

Selected Course Descriptions/Information for Fall 2022

This document provides a description for some courses (like seminars, which satisfy the upper-level writing requirement for graduation unless otherwise indicated,) that are not described in the online course catalog, or for which we'd like to provide you some additional information.

Seminar Descriptions

910. Judicial Policymaking and U.S. Legal Institutions in Comparative Perspective, Professor Swedlow (3 credits). In this seminar, we will study cause-based, high impact, public interest litigation - including suits to advance civil liberties, women's rights, labor rights, same-sex marriage, and environmental and health protection - and attempt to identify the conditions for successful and unsuccessful litigation campaigns and judicial policymaking. The focus here is on U.S. litigation and judicial policymaking but includes comparisons to Britain, Canada, and India. We will also attempt to understand the distinctive features of the U.S. legal system that give courts, lawyers, and litigation a uniquely prominent role in shaping public policy by comparing our civil, criminal, and regulatory systems to those found in other places, including Brazil, Britain, the European Union, Japan, and Mexico.

932. Law and Literature, Professor T. Williams (3 credits). Storytelling is endemic to law. At its most basic, law consists of stories told through legal cases, and even statutes. No matter how strictly a legal matter may be argued, it will always be a story, an interpretation of some aspect of the world that is historically and culturally formed within the human personality. Hence, everyday legal practice is heavily dependent on expertise in narrative thinking and understanding. In addition, literature by non-lawyers teaches us how law impacts the culture in the world outside of law, and may even impact the law itself. This interdisciplinary seminar will explore classical and modern literary texts (Shakespeare, Sophocles, Dickens, Zora Neale Hurston, and Flannery O'Connor, among others), that illuminate the law, and legal texts that demonstrate the rhetorical possibility of the law, and in so doing, examine the ways that both can make one a better lawyer. Students will be required to write a research paper that they may use to satisfy the upper-class writing requirement, make one or more class presentations, and participate in class discussion. Class assignments will consist of literary works and commentaries on these works, as well as, legal texts, and occasionally, film and other audio-visual material. The seminar is structured to encourage active listening and thoughtful discussion, as well as critical thinking and writing.

933. Theories of Power in Constitutional Law, Professor Elinson (3 credits). This course will explore how power is exercised under the Constitution. Two questions will motivate our inquiry. Who has power? And where does it come from? In search of answers, we will consider a number of pressing issues in contemporary public law—among them, the appropriate balance of power between the three branches of government, the limits (if any) on presidential authority, the sources of judicial power, the challenges of legislating in a polarized age, the place of

administrative agencies in the constitutional scheme, and the role of extraconstitutional institutions, including political parties, social movements, and for-profit businesses. Course readings will be drawn from judicial opinions, scholarly and popular articles, and primary historical sources. In addition to submitting questions for class discussion and brief reactions to the readings, students will produce a piece of writing that satisfies the College of Law's writing requirement.

934. Women, Law, and Changes in the Global Economy, Professor Arriola (3 credits). A research seminar addressing patterns of gender inequality in the changing global economy. We will address free versus fair trade, the effects of climate change, gendered labor markets, COVID, and international migration. The course invites students to research and produce a paper where they will use gender as a category of analysis (i.e., societal views of people's expected gender roles) to ask, where is the law today in efforts to address the problems of a changing global economy? This seminar will satisfy the graduation writing requirement for NIU College of Law. Students will have several weeks of readings and discussion, in small or paired teams and will turn in 1- page weekly writings of applied analysis. Students are then guided in the production of a 25-30 page researched and footnoted legal writing in the form of an essay or law review type draft.

935. International Law and Armed Conflict: The War in Ukraine, Professor Gwiazdon (3 credits). This course will explore the acts of aggression by the Russian Federation in Ukraine, beginning with the annexation of Crimea, as a case study of the evolution of jus ad bellum, or the laws governing the use of force and its claimed justifications, and jus in bello, or the laws governing the conduct of parties engaged in hostilities, otherwise known as international humanitarian law. In addition to state responsibility, it will also consider implications for individual responsibility for international crimes, including genocide, crimes against humanity, war crimes, and torture. It will highlight key institutions and actors in national and international law concerning warfare, as well as important substantive developments in history, from WWII to the 'War on Terror', including discussions on cyber-warfare and advanced weapons technology. It is recommended, but not required, to take International Human Rights (646) and/or Public International Law (690) prior to this course.

New Clinic Course Offering

830. Business Law Innovation Clinic (4 credits). The Business Law Innovation Clinic provides students with experience handling a variety of business law matters on behalf of non-profit entities, underserved entrepreneurs, and small businesses in De Kalb County and the surrounding areas. Students gain transactional experience and develop interviewing, client counseling, client development skills, and relationship-building habits with clients, legal research and writing skills by drafting documents such as incorporation documents, bylaws, and a broad range of agreements. Students also gain experience and develop negotiation skills by representing clients in business law matters, including Business Enterprise Certifications and

trademark registration. Students will learn the habits and skills of successful private practice, such as time management, time keeping, organization, attention to detail, and developing and managing strong client relationships. Students are expected to attend a one-day clinic orientation, participate in a seminar that meets once a week for one hour and fifty minutes, and spend a minimum of twelve hours working on client related matters which includes working a minimum of eight hours at the clinic space in Swen Parson Hall each week.

Pre-/Co-requisites: Professional Responsibility (643) and Introduction to Lawyering Skills (720) must be taken prior to or during the same semester as enrollment in the Business Law Innovation Clinic. Business Associations I (640) must be taken prior to or during the same semester as enrollment in the Business Law Innovation Clinic or students must have permission of the instructor to enroll in the Business Law Innovation Clinic.

This course is offered every semester.

Notes on Other Courses

710. Legal Analysis: Skills & Strategies (2 credits). Those students who have the ten lowest cumulative GPAs in their class at the end of the spring semester of the second year of law school are required to enroll in the Legal Analysis: Skills and Strategies course during the fall or spring semester of their third year of law school. All students who are graduating in December of their third year must take the course in the fall semester of their third year. The remaining slots in this limited enrollment course will be open to all members of the third-year class. If the class is over-subscribed, enrollment preference will be given to students ranked in the bottom half of their class at the end of the spring semester of their second year of law school.

This course focuses on instruction designed to help students improve their test-taking skills for each of the three components of the bar examination: multiple choice questions, essay questions and the Multistate Performance Test (MPT). Basic skills such as outlining, memorizing, organization and analysis will be reviewed and assessed. Other skills, including time-management and self-assessment, will also be addressed. This course is pass/fail.

725. Trial Advocacy (3 credits). This course meets twice a week. There are two sections of the course. All students in each section will be enrolled in a common classroom session that is taught on Tuesdays at 4:00 to 5:00 p.m. When you enroll, you must select one weekly courtroom session—*either* the section that meets on Wednesdays from 6:00 to 8:00 p.m. *or* the section that meets on Thursdays from 6:00 to 8:00 p.m.

Mandatory Bar Courses

All students who possess a grade point average below 2.60 at the end of the spring semester of their 1L year must take and pass six “bar courses” prior to graduation:

- Business Associations I (offered in fall and spring);
- Criminal Procedure: Police Investigations (offered in spring);
- Evidence (offered in fall and spring);
- Family Law (offered in spring);
- Secured Transactions (offered in fall); and
- Trusts & Estates (offered in spring).

This requirement must be met by students who matriculated in fall 2017 and later.

Upper Level ASP

Second-year students with cumulative first-year GPAs between 2.2 and 2.4 and students on academic probation or subject to discretionary enrollment that mandate participation are required to participate in the upper-level Academic Success Program, which is designed to furnish additional training by giving students the opportunity to improve fundamentals such as outlining and note-taking skills and by providing individualized feedback on practice exam questions. The upper-level ASP consists of weekly sessions during the first semester of second year and is administered and taught by the Legal Writing/ASP professors.

Upper-level ASP will meet on Wednesdays at 2:00 to 2:50 p.m. You will not register for upper-level ASP, but you will be notified about your required participation in it.