MEMO TO: All Rising 2L and 3L J.D. Students, and S.J.D., LL.M. and MSL Students
FROM: Timothy Davis, Executive Associate Dean for Academic Affairs
DATE: 11 March 2016
SUBJECT: Elective Courses to Spotlight for Fall 2016 Registration

You already received a working draft of the class schedule. All rising 2L and 3L students also will receive a memo that summarizes the degree requirements for J.D. students. This memo directs your attention to some noteworthy elective courses that deserve your attention this semester.

NOTEWORTHY ELECTIVES

The fall 2016 class schedule includes a number of new elective courses, along with courses that are returning to the lineup after not having been taught recently. We are very excited about all of our courses, but I fear that you will overlook some of the electives that have not developed a reputation. You can find a description of these electives, along with more familiar courses, online at http://www.law.wfu.edu/academics/courses.

457-0 Introduction to Private Equity Law (1 credit-hour short course)

This seminar provides an introduction to private equity (PE), including an overview of the common types of PE funds, how these funds are typically structured, and how PE and venture capital (VC) firms go about structuring and negotiating investment terms. The course will also touch upon the fund-raising process as well as evaluation and performance measurements.

A basic course on business entities (i.e., Business Organizations) is required. Though not required, it would be helpful if students had a rudimentary grasp of federal tax laws and securities laws and familiarity with finance vocabulary. If you do not have these prerequisites and would still like to take this course, please contact one of the professors via email explaining why the prerequisites should be waived.

This new course will be co-taught by Arshad Ahmed and Abrar Hussain, co-founders of Elixir Capital Management, a private equity fund manager focused on growth-stage emerging market investments. Before launching Elixir Capital, Mr. Ahmed and Mr. Hussain were partners in the San Francisco office of Kirkland and Ellis.
458-0 Essential Business Concepts (2 credits)

As a matter of baseline knowledge, law students should have a better understanding of business entities and our complex economy. The purpose of this class is to give students a working knowledge of essential concepts in business. The class focuses on teaching useful intellectual skills associated with a working knowledge of accounting, financial statement analysis, finance, valuation, capital structure, financial instruments, capital markets, corporate transactions, operations, and business strategy. The course concepts are interconnected and their mastery serves two purposes: (1) to better appreciate a business client’s legal problems; and (2) to better appreciate concepts seen in other upper-level courses such as Business Organizations, Securities Regulation, Corporate Finance, Bankruptcy, Taxation, Business Planning, Mergers & Acquisitions, and any other business-related course.

The course is organized into three main parts covering essential concepts in (1) accounting and financial statement analysis, (2) principles of finance and valuation, and (3) financial instruments and capital markets.

Professor Chris Meazell, http://law.wfu.edu/faculty/profile/meazelcl/, will teach this new course.

Aviation Law, 529-0 (2 credits concentrated format)

This course, which returns after a hiatus, will be taught by Bruce Brandon, http://law.wfu.edu/faculty/profile/brandohb/. Topics to be covered include aircraft accidents and their investigation, the Airline Deregulation Act, airport law, treaties affecting aviation, insurance law, federal aviation statutes and regulations, Administrative Law, the Federal Tort Claims Act, Foreign Sovereign Immunities Act, the Railway Labor Act, passenger rights and a variety of other areas. Jim Johnson, Senior Counsel for ALPA (Air Line Pilots Association), will give us a presentation (at WFU) on the Railway Labor Act, the governing law for airline employees.

In addition to the classroom lectures, there will be at least one optional field trip. It will be to the NTSB in Washington, DC and is tentatively scheduled for October 28, 2016. There, presentations will be made by NTSB, DOJ and FAA and Airlines for America (A4A). After their presentations, students will tour the NTSB accident investigation laboratory. From there, they will proceed to the Air & Space Museum and have a tour. The class has also been invited to tour the Gulfstream factory (they make the G-600, G-5, etc.) in Savannah, GA and have presentations made. (Details to be worked out). Prof. Brandon states that there will be help for those who need help financially or with transportation.

This course will be offered in a concentrated format; except for field trips, the class will be completed before Fall Break. This course will be offered either graded or pass/fail.
530 - Natural Resources Law (2 credits)

This course returns to our lineup after a long hiatus. Natural Resources Law governs the management of our lands and waters in ways that can both provide opportunities to address emerging environmental issues and challenges but can also impede the same with significant effects on society’s ability to achieve a sustainable environment and economy. This seminar surveys the major statutes and doctrines involving federal public lands and natural resources related to the use of the Nation’s water, mineral (the General Mining Law of 1972), public lands, recreation (the National Parks and National Wildlife Refuges), wildlife (the Endangered Species Act of 1972) and archaeological, cultural and historic resources. Readings will utilize both textbook and handouts and emerging and dynamic trends in the field will be emphasized. Grades will be based on class participation and a paper written to satisfy the upper level writing requirement.

Natural Resources will be taught Don Jodrey, Senior Advisor to the Assistant Secretary for Fish and Wildlife and Parts, U.S. Dept. of the Interior. Mr. Jodrey advises the Secretary, Assistant Secretary, Bureau Directors and other senior executives within Interior and the federal government on large landscape-level conservation efforts, including the restoration of the Everglades and the Gulf Coast. Mr. Jodrey received his J.D. in 1996 from The American University’s Washington College of Law; his M.P.A. from The American University (1986) and his B.A. in Politics from Wake Forest University (1984).

567 - Law and Economics LAW 567 (2 credits)

This course is offered in many, if not most US law schools. It is designed to be an introductory course for students who have little or no prior background in economics. The core of the course applies approaches from traditional economics (as well as, behavioral economics, socio-economics and public choice) to key substantive areas of the law such as torts, property, contracts, criminal law and civil procedure. In each case, the economic approach is discussed in non-technical terms and used to discuss and analyze several key cases in these areas.

Unlike typical courses in Law and Economics, this course will also offer students material on antitrust economics, economic issues in bankruptcy, corporate law, international economic law, basics of empirical methods and assorted topics such as estimating the value of business losses, personal injury claims etc.

While the methods and perspective employed in the bulk of the course will be grounded in traditional economics, use will also be made of insights from related fields such as behavioral economics (which recognizes systematic deviations from individual rationality), socio-economics, public choice and political economy. In this way, students will gain a richer understanding of legal rules and institutions by examining them through the perspectives of several related disciplines.

This course will be taught by Professor Jagdeep Bhandari who is visiting with us. Professor Bhandari holds J.D. and LL.M. degrees as well as a Masters and Ph.D in Economics. He has had a distinguished career teaching in both law schools and the economics departments of
several universities. This academic year, Professor Bhandari has taught International Business Transactions and is currently teaching Antitrust and International Trade Law.

581 - Native American Law (2 credits)

Since the 1970’s the political and economic significance of Native American tribes has steadily grown. Today, there are 567 federally recognized Native American Tribes and Indian Communities located throughout the country. They vary in population from the Navajo in Arizona and New Mexico with over 300,000 tribal members to the Augustine Band of Cahuilla Indians in California with less than 20. They have expanded their investments beyond the traditional reservation boundaries and are owners of banks, mortgage companies, hotels, restaurants and other enterprises. Each of these tribes is a separate sovereign entity. Therefore, today Federal Indian law impacts every practice area – from the domestic attorney who is trying to determine the custody of a child with ties to a tribe, to the corporate attorney representing a company that seeks to do business with a tribal nation but wants to insure his client has a remedy in case of a contractual breach due to the tribe’s immunity, to the county or state attorney who seeks to regulate activity on tribal land. This growing practice area is exemplified by the fact that during the 2015-2016 term of the Supreme Court, five cases are being considered affecting Indian law issues.

This course is an introduction to Federal Indian law, examining the current status of key Indian law issues including tribal sovereignty, sovereign immunity, regulation of tribal lands by the federal and state government, criminal and civil jurisdiction over Indians and acts occurring on Indian lands, protection of sacred sites, the Violence Against Women Act in Indian Country, and the federal government’s trust responsibility to Indians and tribes. Native American Law will be taught by David Smith who practices in the Washington, D.C. office of Kilpatrick Townsend and who regularly litigates matters on behalf of individual Indians and tribes. The class will be taught both live and occasionally by computer. In addition, during class guest speakers, often tribal advocates, will join the class through the internet to discuss specific issues of interest.

NEW SPRING COURSES PENDING FACULTY APPROVAL

I also wish to make you aware of a couple of new courses that will likely be offered spring 2017. Because they are pending faculty approval, they do not appear on the list of courses offered.

Compliance and Risk Management: This course will explore a range of topics within the corporate compliance framework. The goal is to provide a focus on the critical components of corporations that rely on compliance and discuss how that translates into opportunities for lawyers.

Specifically, the course will focus on the governance structure of compliance and risk management as well as best practices. This will include how those programs are operated and monitored while leveraging case studies and guest speakers. Federal rules will also be
utilized to understand the practical application of compliance within an organization so as to enable students to understand the role compliance plays in the overall success and sustainability of an organization.

**Privacy Law:** The commercial Internet combined with the growth of data gathering and dissemination has driven the burgeoning field of informational privacy. Thus, this course will examine the current legal, political, social and technological aspects of privacy. Topics will include: traditional privacy theory and torts; commercial and financial privacy; medical privacy; cyberlaw privacy (i.e., metadata, cookies); governmental privacy (i.e., surveillance, freedom of information, leakers like Edward Snowden); and international developments (i.e., the European Data Protection Directive, "right to be forgotten").

**CONCENTRATED FORMAT COURSES**

Several courses will be offered during the Fall 2016 semester in a “concentrated format” — that is, the class will meet for extended periods during a portion of the semester, with students completing their work well before the end of the semester. You can find the details for these courses in the “Calendar Notes” section of the course schedule.

**PASS/FAIL OPTION**

You can take certain courses on a pass/fail basis; the eligible courses are indicated on the “Courses Offered” list as posted on the Registrar’s web site. The pass/fail version of a course appears as a separate course in the WIN system, with a “P” attached to the end of the course number. For instance, Family Law 508-1 is the regular graded section and Family Law 508-1P is the pass/fail version of the same course.

The pass/fail option is subject to certain limitations. If you are not enrolled in a dual degree program, you may earn up to 7 hours of pass/fail credit toward your required hours for graduation. But you may not take more than three hours of course work on a pass/fail basis in any one semester. The 7-hour limit for ungraded credit does not include participation in moot court, 610L Trial Practice Lab, trial team, journal positions, practicums, internships and externships for which you receive non-graded credit, and credit earned in other units of the university, such as the School of Business, the Divinity School, or the Graduate School. Although Trial Practice does not count toward the overall 7-hour limit, it does count toward the 3-hour per semester limit. Independent Study credits count toward the overall 7-hour limit but do not count toward the 3-hour per semester limit.

Students enrolled in a dual degree program may count only 4 pass/fail hours earned in the law school toward their hours for graduation.

**CREDIT FOR GRADUATE COURSES TAKEN ELSEWHERE IN THE UNIVERSITY**

A law student who is not enrolled in a dual degree program may, with the approval of the Executive Associate Dean for Academic Affairs, earn up to four credit hours in the School of...
Business, the Divinity School, or the Graduate School, to be credited towards the J.D. degree. Law students must obtain the permission from the professors who teach the selected courses. Credits earned in these courses will be treated as transfer credits and will be listed accordingly on your law school transcript. Credits earned under this program will count in the twenty hour limit on experiential and non-J.D. courses. An approval form can be obtained from the Registrar's Office in the law school.

**DISTANCE COURSES**

A few courses this semester are offered in a “distance” format. That is, more than one-third of the instruction in the course happens with the instructor and the student in physically separate locations. These include Professional Responsibility 305-1; Debtor-Creditor Law 303-0; Church, Law, and Ethics, 626-0; Business Litigation, 667-0.

You can count up to 15 credit hours earned in a distance format toward the 90 hours needed for a J.D. degree.

**FIELD PLACEMENTS**

Various courses allow students to obtain academic credit while working outside the law school in partnership with attorneys in the field (a “field supervisor”) and a member of the full-time faculty (an “academic supervisor”). Three different forms of field placements are described below: internships, judicial externships, and practicum extensions.

As you choose among the field placement electives, remember this limitation: students may earn no more than 20 hours of credit for study outside the classroom. This limitation includes externships, internships, practicums, co-curricular activities (journals and moot court-related activities), and non-JD courses earned in other departments or schools at this university or another institution of higher learning. This limit does not include clinics.

**Internship, course #440.** During the summer or during the school year, a student may receive 1 or 2 pass/fail credits for an internship in a law-related placement of the student’s choosing, subject to the approval of a faculty supervisor whom the student has enlisted. The student submits a statement of goals to the faculty supervisor and meets with the supervisor on the goals before the internship begins. During the internship, the student submits reflection papers and at the end of the internship, the student submits a concluding reflection paper or paper related to the subject matter of the placement and meets with the faculty member for a de-briefing. The faculty supervisor will set the requirements to promote reflection during the semester (usually taking the form of weekly reflection papers), reflection at the end of the semester (usually taking the form of a concluding paper), and a minimum number of field work hours.

**Judicial Externship, course #340.** A student may receive 1 or 2 pass/fail credits for a fall or spring semester judicial externship. The student works with a faculty supervisor of the student’s choice on the selection of a judge. The student submits a statement of goals to the faculty supervisor and meets with the supervisor on the goals before the externship begins.
See the discussion above for “Internships” for the reflection and field work hours requirements.

**Practicum Extension, course #350.** A resident faculty member who teaches a doctrinal course may make the Practicum Extension available for that course. If so, a student may receive 1 or 2 hours of graded or ungraded credit for an externship related to the subject matter of the course. A student who knows of a practice experience in the subject matter of the doctrinal course may ask the faculty member teaching the course to consider a Practicum Extension. The faculty member and a practicing lawyer or other professional supervise the student in a practical experience “extending” the course.

The extension may be available for a course taken currently or in a past semester. For instance, a student enrolled in Corporate Finance for two credits might add one or two extra credits to the course for a “Corporate Finance Practicum,” based on law-related work in the practice of a securities lawyer (or other professional). A student may enroll in the Practicum Extension more than once if the underlying subject areas for the different Practicum Extensions are substantially different.

**Independent Study, course #505 and Independent Study: Intensive, course #605.** Independent research projects under the supervision of a professor carry either one or two hours of credit. These projects differ from the internships described above because they are not field placements. Instead, these projects emphasize research and writing on an academic topic related to law or legal institutions.

No student may earn more than a total of three independent study credits in all, and no more than two credits on a single project, or from a single professor. These projects are graded on a pass-fail basis.