of situations. In past years, students have negotiated the settlement of lawsuits, neighborhood disputes, campus disputes, personal services contracts, contracts for the sale and purchase of commercial and residential property, intra-family disputes, corporate takeovers, international disputes and labor disputes. The class meets either one afternoon or one evening per week. There are required meetings with other students outside class hours in order to negotiate or prepare for negotiations. All students must attend all classes (exceptions only for illness). A student who is not present at the first class for any reason other than illness, reported to the instructor on or before the day of the first class, will be dropped from the course. The last date for dropping is the first meeting day. No drops will be allowed after that date. Evaluation: Demonstrated comprehension of the principles of effective negotiation exercises, team project and prenegotiation analysis. This course is the equivalent of LITARB 670K (Negotiations KSM) and also Cross-Cultural Negotiations. Students may take only one for credit. Teaching method: Some lecture, discussion and simulation.

LITARB 896 Intensive Clinical Practice (12 Credit Hours)

LITARB 897M International Arbitration (1 Credit Hour)
In the beginning of the twenty-first century International Commercial Arbitration is the normal means of resolving international commercial disputes. National laws on arbitration have been modernized on all continents. International treaties on arbitration have been signed or adhered to with impressive success. The class on international commercial arbitration is destined to give an overview of today’s international arbitration practice as a modern mechanism to settle commercial dispute. It shall intensify the knowledge of those practitioners who are regularly involved in arbitration proceedings around the globe. Essential practical topics such as drafting the arbitration agreement, the choice of the place of arbitration and the applicable law, the conduct of arbitration proceedings from filing the request until rendering an arbitral award and the particularities of ad-hoc and institutional arbitration proceedings will equally be dealt with as well as more complex topics such as the particularities of arbitration as a Dispute Resolution mechanism in Mergers and Acquisitions and of Investment Disputes.