The Mission of Duke University

The founding Indenture of Duke University directed the members of the university to "develop our resources, increase our wisdom, and promote human happiness."

To these ends, the mission of Duke University is to provide a superior liberal education to undergraduate students, attending not only to their intellectual growth but also to their development as adults committed to high ethical standards and full participation as leaders in their communities; to prepare future members of the learned professions for lives of skilled and ethical service by providing excellent graduate and professional education; to advance the frontiers of knowledge and contribute boldly to the international community of scholarship; to foster health and well-being through medical research and patient care; and to promote a sincere spirit of tolerance, a sense of the obligations and rewards of citizenship, and a commitment to learning, freedom, and truth.

By pursuing these objectives with vision and integrity, Duke University seeks to engage the mind, elevate the spirit, and stimulate the best effort of all who are associated with the university; to contribute in diverse ways to the local community, the state, the nation, and the world; and to attain and maintain a place of real leadership in all that we do.
The information in this bulletin applies to the academic year 2000-2001 and is accurate and current, to the extent possible, as of October 2000. The university reserves the right to change programs of study, academic requirements, teaching staff, the calendar, and other matters described herein without prior notice, in accordance with established procedures.

Duke University does not discriminate on the basis of race, color, national and ethnic origin, disability, sexual orientation or preference, gender, or age in the administration of educational policies, admission policies, financial aid, employment, or any other university program or activity. It admits qualified students to all the rights, privileges, programs, and activities generally accorded or made available to students. The university also does not tolerate harassment of any kind.

Questions, comments or complaints of discrimination or harassment should be directed to the Office of the Vice-President for Institutional Equity, (919) 684-8222. Further information, as well as the complete text of the harassment policy, may be found at http://www.duke.edu/web/equity/. Duke University recognizes and utilizes electronic mail as a medium for official communications. The university provides all students with e-mail accounts as well as access to e-mail services from public clusters if students do not have personal computers of their own. All students are expected to access their e-mail accounts on a regular basis to check for and respond as necessary to such communication.

Information that the university is required to make available under the Student Right to Know and Campus Security Acts may be obtained from the Office of University Relations at 684-2823 or in writing to 615 Chapel Drive, Box 90563, Duke University, Durham, North Carolina 27708.

Duke University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur, Georgia 30033-4097; telephone number 404-679-4501) to award baccalaureates, masters, doctorates, and professional degrees.

Inquiries about the Law School may be made by calling (919) 613-7006. Queries about admissions, financial aid or other aspects of the Law School’s programs, may also be sent via the Internet to ADMISSIONS@LAW.DUKE.EDU. Please also see the Law School’s World Wide Web Site at HTTP://WWW.LAW.DUKE.EDU.
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Calendar of the School of Law 2000-2001

Summer Term 2000
June
1, 2, 5 Orientation
6 First day of class
August
4 Last day of class
8 Examinations
11 Examinations

Summer Programs in Geneva and Hong Kong 1999
July
2 Orientation
3 First session classes begin
14 Last day of class– first session
17 First day of class– second session
29, 30, 31 Examinations
August
1 Examinations

Fall Term 2000
August
17, 18, 21 Orientation for entering students
20 Law School Convocation, 5:00 pm
22 First day of classes for all courses
October
16-20 No classes (off-campus interviews and first year writing)
November
23, 24 Thanksgiving recess
December
5 Thursday classes meet
6 Last day of class for all courses, Friday classes meet
7-20 Reading and examination period for first-year courses
7-20 Reading and examination period for upperclass courses

Spring Term 2001
January
8 First day of class for all regular courses
11-14 Intensive Trial Practice weekend
15 Martin Luther King, Jr. Holiday– no classes
March
12-16 Spring break
April
23 Last day of classes for all courses
24-May 8 Reading and examination period for upperclass courses
24-May 8 Reading and examination period for first-year courses
May
12 Law School Hooding Ceremony
13 University Commencement

University Administration

GENERAL ADMINISTRATION

Nannerl Overholser Keohane, Ph.D., President
Peter Lange, Ph.D., Provost
Ralph Snyderman, M.D., Chancellor for Health Affairs and Executive Dean, School of Medicine
Tallman Trask III, M.B.A., Ph.D., Executive Vice-President
John F. Burness, A.B., Senior Vice-President for Public Affairs and Government Relations
John J. Piva, Jr., B.A., Senior Vice-President for Alumni Affairs and Development
R. James Clack, Ph.D., Interim Vice-President for Student Affairs
H. Clint Davidson, Jr., M.B.A., Vice-President for Human Resources
Sally M. Dickson, J.D., Vice-President for Institutional Equity
Thruston B. Morton III, B.A., President of Duke Management Company
Robert S. Shepard, Ph.D., Vice-President for University Development
N. Allison Haltom, A.B., Vice-President and University Secretary
David B. Adcock, J.D., University Counsel
William J. Donelan, M.S., Vice-Chancellor for Health Affairs and Executive Vice-President, Duke University Health System
Russell E. Kaufman, M.D., Vice-Dean for Education, School of Medicine
Michael D. Israel, M.P.H., Vice-President and Chief of Hospital and Clinical Facilities and Chief Executive Officer, Duke University Hospital
Steven A. Rum, M.S., Vice-Chancellor for Development and Alumni Affairs
Jean Gaillard Spaulding, M.D., Vice-Chancellor for Health Affairs
R. C. "Bucky" Waters, M.A., Vice-Chancellor for Special Projects
Gordon D. Williams, B.A., Vice-Chancellor for Medical Center Operations and Vice Dean for Administration and Finance, School of Medicine
William H. Willimon, S.T.D., Dean of the Chapel
Joseph L. Alleva, M.B.A., Director of Athletics

Law School Administration, 2000–2001

Katharine T. Bartlett, Dean and A. Kenneth Pye Professor of Law
Thomas B. Metzloff, Senior Associate Dean, Academic Affairs
Richard A. Danner, Senior Associate Dean, Information Technology
Theresa A. Newman, Associate Dean, Academic Affairs
Judith A. Horowitz, Associate Dean, International Studies
Elizabeth A. Gustafson, Associate Dean, Student Affairs
E. Carol Spruill, Associate Dean, Public Interest Activities and Special Projects
Linda G. Stockley, Associate Dean, External Affairs
Dennis J. Shields, Assistant Dean, Admissions and Financial Aid
Robert E. Smith, Assistant Dean, Career Services
Mark P. Bernstein, Deputy Director, Law Library
Altruism combined with realism; knowledge of fundamental principles and capacity to apply them; courage to insist on the right and patience to achieve it; understanding of the timidity of the weak; fearlessness of the domination of the powerful; sympathy for the mistakes of the indiscreet; caution of the craftiness of the unprincipled; enthusiasm for that which is fine and inspiring; reverence for that which is sacred; these are some of the attributes of great lawyers.

Justin Miller
Dean, 1930-34
Duke University

The Law School is an integral part of one of the nation’s foremost research universities. Duke’s origins were in Randolph County where, in 1838, the Methodist and Quaker communities formed Union Institute to educate their children. The school was chartered by the state in 1851 as Normal College and granted the authority to grant degrees in 1853. In 1859 its mission was expanded to educate ministers and its name changed to Trinity College, which relocated to Durham in 1892. In 1924, a grant from James Buchanan Duke made possible its transformation into Duke University, with the advice by Mr. Duke that “courses at this institution be arranged, first, with special reference to the training of preachers, teachers, lawyers and physicians, because these are most in the public eye, and by precept and example can do most to uplift mankind.”

Although Duke is young by comparison to other major American universities, its undergraduate programs and its graduate and professional schools together have attained an international stature and a reputation for quality and innovation that few universities can match. Among Duke’s unique strengths are an extensive network of interdisciplinary collaboration, an emphasis in teaching and research initiatives addressing global and international issues, and a commitment to growth in environmental studies and the basic sciences.

Duke has one of the most spacious and lovely campuses of any major university. The beautiful neo-Gothic buildings on West Campus, stately Georgian-style architecture on East Campus, and stunning contemporary design of its newest centers and schools (including an addition to the law building itself) are situated in and around 7,700 acres of undeveloped forest and 30 miles of jogging trails. Geographically, Duke is located near the cultural and research resources of three other major universities and to the fast-growing high-technology business and research center of the Research Triangle Park. It is also accessible to the natural beauty of the Blue Ridge Mountains to the west and the state’s many beaches to the east. The climate is mild, with spring beginning as early as February and fall reaching well into November. Plays, concerts, lectures, and athletic events are plentiful in a setting free of many of the day-to-day aggravations and distractions of larger metropolitan centers. For these reasons and others, survey after survey singles out the Triangle area in which Duke is located for its high quality of life.

Current information on Duke University programs and events is available through the university’s World Wide Web site: http://www.duke.edu.
The Law School's Mission

The Law School was established as a graduate professional school in 1930. Its mission is to prepare students for responsible and productive lives in the legal profession. As a community of scholars, the Law School also provides leadership at a national and international level in efforts to improve the law and legal institutions through teaching, research, and other forms of public service.

Because the Law School's mission focuses on students' broader preparation for a life in the law, students should not come to the school expecting primarily to amass information about the specific laws of particular jurisdictions. In fact, only a small part of the preparation required for participation in the legal profession entails the transmission of legal rules, which are countless and subject to frequent change and reinterpretation. The best lawyers are those who have internalized the processes of legal reasoning, which require creativity as well as intellectual discipline and critical analysis, and who have acquired the capacity for legal judgment that can be adapted and applied to new fields and to the circumstances of an ever-changing world. At Duke Law School the faculty focuses on helping students develop the adaptive skills and broader perspectives required of lawyers across the spectrum of legal practices.

Learning Environment

Duke law students come from all parts of the United States and, in already significant and growing numbers, from other parts of the world. Although about a tenth are graduates of Duke's Trinity College, most Duke law students have few prior contacts with the area. Most live in the apartments, townhouses, and renovated older homes within a few minutes of the school. Because of these circumstances, Duke law students are more likely than others to find their social circles merging with their academic ones.

Admission to Duke Law School is highly competitive. Only a handful of law schools admit an entering class with a higher median Law School Admission Test (LSAT) score, and most students graduated at or near the top of their undergraduate classes. Many students have earned advanced degrees in other fields and many have achieved distinction in non-academic pursuits as well, such as athletics, business, or community service. As one should expect from such a group, they are competitive and hard working. The Law Library receives intensive use by students throughout most weekends and a few students can be found there into the small hours of most nights.

At the same time, Duke Law School has a deserved reputation for maintaining a friendly and helpful environment for students, with a less competitive atmosphere than is found at other top law schools. Several factors make this possible. First, Duke is smaller than most of its rivals. The school aims at an entering class of about 200. Several schools with which Duke competes are twice that size, and some are three times as large. While size may offer some advantages, it also depersonalizes relationships among students and between faculty and students.

Second, the Duke law faculty is more accessible than most. In part, this accessibility reflects a curricular design that brings all first-year students into close contact with a member of the regular faculty through a small section of about 24 students in one course in their first semester. These small sections offer students the opportunity to get to know at least one professor well and to support each other in their introduction to the law school experience. Many students continue in upperclass years to find their close friends and study partners among those who were in their first-year small sections.

Law faculty accessibility is also a mark of the ethic of our faculty, who view their profession as teaching and scholarship, not the practice of law. Duke faculty are excellent, dedicated teachers. In addition, professors tend to be in their offices on most days throughout the calendar year and have either regular office hours or very flexible "open-door" policies.

Another factor contributing to the somewhat less competitive atmosphere at Duke
is the fact that Duke law graduates disperse more broadly upon graduation than do those of most law schools, to about 30 to 35 states. As a result, few Duke students are in direct competition for the same first job, except possibly for the most highly competitive judicial clerkships. In addition, placement rates of Duke law students are very high. Of the most recent graduating classes, 93 percent of students had jobs by the date of graduation and over 98 percent were employed within six months. Over 20 percent of students typically begin their careers in judicial clerkships.

Despite the school's small size, upperclass students have an unusually large number of opportunities to participate in significant shared professional activities. The Law School publishes five journals, including the Duke Law Journal, Law and Contemporary Problems, the Alaska Law Review, the Duke Journal of Comparative and International Law, the Duke Environmental Law and Policy Forum, giving Duke law students unusually extensive opportunities for scholarly writing and editing activities. Besides journal participation, students have many opportunities to engage in professionally related activities. The Pro Bono Office at the Law School annually places over 200 students in activities in the public, private, and nonprofit sectors. Some represent abused children as guardians ad litem; some prosecute cases in a district attorney's office; others represent prisoners, advise victims of domestic violence, or prepare wills for AIDS patients. There are also over two dozen student organizations and special interest groups at the Law School, which are described in greater detail under the heading "Beyond the Curriculum" in this bulletin.

The Law School provides state-of-the-art technology in new classrooms and seminar rooms, and the recently renovated classrooms. These "smart" rooms have, at a minimum, overhead projection, a projector, screen, data-video projection, computer, VCR, audio cassette player, cable television, EdNet, removable lecturn, wireless microphone, table microphones (available in most rooms) and power hookups at every seat.

For all these reasons, the environment of the Law School is distinctive. Duke law students compete vigorously but as friends and colleagues. While alienation and hostility are traits that may be found at Duke from time to time, they do seem less common and less intense than at most major national law schools.

Professionalization

In recent years, there has been growing concern in the legal profession and the public more generally about the adequacy of professional training of lawyers. Concerns have focused on (1) the adequacy of legal skills, especially writing, negotiation and mediation, and oral persuasion, (2) the decline in ethical standards, and (3) the failure of legal education to keep pace with the changing demands of law practice, which is more international and which requires greater knowledge of business, administrative agencies, and technology than in the past. Duke Law School is addressing these concerns in a variety of ways.

Legal Research and Writing and Lawyering Skills Programs. Duke's year-long legal research and writing program for first-year law students is unsurpassed among the top law schools in this country. At many schools, these courses are taught by upperclass law students, recent law graduates, or practitioners who serve as adjunct instructors. At Duke, the research and writing course is taught by persons with substantial past law practice experience who have moved into the teaching of legal writing as their primary professional commitment.

Duke's approach to teaching writing is relatively new to legal education. It combines an emphasis on the integration of legal analysis, writing, and research with a focus on how readers read a document and what techniques used by the writer will help readers understand the writer's intentions. In their substantive courses, the students learn how to be creative in constructing a variety of interpretations of a given
piece of prose; in the writing course, they learn how best to limit the number of interpretations of their prose that others can make.

Writing assignments range from short case briefs to motion documents and appellate briefs. The students' classroom experience is supplemented by individual conferences with instructors and large group lectures on reader expectation principles. Legal research skills are taught by members of the Law School's excellent library staff and are fully integrated with the legal writing instruction.

In the upperclass curriculum, Duke has developed a distinctive clinical program that emphasizes clinical training primarily through simulation. This program covers a wide variety of fields of legal study. Over half of Duke's law students take courses in negotiation and mediation and in trial practice. Practical, hands-on clinical training is also provided in such courses as appellate practice, collective bargaining, death penalty litigation, entertainment law, estate planning, federal civil rights, international arbitration, professional malpractice, and professional responsibility. Some of these courses are taught by members of the regular faculty and some are taught by outstanding practitioners, several of whom come to us on an adjunct basis from leading law practices in Washington D.C. and New York City. A limited number of upperclass students enroll in a criminal practice clinic and participate in criminal litigation with local attorneys, and recently established clinics enable students to work under faculty supervision on the legal needs of AIDS patients and on representation of defendants in capital cases. Many students enroll in an appellate practice course, in which they receive one-on-one feedback on a written brief and oral argument from a distinguished federal appellate judge. Finally, law students benefit from the presence at Duke of the Private Adjudication Center (PAC). This center is a non-profit corporation that undertakes research and education and provides alternative dispute resolution services to clients wishing to avoid the delays and costs of traditional litigation; most recently it has undertaken the processing of claims from the Dalkon Shield litigation. The PAC offers opportunities for some students to obtain direct practical experience in alternative dispute resolution as well as participation in developing innovations in this important field.

Ethics and the Legal Profession. In response to widespread concern about ethical standards in the legal profession and changes in the structure of the practice of law, Duke has recently revised its curriculum in ethics and professional responsibility. With the support of the Keck Foundation, from 1993-97 Duke offered both an intensive one-week course in legal ethics in January for first-year students and an array of upperclass electives focused on ethical issues in specific areas of practice which students might choose to enter. These upperclass courses addressed ethical issues in representing corporations, the government, those needing estate planning and family law representation, and parties in civil and criminal litigation; courses have also been offered in the history of the legal profession, judicial ethics, and professional malpractice. Following its review of the experience under the Keck grant, in the spring of 1997 the Duke faculty committed itself to adding a required upperclass course in ethics and professionalism beginning in 1998-99.

The International Dimension. No law school can ignore the impact on the legal profession of the current globalization of world markets, the growth in economic regional integration, such as the European Union and the North American Free Trade Agreement, and the growing interdependence of individual countries facing common threats to the environment, international security, and political stability. The Law School at Duke has helped to lead the efforts of the wider university community to respond to these important developments.

The Law School's innovative approach to preparing its students for law practice in an increasingly international economic and political scene was evident when it became the first law school in the United States to offer American students the special
opportunity to begin their legal studies in the summer, to pursue a formal J.D./LL.M. joint-degree program in international and comparative law. This program attracts to Duke many students with a special interest in these fields, with close to one out of seven members of each entering class enrolled as joint J.D./LL.M. students. Students in this program devote a substantial part of their first year to the study of foreign and international law, thus materially broadening their perspective on the standard first-year law material. These same students go on to study in the Law School's four-week residential summer programs in Geneva or Hong Kong. The annual Institute in Transnational Law in Geneva, sponsored by Duke and the University of Geneva Faculty of Law, involves over 50 participants, about one-third of whom are from Duke with the remainder from more than 15 countries throughout the world. The faculty comes from Duke Law School and from several foreign and other American universities. This program provides its participants an opportunity to meet representatives of such Geneva-based international bodies as the World Intellectual Property Organization and various private international law firms. The program in Hong Kong, the Asia-America Institute in Transnational Law, has been developed in conjunction with the University of Hong Kong Faculty of Law along the same model as the Geneva program. It offers an alternative setting for joint-degree students with special interests in Asia and the Pacific Rim. No other law school offers summer international programs of better scope, quality, faculty, and student participation.

The Law School's excellence and growing presence in comparative and international law are made possible by a superb core faculty. Some faculty members are from foreign countries and many others are leading experts in various fields with international and comparative dimensions, including comparative law, international business transactions, and public international law. New members of the faculty recently have been added in the fields of privatization, international trade, and international environmental law. Duke law faculty have taught or lectured to international audiences in as many as 40 countries in recent years.

Because of the Law School's strengths in the international law area, the school has attracted foreign faculty visitors from many countries. Regular ties have now been established with professors who are recurring visitors from Brussels, Tokyo and Beijing. In addition, recent years have brought visitors from Aarhus, Alberta, Cape Town, Caracas, Copenhagen, Exeter, Geneva, Hamburg, Jerusalem, Kiev, Kyoto, Melbourne, Munich, Munster, New Delhi, Oxford, Osaka, Paris, Pusan, Seoul, Shanghai, Shenzhen, Sydney, Taipei, and Tokyo. With such visits often comes the enrichment of the curriculum by specialized course offerings in the international and comparative law fields.

In addition to this influx of international faculty, Duke also has an international student population that is usually about 10 percent of the student body. Besides international students admitted to the regular J.D. program, about 60 lawyers are admitted each year to the program leading to the LL.M. (Master of Laws) degree. They come from countries as disparate as Argentina, Belarus, Chile, the People's Republic of China, Denmark, England, Germany, Iceland, Indonesia, Japan, Kazakhstan, Korea, Malaysia, Mexico, Panama, Poland, Saudi Arabia, South Africa, Taiwan, Tanzania, and Thailand. A few LL.M. graduates remain for a doctorate. Duke is unusual in the degree to which these students are integrated into the community of American students. Many LL.M. candidates take one course from the first-year curriculum, often in one of the small sections where social and professional interaction is most likely to occur. Most of their other courses are taken with American students as well. LL.M. students also serve as staff members of the Duke Journal of Comparative and International Law and are represented on the Duke Bar Association Executive Committee.

Interdisciplinary Studies. The Law School has a strong commitment to unifying its students' professional learning with the broadest dimensions of knowledge
about human affairs and institutions. It recognizes the unfortunate impulse of some law students to exclude from their vision all learning save that for which they see immediate career impact and appreciates the fact that the best lawyers are ones who have had their minds opened to the wider implications and consequences of law. This recognition is supported strongly by the larger university's commitment to interdisciplinary studies. The Law School not only offers a rich curriculum that incorporates perspectives in economics, philosophy, literature, history, and technology, but also a range of joint-degree programs with several Graduate School departments and professional schools that is at least as extensive as that of any other national law school. Through these programs, students can pursue two degrees simultaneously and, via overlapping credit arrangements, in less time than both degrees together would ordinarily take. These joint-degree programs attract students interested in preserving as professionals a life of the mind, and in attaining a broader view of the discipline of law that may over the longer term enhance their professional judgment.

Over 25 percent of Duke law students pursue a degree at Duke in addition to the J.D. Students pursuing an M.A. or M.S. degree participate with the joint J.D./LL.M. students in Duke's unique summer-entering program, through which students can begin their studies in June and complete two of the six major first-year courses by mid-August. These joint J.D./M.A. or J.D./M.S. students are then free to enrich their first-year Law School experience with courses in their other chosen field. For those seeking the J.D. and M.A. degrees in English, history, philosophy, or public policy studies, or an M.S. degree in mechanical engineering, work toward both degrees can be completed within the remaining two academic years, with a slight overload during some semesters.

Students pursuing joint professional degrees in the Divinity School, the Fuqua School of Business, the Nicholas School of the Environment, or the Sanford Institute of Public Policy begin their studies in the fall with the rest of the first-year class and obtain in four years both their J.D. degree and an M.T.S. (theological studies), an M.B.A. (business), an M.E.M. (environment), or a M.P.P. (public policy). A few others pursue a longer joint J.D./M.D. program in law and medicine, or a J.D./Ph.D. program in political science. Students in these programs often begin their studies with career goals that require professional immersion in the two different professions. While the two degrees are not a guarantee of better job opportunities, law alumni in practice report the desirability of more exposure by students to other fields, and have spoken especially highly of the value to lawyers of training in business. Other joint-degree programs are sometimes arranged on an individualized, ad hoc basis. Greater detail about these programs is set forth in "Degree Programs" in this bulletin.

The tremendous success of the joint-degree programs at Duke is due, in part, to the extensive links between the faculty and other disciplines. The Duke law faculty has proportionately more joint appointments than any law faculty, and many professors from other departments and schools at Duke and other universities hold adjunct appointments in the Law School. Disciplines represented by these secondary appointments include business, English, history, philosophy, political science, psychiatry, psychology, public policy, and religion. The group includes several senior persons of extraordinary attainment and national visibility whose presence enriches the intellectual climate of the Law School. The joint professional degree programs are also facilitated by the physical proximity of the professional schools. The Fuqua School of Business and the Sanford Institute of Public Policy are both next-door neighbors, and the Nicholas School of the Environment is within a short walk of the Law School.
Library and Academic Computing. The Duke Law Library is among the very best in the country. Its book collection of over 550,000 volumes is extraordinary, especially for a law school of Duke's size. Even more important in this new age of academic computing, the level of its electronic information sources, its computing services, and the professionalism of its staff are virtually unparalleled.

Recent computer and network upgrades enable students and lawyers to engage in the most sophisticated and comprehensive legal research available. A recent physical expansion of the law library increased its size by 50 percent, greatly enlarging the study space and the number of computer workstations with network access available to students. (The pervasive importance of computers to modern law study—Duke's ability to support student computing—are reflected in the requirement (with appropriate financial aid allowances) that entering J.D. candidates own portable computers) Through the law library, access may be had to resources in other libraries at Duke and, through interlibrary loan requests, from other universities. Finally, the library staff is well-trained, easily accessible, and extremely helpful to students. Visitors from other law schools and institutions often note the extraordinary quality of the library services available from Duke's law library staff.
The Faculty

The Duke Law School faculty is unquestionably its greatest asset. About the same size as the law faculties at Chicago and Cornell, it is as wide-ranging and distinguished as any of its competitors. Duke law professors have been Rhodes, Marshall, and Fulbright Scholars, editors-in-chief of law journals, and clerks to federal appellate judges and Supreme Court justices. They bring to their teaching not only a love of teaching but significant practical experience in both public and private sectors as partners in prestigious law firms, legal services lawyers, public defenders, and government attorneys. Gradual increases in total faculty size have enriched the core faculty while improving the student-faculty ratio.

Because of its excellent faculty in the corporate law fields, Duke is particularly successful in attracting students with career interests in this area. It also has some of the finest faculty of any national law school in constitutional law and constitutional history; administrative law and regulation, including regulation of the environment and the health industry; sports law; legal theory, including feminist and critical race theory; and the process-related fields of criminal and civil procedure, litigation, and alternative dispute resolution. Its interdisciplinary faculty is extraordinary and includes world-class scholars in critical literary theory, moral philosophy, ethics, and history. A growing body of faculty in international and comparative law has given Duke prominence in these important fields as well. Given the exponential growth of the World Wide Web and student demand, we have recruited faculty to create a cutting edge curriculum in international Intellectual Property and cyberlaw.

Members of the current law faculty publish widely and with great distinction. Some have published award-winning books and treatises; many faculty members have published articles in the best national law journals that are among the most cited works in their fields. Over half of the faculty have published textbooks in their areas of interest, including texts that lead their fields in environmental law, securities regulation, sports law, fiduciary obligations, First Amendment, gender and law, and federal criminal law. Members of the faculty also lecture widely, at other law schools, at national association meetings and conferences, and in international settings as diverse as Cape Town, Moscow, Budapest, Tokyo, London, Kuala Lumpur, Ottawa, Warsaw, Taipei, and Helsinki. In recognition of their distinguished scholarship, members of the faculty have received prestigious fellowships from such organizations as the Guggenheim Foundation, the Rockefeller Foundation, the Carnegie Foundation, the Council on Foreign Relations, and the National Humanities Center, and have been invited to membership in such organizations as the American Academy of Arts and Sciences and the National Academy of Science. They also serve on editorial boards of such journals as the American Journal of Comparative Law, the Journal of British Studies, the Journal of Democracy, Law and History Review, Law & Philosophy, Law Library Journal, Law and Contemporary Problems, and Psychology, Crime, and Law.

The Law School faculty is actively engaged in local, national, and international efforts to improve law and legal institutions and to effect changes in society. Scholars in professional schools have access to persons in government, the judiciary, business, and religious and other important institutions in our society. This access provides them an opportunity to seek to apply their knowledge and research toward influencing legal change. The Duke Law School faculty is as active as any in the United States in the influence it exerts and the commitment it displays to public service. Several faculty members give testimony to and consult regularly with government agencies and departments on such topics as health care reform, reform of the Federal Rules of Civil Procedure, national security issues, national service, and the nomination of federal judges and Supreme Court justices. Many are involved in work with the American Law Institute, on Restatements of the Law or projects in various fields including the law governing lawyers, torts, and complex litigation; one faculty member currently serves
as co-reporter for the ALI’s Principles of the Law of Family Dissolution, and another faculty member for a new Restatement of Agency and Fiduciary Obligation. Several members of the faculty are active in various consulting groups with the American Bar Association, including the ABA’s Working Group on Lawyers’ Representation of Regulated Clients, and the Central and Eastern European Law Initiative. Some have participated on the North Carolina General Statutes Commission or been involved in other ways in state and local law reform projects. Other faculty members advise private and public clients on issues of constitutional law, intellectual property, international human rights, environmental policy, sex and race discrimination, and sports law.

Complementing the strengths of the regular faculty are the members of the extended faculty network on which the Law School draws to enrich its curriculum. This extended faculty includes the joint-appointment faculty discussed above under Interdisciplinary Studies; adjunct faculty members who add critical expertise and experience in specific practice areas, especially trial practice and alternative dispute resolution, banking, estate planning, and securities practice; distinguished judges who help teach courses in professional responsibility, legal ethics, and appellate practice; and international visitors who teach courses in the international and comparative law fields. This network of ties makes Duke as thoroughly integrated in its intellectual life as any American law school.

Another important aspect of the law faculty’s commitment to its students is the relationship it maintains with its alumni. Duke’s law alumni are among the most dispersed of any law alumni body. The Law School uses this fact to its advantage, gaining the help of its alumni to recruit admissions candidates from throughout the country and the world and in providing placement counseling and assistance to its students. To maintain a sense of community and identity with the Law School and among its alumni, the Office of External Relations coordinates and supports the activities of local law alumni associations. More than 40 such associations now exist, including international groups in Europe, Latin America, and Asia. Alumni awareness of the progress and needs of the school is maintained through annual educational and social events attended by Law School representatives. These programs, in addition to regularly scheduled reunions at the Law School and career advising panels conducted by alumni for our students, foster lifelong engagement with the school through the decades despite the distance.
Law Faculty
Presented here are faculty holding academic appointments in the Law School extending beyond one year.

**Katharine Tiffany Bartlett,** Dean and A. Kenneth Pye Professor of Law  
B.A. 1968, Wheaton College; M.A. 1969, Harvard University; J.D. 1975, University of California, Berkeley. Professor Bartlett, formerly a secondary school teacher, commenced her legal career with a judicial clerkship in the Supreme Court of California. From 1976 to 1979, she worked as a staff attorney at the Legal Aid Society of Alameda County in Oakland, California. She began teaching at Duke in 1979. She has written extensively on various family law topics, and is coauthor of a family law casebook. She also specializes in gender issues and has written several major articles in that area, as well as a casebook on gender and law and a reader in feminist legal theory. She has held visiting appointments at UCLA and at Boston University. From 1993 to 1995, she served as senior associate dean for academic affairs. In 1994, she was appointed a reporter for the American Law Institute's Principles of Family Dissolution, and in 1998 was named to an R. Ammi Cutter Chair for her work on this project. She was appointed Dean on January 1, 2000.

**Sara Sun Beale,** Professor of Law  
B.A. 1971, J.D. 1974, University of Michigan. A native of Toledo, Ohio, Professor Beale's experience includes a judicial clerkship on the United States Court of Appeals, as well as a year in private practice in Detroit, Michigan. In 1976 she joined the United States Department of Justice, where she served one year in the Office of Legal Counsel, and two years in the Office of the Solicitor General. She began her teaching career at Duke in 1979, and she has also taught at the University of Michigan. She is the coauthor of Grand Jury Law and Practice (1986) and (2nd ed 1997) and Federal Criminal Law (2d ed. 1993) and (3d ed. 2000), and Federal Criminal Law and Related Actions (1998). Her principal academic interests are in the field of criminal law and its enforcement and procedure. She served as senior associate dean for academic affairs in 1997-98.
Herbert L. Bernstein, Professor of Law
LL.B. 1953, Dr. jur. 1962, Hamburg University, Germany; J.D. 1967, University of Michigan. A native of Germany, Professor Bernstein practiced as a junior lawyer until 1958 and as a regular member of the bar thereafter. Since 1958 he has also been affiliated with the Max-Planck Institute of Foreign and Private International Law. He taught at the University of California from 1967 to 1971; then returned to Hamburg University as professor of law. After a previous visit, he came to Duke from Hamburg in 1984. His teaching includes European Union law, contracts, conflict of laws, comparative law, insurance, and international organizations. He is the author of numerous books and articles on diverse subjects in the fields of international law, conflict of laws, insurance, and business law.

Francesca Bignami, Associate Professor of Law
A.B. 1991, Harvard University; M.Sc. 1992, University of Oxford, Balliol College, 1996 J.D. Yale Law School; 1998, Fulbright Scholar, Diploma in European Law; European University Institute. Professor Bignami was senior editor of the Yale Law Journal and after graduation clerked for Judge Stephen F. Williams, United States Court of Appeals. She then served as stagiaire for Advocate General Philippe Leger of the European Court of Justice in Luxembourg. From 1998 to 2000, she was an associate for a large Washington, D.C. law firm, practicing in the areas of administrative, international trade, and aviation law. She teaches European Union law, administrative law, and comparative public law. Her research focuses on problems of legitimacy and accountability in the European Union and other systems of international governance as well as the role of non-state actors in such organizations. She is the author of several articles, the most recent of which is The Democratic Deficit in European Community Rulemaking: A Call for Notice and Comment in Comitology (1999).

James D. A. Boyle, Professor of Law
LL.B. 1980, Glasgow University, 1986 S.J.D., Harvard University Law School; 1981 LL.M. Harvard University Law School, (Frank Knox Fellow); 1980 LL.B. (Hons.) Glasgow University (Double "First" in International Law and in Politics), Viscount Stair Prize. Professor Boyle came to Duke from Washington College of Law, American University, where he has taught since 1982. He has also served as a visiting professor at Yale, Duke, Boston University, and Harvard University Law School. He is a recipient of the American University Faculty Award for Outstanding Scholarship. He is a board member of the Red Hat Center Foundation; on the Academic Advisory Board of EPIC (Electronic Privacy and Information Center), and a Senior Fellow, Yale Information Society Project. He has published numerous articles on legal and social theory, and on intellectual property, and two books, Shamans, Software, and Spleens; Law and the Construction of the Information Society, Harvard University Press (1996) and Critical Legal Studies: Selected Readings (edited with an introduction by James Boyle, Dartmouth Press: N.Y.U. Press 1994). He teaches intellectual property, Constitution in cyberspace, jurisprudence, torts, Constitutional law, law, and literature.
Michael H. Bradley, F.M. Kirby Professor of Investment Banking and Professor of Law

A.B. 1969, University of Idaho; M.B.A. 1973, Syracuse University; Ph.D. 1979, University of Chicago. Professor Bradley came to Duke from the University of Michigan where he had appointments at the law and business schools. Professor Bradley's teaching and research interests lie at the intersection of corporate finance and corporate law. He has published papers on corporate capital structure, mergers and acquisitions, takeover defenses and tactics, government regulation of the securities market, insider trading, fiduciary duties of corporate managers, corporate governance and corporate bankruptcy. His work has been cited in textbooks, professional journals, and in the decisions of numerous state and federal courts, including the U.S. Supreme Court.

H. Keith H. Brodie, James B. Duke Professor of Psychiatry and Professor of Law

A.B. 1961, Princeton University; M.D. 1965, Columbia University. Dr. Brodie served at hospitals in New Orleans and New York City before becoming a clinical associate with the National Institute of Mental Health in 1968. In 1970, he joined the medical faculty of Stanford University. Dr. Brodie is a member of the Institute of Medicine of the National Academy of Sciences. He came to Duke in 1974 as professor and chairman of the Department of Psychiatry and director of Psychiatric Services at Duke University Medical Center. He has also served as president of the American Psychiatric Association. His book, Modern Clinical Psychiatry, published in 1982, has been translated into four languages. Recently, Dr. Brodie has served as chair of the Institute of Medicine Committee on Substance Abuse and Mental Health Issues in AIDS Research and co-editor of the committee's report, AIDS and Behavior: An Integrated Approach, 1994. He was first appointed to the law faculty in 1982. He served as president of Duke University from 1985 to 1993.

Michael Byers, Associate Professor of Law

B.A. 1988, University of Saskatchewan; LL.B. and B.C. L. 1992, McGill University Law School; Ph.D. 1996, Cambridge University; D.Phil 1996 (by incorporation), Oxford University. Professor Byers joins the Duke Law School faculty in July 1999. From 1996 until he came to the Law School, Dr. Byers was a Research Fellow at Jesus College, Oxford University, and a Visiting Fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, Germany. While at Oxford, Professor Byers served as an adviser to the coalition of human rights organizations, including Amnesty International, which intervened before the House of Lords in the Pinochet case. Professor Byers now serves as the Director of Duke Law School's J.D.-LL.M. Program in International and Comparative Law. He teaches International Law, International Economic Law, International Dispute Settlement, and co-teaches a seminar on International Politics and International Law with Professor Robert Koon. He is the author of Custom, Power and the Power of Rules (1999), the editor of The Role of Law in International Politics (2000), and the translator and editor of Wilhelm Grewe, The Epochs of International Law (2000). He is a regular contributor to the London Review of Books.
Paul D. Carrington, Harry R. Chadwick, Sr., Professor of Law

B.A. 1952, University of Texas; LL.B. 1955, Harvard University. Professor Carrington is a native of Dallas, Texas. His professional experience includes a brief stint in private practice in Dallas and in a military law office, as well as occasional work for the American Civil Liberties Union and the American Association of University Professors. Since his teaching career began in 1957, he has taught in nearly a score of law schools in the U.S. and abroad. He was the dean at Duke from 1978 to 1988. He has been active in judicial law reform efforts, and has published in the fields of civil procedure, education law, and legal education. From 1985 to 1992, he served as reporter for the Committee of the Judicial Conference of the United States. He is chair of the board of the Law School’s Private Adjudication Center. He teaches civil procedure, international civil litigation, and lawyers in American history. He is on leave for the Spring 2001 semester.

George C. Christie, James B. Duke Professor of Law

A.B. 1955, J.D. 1957, Columbia University; S.J.D. 1966, Harvard University. A native of New York City, Professor Christie was editor-in-chief of the Columbia Law Review. He commenced his legal career with private practice in Washington, D.C. In 1960-61, he was a Ford Fellow at Harvard Law School; and in 1961-62, he was a Fulbright Scholar at Cambridge University, where he earned a diploma in international law. He then joined the law faculty of the University of Minnesota. In 1966, he returned to Washington to serve as assistant general counsel for the Near East and South Asia of the Agency for International Development before coming in 1967 to Duke. His chief academic interests are in the areas of torts and jurisprudence, in both of which he has published widely. He has been a visiting professor at Northwestern University, George Washington University, the Universities of Michigan, Florida, Athens, Greece, Otago in New Zealand, Witwatersrand in South Africa, and Fudan University in Shanghai, and a fellow of the National Humanities Center. He is a member of the Board of Editors of Law and Philosophy and the Greek Journal of Legal Philosophy, Isopoliteia.

Amy L. Chua, Professor of Law

A.B. 1984, J.D. 1987, Harvard University. Professor Chua was executive editor of the Harvard Law Review and after graduation clerked for Judge Patricia Wald of the United States Court of Appeals. From 1988 to 1993, she was an associate for a large New York City law firm, working on securities transactions throughout Asia, Latin America and Europe. Professor Chua’s current academic interests relate to the link between markets and ethnicity in developing countries. She teaches in the areas of contracts, international business transactions, and international law and development. Professor Chua is on leave for the academic year 2000-2001 teaching at New York University School of Law.
Charles T. Clotfelter, Z. Smith Reynolds Professor of Public Policy Studies, Professor of Economics, Professor of Law

A.B. 1969, Duke University; Ph.D. 1974, Harvard University. Professor Clotfelter taught at the University of Maryland from 1974 to 1979, spending his last year there on leave at the U.S. Treasury's Office of Tax Analysis, where he was a Brookings Economic Policy Fellow. In 1979, he took a joint appointment at Duke University, joining both the Institute of Policy Sciences and Public Affairs, and the Economics Department. While at Duke, he has served as vice-provost for academic policy and planning from 1983 to 1985, as vice-chancellor from 1985 to 1988, and as vice-provost for academic programs from 1993 to 1994. He has also served as president of the Southern Economic Association. Professor Clotfelter is also the director of the Center for the Study of Philanthropy and Voluntarism at Duke and is a research associate of the National Bureau of Economic Research. His major research interests are in public finance, tax policy, the economics of education, and the nonprofit sector. He is the author of several books, the most recent of which is Buying the Best: Cost Escalation in Elite Higher Education (1996).

James E. Coleman, Jr., Professor of the Practice of Law

A.B. 1970, Harvard University; J.D. 1974, Columbia University. A native of Charlotte, North Carolina, Professor Coleman's experience includes a judicial clerkship for the U.S. District Court for the Eastern District of Michigan, a year in private practice in New York, and fifteen years in private practice in Washington, D.C., the last twelve as a partner in a large law firm. In private practice, he specialized in federal court and administrative litigation; and he represented criminal defendants in capital collateral proceedings. He also has had a range of government experience. He joined the faculty full-time in 1991 and taught ethics, criminal law, research and writing, and a seminar on capital punishment. He returned to private practice in 1993, but continued to teach a seminar on capital punishment as a senior visiting lecturer. He rejoined the faculty full-time in 1996. In addition to the courses previously noted, he also teaches negotiation and mediation.

James D. Cox, Brainerd Currie Professor of Law

B.S. 1966, Arizona State University; J.D. 1969, University of California, Hastings College of the Law; LL.M. 1971, Harvard University. Professor Cox is a native of Ellinwood, Kansas. He entered law teaching as a teaching fellow at Boston University, and has since taught at the University of San Francisco, Stanford University, and the University of California, Hastings College of the Law, before coming to Duke in 1979. He has focused his writing and teaching in the areas of corporate and securities law. Professor Cox is the author of a book on the utilization of financial information in the regulation of public corporations, a 1995 multi-volume treatise on corporate law, and a widely-adopted casebook on securities regulations (2nd ed. 1997). He spent the spring semester of 1989 as a Senior Fulbright Research Fellow at the University of Sydney. A member of the New York Stock Exchange Legal Advisory Committee between 1995-1998, he currently is a member of the NASD Legal Advisory Board.

Jerome M. Culp, Jr., Professor of Law
A.B. 1972, University of Chicago; A.M. 1974, J.D. 1978, Harvard University. Professor Culp is a native of Clarksville, Pennsylvania. While in law school he served as senior editor of the Harvard Civil Rights-Civil Liberties Law Review. His experience includes a research fellowship with the Rockefeller Foundation and a judicial clerkship in the U.S. Court of Appeals. He came to Duke from Rutgers in 1985, and in 1987 was a distinguished scholar at the Joint Center for Political Studies in Washington, D.C. His principal work to date is in the area of employment discrimination and economic analysis of law. He teaches torts, labor law, employment discrimination, and a seminar on black legal scholarship. He also has been the John M. Olin Fellow in Law and Economics at the University of California at Berkeley.

Richard A. Danner, Research Professor of Law

B.A. 1969, M.S. 1975, J.D. 1979, University of Wisconsin-Madison. Professor Danner is a native of Wisconsin, who served as environmental law librarian at the University of Wisconsin-Madison, prior to coming to Duke as associate law librarian in 1979. He later became director of the Law Library and now serves as senior associate dean for information technology. He teaches legislation. He has published articles in journals of law, law librarianship, and library science, and has published two books, Legal Research in Wisconsin (1980) and Strategic Planning: A Law Library Management Tool (2nd ed. 1997) and is the coeditor of Introduction to Foreign Legal Systems (1994). From 1984-94, he was editor of the American Association of Law Libraries' Law Library Journal. He is active in the affairs of AALL, the International Association of Law Libraries, the ABA Section on Legal Education and Admission to the Bar, AALS, and has served as president of the southeastern chapter of AALL (1985-86) and president of the AALL (1989-90).

Walter E. Dellinger, III, Douglas Blount Maggs Professor of Law

A.B. 1963, University of North Carolina; LL.B. 1966, Yale University. Professor Dellinger is a native of Charlotte, North Carolina. He taught political and civil rights at the University of Mississippi from 1966 to 1968. In 1968-1969, he served as a judicial clerk in the Supreme Court of the United States. He joined the Duke law faculty in 1969, serving as associate dean from 1974 to 1976 and as acting dean from 1976 to 1978. He teaches constitutional law and history, and in 1988-1989 was a fellow of the National Humanities Center. From 1993 to 1996 he was on leave of absence serving as assistant attorney general, Office of Legal Counsel, at the Department of Justice. He served as acting solicitor general of the United States from July 1996 to July 1997. He returned to faculty full-time in fall 1997. Since 1998, Professor Dellinger has split his time between teaching at Duke and practicing in the appellate group of a large Washington, D.C. law firm. He continues to be in Washington, D.C. for the academic year 2000-2001.

Deborah A. Demott, David F. Carvers Professor of Law
B.A. 1970, Swarthmore College; J.D. 1973, New York University. Professor DeMott spent her early years in DuBois, Pennsylvania. She served as articles editor of the New York University Law Review. She began her professional career with a judicial clerkship in a federal court in New York City, and later practiced with a large law firm in that city, until she joined the Duke law faculty in 1975. In 2000, she accepted a secondary appointment as Centennial Professor in the Law Department of the London School of Economics. In 1989, she received the Scholar/Teacher of the Year Award from Duke University. In 1986 she was a Fulbright Senior Scholar at Sydney and Monash Universities in Australia. She has taught as a visitor and lecturer at several other universities in the United States, Canada, and New Zealand, and was a Fulbright Senior Scholar at Sydney and Monash Universities in Australia. She is the author of a treatise, Shareholder Derivative Actions, and a casebook, Fiduciary Obligation, Agency and Partnership. Her other writing concerns corporate law, takeovers and acquisitions, and fiduciary obligation. She serves as the Reporter for the new Restatement of Agency, a project of the American Law Institute.

Robinson O. Everett, Professor of Law

A.B. 1947, J.D. 1950, Harvard University; LL.M. 1959, Duke University. Professor Everett is a native of Durham, North Carolina. Although Professor Everett’s teaching at Duke began as early as 1950, he later served for several years as a legal officer in the Air Force and as a commissioner of the United States Court of Military Appeals. He returned to Durham to enter a general practice, which he continued until 1980 when he ascended to the bench of the United States Court of Military Appeals as chief judge. In September 1980, he retired from this position to become a senior judge of the court and resume full-time teaching. From 1961 to 1964, he served as counsel to the Subcommittee on Constitutional Rights of the United States Senate Judiciary Committee. He has long served as a commissioner on Uniform State Laws, is a life member of the American Law Institute, and has been active in various law reform efforts. He has published on many legal topics, most notably military justice and criminal procedure. In 1993, he founded the Center on Law, Ethics, and National Security at the Law School.

Peter G. Fish, Professor of Political Science and Professor of Law

Joel L. Fleishman, Professor of Law and Public Policy Sciences

A.B. 1955, J.D. 1959, M.A. (Drama) 1959, University of North Carolina; LL.M. 1960, Yale University. Professor Fleishman is a native of Fayetteville, North Carolina. From 1961 to 1965, he served as legal assistant to the governor of North Carolina. He then returned to Yale, first as director of the Yale Summer High School, and then as associate provost for Urban Studies and Programs. In 1969, he became associate chairman of the Center for the Study of the City and Its Environment and associate director of the Institute of Social Science at Yale. In 1971, he came to Duke as a member of the law faculty and as director of the Institute of Policy Sciences and Public Affairs. In addition to his appointments as professor of law and public policy, he also serves as director of the Samuel and Ronnie Heyman Center for Ethics, Public Policy and the Professions in the Terry Sanford Institute of Public Policy. His principal writings deal with legal regulation and financing of political activities, as well as regulation of not-for-profit organizations.

Koichiro Fujikura, Adjunct Professor of Law

B.A. 1957, Doshisha University; B.A. 1961, Amherst College; LL.M. 1962, Northwestern University; LL.M. 1963, Harvard University. Professor Fujikura returned to Japan after his four years of study in the United States, where he joined the faculty of Doshisha, serving as dean of the law faculty there before moving to the University of Tokyo in 1981; he is currently professor of law at Waseda University in Tokyo. He has also taught at California, Harvard, and Michigan. Among his writings is a book published in English, Environmental Law in Japan (1981). He visits Duke in alternate years to teach Japanese environmental law and legal systems.

Xi-Qing Gao, Adjunct Professor of Law

B.A. 1978, LL.M. 1981, University of International Business and Economics; J.D. 1986, Duke University. Professor Gao is a native of Xian, People’s Republic of China. After graduating from Duke Law School in 1986, he was an associate for a large New York City law firm, before returning to China in 1988 to develop a securities market. He served as the general counsel and director of public offerings of the China Securities Regulatory Commission from 1992 to 1995 and is now deputy chief executive of the Bank of China and a professor of law at the University of International Business and Economics. He publishes in the areas of Chinese securities law, banking, and anti-trust, and is a member of various international arbitration associations. Professor Gao returns to the Law School each year to teach a course on international business transactions with China and Chinese securities law.
Martin P. Golding, Professor of Philosophy and Professor of Law
B.A. 1949, M.A. 1952, University of California, Los Angeles; Ph.D. 1959, Columbia University. A native of New York City, Professor Golding taught at Columbia University from 1957 to 1970 and at the John Jay College of Criminal Justice of the City University of New York from 1970 to 1976 before coming to Duke in 1976 as professor and chairman of the Department of Philosophy, where he remains as professor. He has published several books on the nature of law and the philosophy of legal reasoning, as well as numerous articles on jurisprudence and ethics. Professor Golding was senior visiting Fulbright lecturer in Australia and has been a fellow of the National Humanities Center.

Paul H. Haagen, Professor of Law

Guy Haarscher, Adjunct Professor of Law
J.D. 1971; Ph.D. 1977, Universite Libre de Bruxelles. Professor Haarscher is a native of Brussels and has always lived and worked in that city. He is ordinary professor of philosophy and law and director of the Center for the Philosophy of Law at his university. He is secretary general of the Chaim Perelman Foundation and the vice-dean of the faculty of humanities at the ULB. He was a visiting fellow at the Australian National University, and teaches at the Central European University in Budapest and at the European Academy for the Theory of Law in Brussels. He received the prize of the Belgian Academy in 1981 for his book on Marx and the prize of the French Speaking Community of Belgium in 1989 for his book on human rights. He has written many articles on topics related to political philosophy, philosophy of law and general contemporary philosophy. At Duke, he teaches a course on law and political philosophy in alternating years.
Stanley Hauerwas, Gilbert T. Rowe Professor of Legal Ethics and Professor of Law

B.A. 1962, Southwestern University; B.D. 1965, M.A., M.Phil., Ph.D. 1968, Yale University. Prior to coming to Duke Divinity School in 1984, Professor Hauerwas taught at Augustana College from 1968 to 1970 and at the University of Notre Dame from 1970 to 1984. While at Notre Dame he was a visiting professor at a number of other American universities. At Duke, Professor Hauerwas is a professor in the Divinity School. He began his association with the Law School in 1988. His primary research interests are in the field of ethics.

Clark C. Havighurst, William Neal Reynolds Professor of Law

A.B. 1955, Princeton University; J.D. 1958, Northwestern University. Professor Havighurst is a native of Evanston, Illinois. He began his teaching career at Duke in 1964. In addition to teaching antitrust law, he has a special academic interest in the field of health care law and in national health policy. His newest book, Health Care Choices: Private Contracts as Instruments of Health Reform, was published in 1995. The second edition of his casebook, Health Care Law and Policy, appeared in 1998. Professor Havighurst has served as scholar-in-residence at, and is a member of, the Institute of Medicine of the National Academy of Sciences. He has also been a resident consultant to the Federal Trade Commission and to the law firm of Epstein, Becker & Green, both in Washington, D.C., to the Rand Corporation, and is an adjunct scholar of the American Enterprise Institute.

Cynthia B. Herrup, Professor of History and Professor of Law

B.S.J. 1972, Northwestern University; M.A. 1975, Loyola University (Chicago); Ph.D. 1982, Northwestern University. Professor Herrup is a native of Miami, Florida. Professor Herrup came to Duke in 1984. From 1985 to 1988, she had a concurrent appointment at Duke Law School as lecturer in legal history, teaching courses in the history of English criminal law. In 1988, Professor Herrup was appointed associate professor of history and law in the Law School. She has served twice on the Board of Directors of the American Society for Legal History, as well as on its program and publication committee, and on the editorial board of Law & History Review. Her principal research interests are in the area of criminal law in preindustrial societies and the social and intellectual history of ideas of crime and punishment. She teaches history of English criminal law.
Donald L. Horowitz, James B. Duke Professor of Law and Political Science
A.B. 1959, LL.B. 1961, Syracuse University; LL.M. 1962, M.A. 1965, Ph.D. 1968, Harvard University. Professor Horowitz began his career as a law clerk in the United States District Court. Early in his career, he was engaged in research at the Harvard Center for International Affairs, the Woodrow Wilson Center, the Brookings Institution, and the Smithsonian Institution. Professor Horowitz came to Duke in 1981 and has served as a fellow of the National Humanities Center, a visiting fellow at Wolfson College, Cambridge, and a visiting professor at the University of Chicago Law School. His most recent book is A Democratic South Africa? Constitutional Engineering in a Divided Society (1993), which won the 1992 Ralph J. Bunche Prize for the best book in ethnic and cultural pluralism. In 1993, Professor Horowitz was elected a fellow of the American Academy of Arts and Sciences. His most recent published work is on Islamic law and the theory of legal change. His book The Deadly Ethnic Riot will be published in 2000.

Trina Jones, Associate Professor of Law
B.A. 1988, Cornell University; J.D. 1991, University of Michigan. Professor Jones is a native of Rock Hill, South Carolina. During law school, she served as articles editor for the Michigan Law Review. From 1991 to 1995, she was an associate in a large Washington, D.C. law firm, working in general litigation. Professor Jones joined the faculty in 1995 and teaches civil procedure, employment discrimination, race and the law, and advanced issues in employment discrimination law. Her academic interests also include legal ethics and race and gender issues. She founded and directs the Law School’s Charting Courses program for minority students.

David L. Lange, Professor of Law
B.S. 1960, J.D. 1964, University of Illinois. Professor Lange practiced law with a Chicago firm that included media enterprises among its clients. He has also had substantial professional experience in radio, television, cable, and motion picture production, and has served as a founding member of the Governing Committee of the ABA Forum on the Entertainment and Sports Industries. He joined the Duke law faculty in 1971. His principal academic interests lie in the areas of intellectual property, entertainment, and communications law. He is a member of the Board of Trustees of the United States Copyright Society.
Francis E. McGovern, Professor of Law

B.A. 1967, Yale University; J.D. 1973, University of Virginia. Professor McGovern is a native of Charlottesville, Virginia. He began his legal career in a large law firm, before joining the faculty at the Cumberland School of Law in Birmingham, Alabama. He joined the Duke law faculty in 1997. Professor McGovern is a pioneer in the field of alternative dispute resolution, and especially in the area of mass claim litigation. He has served as a court-appointed special master or neutral expert in dozens of cases, including DDT toxic exposure litigation, the Dalkon Shield controversy, and the silicone gel breast implant litigation. He has worked with the United Nations Compensation Commission to ensure that Iraq compensates for losses suffered in the Persian Gulf War. He teaches in areas of torts, product liability, mass torts, alternative dispute resolution, and toxic substances litigation.

Thomas B. Metzloff, Professor of Law

B.A. 1976, Yale College; J.D. 1979, Harvard University. Professor Metzloff is a native of Buffalo, New York. He began his professional career with a judicial clerkship on the United States Court of Appeals, followed by a clerkship with the Supreme Court of the United States. He then practiced with a private firm in Atlanta before joining the Duke Law faculty in 1985. He teaches civil procedure and dispute resolution, as well as courses on professional responsibility and professional liability. Most of Professor Metzloff's research is in the field of medical malpractice. He recently completed a major empirical study of court-ordered mediation in the malpractice field funded by the Robert Wood Johnson Foundation. He began service as senior associate dean for academic affairs in 1998.

Madeline Morris, Professor of Law

B.A. 1986, J.D., 1989, Yale University. Professor Morris is Director of the Duke/ Geneva Institute in Transnational Law. Professor Morris served as Advisor on Justice to the President of Rwanda, 1995-97. She served as special consultant to the Secretary of the U.S. Army in 1997. She was Co-convenor, in 1996-97, of the Inter-African Cooperation on Truth and Justice program, and served in 1997 as Consultant and Adjunct Faculty Member of the US Naval Justice School. She served as special consultant to the secretary of the US Army in 1997. Professor Morris is a Member of the Board of Advisors of the Center on Law, Ethics and National Security, Duke University. She was a law clerk to Judge John Minor Wisdom of the United States Court Of Appeals for the Fifth Circuit. Professor Morris teaches criminal law and international criminal law.
Robert P. Mosteller, Professor of Law

B.A. 1970, University of North Carolina at Chapel Hill; J.D. 1975, Yale University; M.P.P. 1975, Harvard University. Professor Mosteller is a native of Vale, North Carolina. After serving as a judicial clerk in the Fourth Circuit, he joined the District of Columbia Public Defender Service. During seven years with the Public Defender Service, he was director of training and chief of the trial division. Professor Mosteller came to Duke in 1983, and is the coauthor of a casebook, a problem book, and a treatise on evidence. He teaches criminal procedure, evidence, and related seminars. Professor Mosteller was chair of the University’s Academic Council from 1998 to 2000. Professor Mosteller will be on sabbatical during the Fall of 2000.

Jonathan K. Ocko, Adjunct Professor of Legal History

B.A. 1966, Trinity College; M.Phil. 1971, M.A. 1972, Ph.D. 1975, Yale University. A native of New York City, Professor Ocko taught at Clark University and Wellesley College before joining the faculty of North Carolina State University in 1977. He has been a fellow at Harvard Law School and the National Humanities Center and also held fellowships from the Rockefeller, Chiang Ching-kuo, and Luce Foundations. Since publishing Bureaucratic Reform in Provincial China in 1983, his research and publications have focused on Chinese legal history and contemporary Chinese civil law. His present work deals with traditional concepts of justice, mediation in Chinese culture, and the concept of contract in Chinese economic culture. In 1983, he was appointed to a part-time professorial position in the Law School.

H. Jefferson Powell, Professor of Law and Divinity

B.A. 1975, University of Wales; M.Div. 1979, J.D. 1982, Yale University; A.M. 1977, Ph.D. 1991, Duke University. A native of Reidsville, North Carolina, Professor Powell clerked for the Honorable Sam J. Ervin III of the Fourth Circuit. He began teaching at the University of Iowa in 1984 and returned to Duke in 1987 to complete his doctorate in theological ethics. In the fall of 1989, Professor Powell joined the permanent faculty of the Law and Divinity Schools. At the Law School, he teaches contracts and constitutional history. From 1991-93 he was special counsel to the attorney general of North Carolina and from 1993-94 and 1996, he served in the U.S. Department of Justice as a deputy assistant attorney general and later as deputy solicitor general. Professor Powell serves as director of the Law School’s Program in Public Law. He will be on research leave in the Fall of 2000.
Jerome H. Reichman, Bunyon A. Womble Professor of Law

B. A. 1955, University of Chicago; J. D. 1979, Yale University. A native of Denver, Professor Reichman teaches in the fields of contracts and intellectual property. Prior to joining the Duke Law faculty in July 2000, he taught at Vanderbilt, Michigan, Florida, and Ohio State Universities. He has written extensively on the connections between intellectual property and international trade law, and his most recent writings have focused on the ongoing controversies about intellectual property rights in data, and the appropriate contractual regime for online delivery of computer programs and other information goods. Professor Reichman also serves as special advisor to the United States National Academy of Science and the International Council for Science (ICSU) on the subject of legal protection for databases. He is also a consultant on the United Nations Development Program's (UNDP) flagship project concerning Africa's response to the TRIPS agreement.

William A. Reppy, Jr., Charles L.B. Lowndes Professor of Law

A.B. 1963, J.D. 1966, Stanford University. Professor Reppy is a native of Oxnard, California. He commenced his professional career with two judicial clerkships–one in the Supreme Court of California, followed by another in the Supreme Court of the United States. He then practiced law for three years with a private firm in Los Angeles, until joining the Duke law faculty in 1971. He has also taught at the Universities of California, Michigan, Washington, and North Carolina. His principal scholarly work is in the areas of marital property rights and conflict of laws. He is a frequent consultant to the California Law Revision Commission on community property and succession law. He does pro bono legal work for the humane and animal rights movements.

Thomas D. Rowe, Jr., Elvin R. Latty Professor of Law

B.A. 1964, Yale University; M.Phil. 1967, Oxford University; J.D. 1970, Harvard University. A native of Ann Arbor, Michigan, Professor Rowe was a Rhodes Scholar, and commenced his professional career as a law clerk in the Supreme Court of the United States. He joined the Duke law faculty in 1975 and served as associate dean from 1981 to 1984. He has also taught at Georgetown, Michigan, and Virginia, and on leaves from Duke has served with the U.S. Department of Justice in Washington, worked as an attorney with a private firm in Los Angeles, and been a visiting scholar at the RAND Corporation's Institute for Civil Justice. He has written in the fields of civil procedure, complex litigation, judicial remedies, and constitutional law. In 1995-96, he served as senior associate dean for academic affairs, and from 1993 to 1999 he was a member of the U.S. Judicial Conference's Advisory Committee on Civil Rules.
Richard L. Schmalbeck, Professor of Law

B.A. 1970, J.D. 1975, University of Chicago. A native of Chicago, Professor Schmalbeck was associate editor of the University of Chicago Law Review. After brief service as special assistant to the associate director of the Office of Management and Budget, he practiced law with a firm in Washington, D.C., specializing in federal tax law. He began his teaching career at Duke in 1980, where his focus is on the fields of federal taxation and law and economics. He has been a visiting professor at the University of Michigan and Northwestern University, and served as dean of the College of Law of the University of Illinois from 1990 to 1993.

Christopher H. Schroeder, Professor of Law and Public Policy

B.A. 1968, Princeton University; M.Div. 1971, Yale University; J.D. 1974, University of California. Professor Schroeder is a native of Saginaw, Michigan. He served as editor-in-chief of the California Law Review. He practiced law with a San Francisco firm for two years before organizing a smaller firm in that city, where he engaged in environmental litigation in addition to a general litigation practice. He joined the Duke law faculty in 1979, and has also taught at UCLA and Boston University. He teaches in the fields of environmental law, property, administrative law, and the Congress. In 1992, he was on leave serving as acting chief counsel of the U.S. Senate Judiciary Committee. In 1996, he served as acting assistant attorney general in the Office of Legal Counsel, U.S. Department of Justice.

Steven L. Schwarcz, Professor of Law

B.S. 1971, New York University School of Engineering and Science; J.D. 1974, Columbia University. Professor Schwarcz was born and raised in the New York metropolitan area. Prior to joining Duke in 1996, he was a partner and practice group chairman at two major New York law firms, specializing in structuring innovative capital market financing transactions, both domestic and international. While practicing law, he taught courses at Yale, Columbia, and Cardozo (Yeshiva University) Law Schools. He has been an adviser to the United Nations on international receivables financing, and is a fellow of the American College of Commercial Finance Lawyers. In 1996, he was selected to give the Benjamin Weintraub Distinguished Professorship Lecture at Hofstra University School of Law. He is the faculty director of the Duke University interdisciplinary Global Capital Markets Center.
Martin J. Stone, Professor of Law and Professor of Philosophy
B.A. 1982, Brandeis University; J.D. 1985, Yale University; B.Phil. 1988, Oxford University; Ph.D. 1996, Harvard University. Following completion of his J.D. in 1985, Professor Stone was a Marshall Scholar at Balliol College, Oxford University where he completed the B.Phil. in philosophy in 1988. He completed the Ph.D. in philosophy at Harvard University in 1996. His research interests center on Wittgenstein, philosophical logic, and political philosophy. His teaching interests include tort law and philosophy of law.

Laura S. Underkuffler, Professor of Law
B.A. 1974, Carleton College; J.D. 1978, William Mitchell College of Law; LL.M. 1987, J.S.D. 1994, Yale Law School. A native of New Jersey, Professor Underkuffler began her legal career with a clerkship in the Eighth Circuit Court of Appeals. She practiced law for six years with a large Minneapolis litigation firm, where she was head of the appellate department from 1983-85. In 1983, she was appointed to the Advisory Committee for the Eighth Circuit Court of Appeals where she served until 1986. Her teaching interests include property, property theory, land use, federal courts, and the administration of criminal justice. She served as special counsel in the U.S. Senate in 1991-92, and was a fellow at the Woodrow Wilson International Center for Scholars in 1993. Professor Underkuffler is on leave for the academic year 2000-2001 teaching at the University of Pennsylvania Law School.

William W. Van Alstyne, William R. Perkins and Thomas C. Perkins Professor of Law
B.A. 1955, University of Southern California; J.D. 1958, Stanford University; LL.D. (Hon.) 1976, Wake Forest University; LL.D. (Hon.) 1979, College of William and Mary. A native of California, Professor Van Alstyne was professionally employed first by the California Department of Justice and then by the United States Department of Justice. He began his teaching career at Ohio State University in 1959, coming to Duke in 1963. He has been active in the American Association of University Professors, serving as president in 1975-76. He is known for his writing and his speaking on the subject of constitutional law, appearing regularly in House and Senate proceedings and in briefs for the U.S. Supreme Court.
Neil Vidmar, Russell M. Robinson, II Professor of Law and Professor of Psychology; Social and Health Sciences

A.B. 1962, MacMurray College; M.A. 1965, Ph.D. 1967, University of Illinois. Professor Vidmar was raised and educated in Illinois, but moved to Canada in 1967, after completing his graduate work. He taught in the Department of Psychology and the School of Law at the University of Western Ontario until joining the Duke Law faculty in 1989. He serves on the editorial boards of a number of law and society publications and as a consultant to legal, scientific, and government organizations in the United States and Canada. Professor Vidmar is the coauthor of *Judging the Jury* (1986), and author of *Medical Malpractice and the American Jury* (1995). He has written articles dealing with both the civil and criminal justice system. He teaches in the areas of social science evidence in law, the psychology of the litigation process, negotiation, and the contemporary American jury. Professor Vidmar will be on sabbatical in the Fall of 2000.

John C. Weistart, Professor of Law

A.B. 1965, Illinois Wesleyan University; J.D. 1968, Duke University; LL.D. (Hon.) 1981, Illinois Wesleyan University. Professor Weistart was editor-in-chief of the *Duke Law Journal*. He served for a year as a judicial clerk on the Supreme Court of Illinois before joining the Duke law faculty in 1969. He served for three years as editor of *Law and Contemporary Problems* and as American editor of the *Journal of Business Law*, and is a member of the American Law Institute. He is known for his writing in the fields of commercial law, sports law, and has served as a consultant to the Federal Trade Commission and the Federal Reserve Board. He is also a frequent commentator on issues in the athletics industry. Professor Weistart will be on sabbatical in the Spring of 2001.

Jonathan B. Wiener, Professor of Law and Professor of Environmental Policy

A.B. 1984, J.D. 1987, Harvard University. During law school, Professor Wiener was an editor of the *Harvard Law Review*. After law school, he clerked for Judge Jack Weinstein of the U.S. District Court, and then for Judge Stephen Breyer on the U.S. Court of Appeals. He then served as special assistant to the assistant attorney general heading the Environment and Natural Resources Division, Department of Justice; as policy counsel at the Office of Science and Technology Policy, Executive Office of the President; as senior staff economist at the President's Council of Economic Advisers; and as an advisor to the new AmeriCorps National Service Program. He came to Duke in 1994. His publications include “Global Environmental Regulation” in the *Yale Law Journal* (1999) and the book *Risk vs Risk* (1995). In 1999 he was a visiting professor at Harvard Law School. He directs the annual colloquium on environmental law at Duke, and teaches in the areas of environmental law, risk regulation, mass torts, and property. Professor Wiener will be on sabbatical in the Spring of 2001.
Visiting Faculty

Joseph Bylinski, Adjunct Associate Professor of Law (University of North Carolina, Kenan-Flagler Business School)
John M. Conley, Visiting Professor of Law (University of North Carolina at Chapel Hill)
Wilson Freyermuth, Visiting Professor of Law (University of Missouri-Columbia)
Allas Ides, Visiting Professor of Law (Loyola, Los Angeles)
William M. Sage, Visiting Professor of Law (Columbia University)
Andrew E. Taslitz, Visiting Professor of Law (Howard University)

Extended Faculty

Cynthia F. Adcock, Lecturing Fellow
Catherine Admay, Lecturing Fellow and Research Associate
Robert A. Beason, Senior Lecturing Fellow
Charles L. Becton, Senior Lecturing Fellow
Brenda Berlin, Lecturing Fellow
Mark P. Bernstein, Senior Lecturing Fellow
Waltraud R. Bernstein, Senior Lecturing Fellow
Donald H. Beskind, Senior Lecturing Fellow
Scott A. Cammarn, Senior Lecturing Fellow
Jean Cary, Senior Lecturing Fellow
Denise S. Cline, Senior Lecturing Fellow
Doriane Lambelet Coleman, Senior Lecturing Fellow
J. Donald Cowan, Senior Lecturing Fellow
Walter T. Cox, III, Senior Lecturing Fellow
Jeffrey C. Coyne, Senior Lecturing Fellow
Jasper L. Cummings, Jr., Senior Lecturing Fellow
Lauren A. Dame, Senior Lecturing Fellow
Hampton Y. Dellingler, Lecturing Fellow
Diane Dimond, Senior Lecturing Fellow
Melanie Dunshee, Senior Lecturing Fellow
René Stemple Ellis, Senior Lecturing Fellow
Christine Evans, Lecturing Fellow
Jeremy M. Firestone, Lecturing Fellow
Richard L. Ford, Jr., Senior Lecturing Fellow
John Hope Franklin, Professor of History and Professor of Law (Emeritus)
Kip Frey, Senior Lecturing Fellow
James Fuller, Senior Lecturing Fellow
Robert B. Glenn, Senior Lecturing Fellow
George D. Gopen, Senior Lecturing Fellow
Michael Hannon, Senior Lecturing Fellow
Robert M. Hart, Senior Lecturing Fellow
Kenneth J. Hirsh, Senior Lecturing Fellow
Sally C. Johnson, Senior Lecturing Fellow
Sandra Johnson, Senior Lecturing Fellow
Allan Kanner, Senior Lecturing Fellow
Edward E. Kaufman, Senior Lecturing Fellow
Hideyuki Kawamori, Lecturing Fellow
Joseph L. Lookofsky, Senior Lecturing Fellow
Martin E. Lybeckler, Senior Lecturing Fellow
Joan Magat, Senior Lecturing Fellow
Karen A. Magri, Lecturing Fellow
Jennifer D’A. Maher, Senior Lecturing Fellow
Thomas K. Maher, Senior Lecturing Fellow
Richard C. Maxwell, Harry R. Chadwick, Sr., Professor of Law (Emeritus)
Carolyn McAllaster, Senior Lecturing Fellow
Agnes Mirandaes, Lecturing Fellow
Alice Moseley, Senior Lecturing Fellow
Takaai Muto, Lecturing Fellow
Michael Newcity, Senior Lecturing Fellow
Theresa A. Newman, Senior Lecturing Fellow
Alejandro Posados, Lecturing Fellow
Jo Ann Ragazzo, Senior Lecturing Fellow
Allison J. Rice, Senior Lecturing Fellow
Joseph F. Rice, Senior Lecturing Fellow
H. B. Robertson, Jr., Professor of Law (Emeritus)
David S. Rudolf, Senior Lecturing Fellow
Karen R. Sage, Lecturing Fellow
Marc H. Shapiro, Senior Lecturing Fellow
Nancy Russell Shaw, Senior Lecturing Fellow
Melvin G. Shimm, Professor of Law (Emeritus)
Kenneth D. Sibley, Senior Lecturing Fellow
Allen G. Siegel, Senior Lecturing Fellow
Scott L. Silliman, Senior Lecturing Fellow
Janet Sinder, Senior Lecturing Fellow
Terri A. Southwick, Senior Lecturing Fellow
E. Carol Spruill, Senior Lecturing Fellow
Katherine Topulos, Senior Lecturing Fellow
Charles Verrill, Senior Lecturing Fellow
Stephen Wallenstein, Senior Lecturing Fellow
Jane R. Wettach, Senior Lecturing Fellow
William M. Zoffer, Senior Lecturing Fellow
Admissions
The Law School strives to treat each applicant fairly and with candor. The following description of the admissions process at Duke is presented with that objective in mind.

**Admissions Standards**

At Duke, as at many law schools, the three most important admissions criteria are the Law School Admission Test (LSAT) score, the undergraduate grade point average (GPA), and the undergraduate institution attended.

Although reliance on purely academic criteria is appropriate in making some decisions, particularly those involving candidates either clearly admissible or clearly inadmissible, the majority of applications fall between these extremes. For these applications, Duke will give careful consideration to more subjective factors such as proven capacity for leadership, dedication to community service, excellence in a particular field, motivation, graduate study in another discipline, work experience, extracurricular activities, and personal and character information provided in letters of recommendation. Also, in interpreting the applicant's GPA, it is often necessary to make judgments regarding the strength of the course of study pursued and the significance of class rank or the progression of grades.

Although no quotas of any kind are employed in the admissions process, the Law School does make a conscious effort to achieve a broad diversity in each entering class in terms of general background, geography, and undergraduate institutions represented. An individual student may be selected not only for his or her marked potential for academic success, but also because application materials indicate that he or she can bring to Duke unique personal qualities or talents that will enhance the overall character of the entering class.

Duke has a faculty-initiated affirmative action plan for minority admissions, and special care is taken in evaluating applications from members of minority groups who traditionally have not been well represented in the legal profession. On occasion, special consideration may be given to North Carolina residents and children of Law School alumni who are qualified to complete the required course of study.

An applicant who has graduated from an accredited college, or one who has completed the degree requirements of an accredited college prior to matriculation at the Law School and will be granted a degree during his or her course of study at the Law School, may be admitted as a candidate for the degree of Juris Doctor (J.D.).
Admission Procedures: J.D. Program

The Admissions Committee receives its authority by delegation from the law faculty and reports to the law faculty. The committee, composed of four law professors, two administrative deans or directors, and three law students, decides policy questions arising in the admissions process. Student members of the committee, however, do not review individual files. All individual applications are reviewed by the assistant dean of admissions. Each applicant is responsible for collecting and submitting the following documents:


2. Three completed reference forms, one of which should be written by an appropriate academic dean at the undergraduate school last attended. It is suggested that the other reference forms be written by professors who have personal knowledge of the academic performance and potential of the applicant. References compiled and submitted by an established Career Planning and Placement Office at the applicant’s undergraduate school will be accepted. Although academic references are preferred, applicants who have been out of school for some time may substitute letters from employers or others who are well acquainted with their personal traits and intellectual potential.

3. A nonrefundable processing fee of $65. This application fee is not waivable except in cases of documented extreme personal hardship.

4. Scholarship assistance form. All applicants are required to return this form; those not wishing to be considered for scholarships may so indicate on the form.

Applicants are strongly urged to take the Law School Admission Test (LSAT) no later than December. Registration forms and information should be procured by writing directly to Law Services, Box 2000, Newtown, Pennsylvania 18940, (215) 968-1001. Applicants with disabilities should contact Law Services directly for information concerning special accommodations for taking the LSAT. Only in exceptional cases will Duke waive the LSAT requirement.

Applicants must arrange for the submission of transcripts from all undergraduate and graduate schools attended to the Law School Data Assembly Service (LSDAS), Box 2000, Newtown, Pennsylvania 18940.

Duke has no formal deadline for the submission of applications. However, applicants to the first year class may disadvantage themselves by submitting their applications later than January 1. Review of completed applications begins in December and continues until the class is filled.

Duke has an early action option which allows students whose applications are complete by November 1 to receive a decision (admit, deny, or hold) by December 31. Early action applications are evaluated in the same way and by the same standard as in the regular admissions cycle.

Applicants who visit the Law School are encouraged to talk with currently enrolled students, and may attend a class and meet with an admissions representative if the visit is scheduled in advance.

Each applicant extended an offer of admission will be given a reasonable amount of time to respond. Written offers of admission will be sent to admitted candidates specifying the amount of deposit and other conditions required to hold a place in the class. A waiting list is established in late spring and held open until the registration
A dmission to the Law School is conditional upon receipt of a final official transcript of all undergraduate and graduate work undertaken by the candidate.

Admission Procedures: Summer Joint Degree Programs

Procedures for admission to the summer joint degree programs are no different from those established for the regular J.D. program commencing in the fall semester. Applicants should indicate on the application form that they are applying to the summer program and designate either the LL.M. program offered by the Law School, or the Graduate School department in which they wish to pursue the A.M. or M.S. Applicants to the LL.M. program are selected by the Law School Admissions Committee. The selection process for A.M. and M.S. applicants is bifurcated. Upon a favorable decision by the Law School Admissions Committee, the applicant’s file will be forwarded to the appropriate Graduate School department for review. Applicants must be formally admitted to the master’s program by the Graduate School.

Students must elect whether they wish to be considered for entrance in the summer or fall, and may not be considered concurrently for admission to both programs. A student wishing to change that election may do so prior to receipt of a final admission decision without payment of an additional processing fee. However, the Admissions Committee will treat the application to the alternate program as newly completed; thus a late change in election may prejudice the applicant’s chance for admission. An offer of admission to one program is not transferrable to another program. This policy reflects our need for a firm commitment from applicants regarding which program they wish to enter so that we may deal fairly with all applicants competing for a limited number of spaces in each class. Although applicant pools may change from year to year, our experience has been that competition for spaces is equivalent for the two programs.

Other Joint Degree Programs

Applicants for any of the other joint degree programs offered by the Duke Law School are considered for admission to both schools on the same basis as those applicants who are applying for the individual programs. The admission decision of one school has no bearing on the admission decision of the other school. If accepted for admission by both schools, the applicant is automatically eligible to participate in the established joint degree program. Students planning to participate in such programs should notify the Law School immediately upon their admission.

Master of Legal Studies

Admission to this degree program is limited to persons who have achieved distinction in law-related professional work or who are pursuing law-related graduate degrees in other fields. An application to the program proceeds in exactly the same manner as for the J.D. program, with the single exception that the LSAT is not required of applicants who have taken the Graduate Record Examination in their primary field of study. Applicants who wish to substitute the GRE score should have an official report sent to the admissions office.

Reactivating Admissions Files

If an applicant has applied for admission in a previous year and was not extended an offer of admission or chose not to enter during that academic year, he or she may request that the file be reactivated for consideration by the Admissions Committee. The applicant should update his or her personal statement and resume at that time. A non-refundable fee of $65 is charged for processing the application, and a check or money order for this amount must accompany the request for reactivation of the file. The
applicant will not be required to re-register with the Law School Data Assembly Service (LSDAS) unless he or she retakes the LSAT after initially applying to the Law School. An updated transcript will be required to document academic work completed but not reflected on the last LSDAS report received by Duke. Application files are retained for three years.

**Transfer Policy**

In order to be considered for admission to Duke, a transfer applicant must present evidence of the satisfactory completion of one year of study at any law school that is a member of the Association of American Law Schools, and be eligible for readmission to that school. To be given serious consideration for admission, an applicant should rank at least in the top third of the class. Two academic years of law study must be completed at Duke.

The following items are required to complete a transfer applicant’s admission file:

1. A nonrefundable processing fee of $65;
2. Letter of certification from the dean of the law school attended;
3. References from two law professors who have personal knowledge of the academic performance and potential of the applicant;
4. Certified transcript of all grades earned in the first year of law school;
5. A copy of undergraduate transcript and LSDAS report.
6. Law school class rank.

Spring semester grades must be received before decisions can be made. The deadline for submitting transfer applications is July 1. Decisions are normally made the last week of July.

**Graduate Study in Law**

Admission to Duke to pursue law study beyond the basic professional degree is generally limited to J.D./LL.M. candidates and international students. For information about application to the graduate study program, see the description of admission procedures for the summer joint degree program or the section on international students.

**University and Law School Rules**

Students are subject to the rules and regulations of the university and the Law School that are currently in effect, or those that in the future may be promulgated by the appropriate authorities of the university. A copy of the Law School Rules is available for review in the Law School Library and on the Law School’s World Wide Web site: http://www.law.duke.edu. Every student, in accepting admission, indicates a willingness to subscribe to and be governed by these rules and regulations. The student also acknowledges the right of the university to take such disciplinary action, including suspension and/or expulsion, as may be appropriate, for failure to abide by these rules and regulations of academic misconduct, or for other conduct adjudged unsatisfactory or detrimental to the university.

Duke University is a drug-free work place as defined by federal regulations.

[Information about admission to the Duke University School of Law is also available at the Law School’s World Wide Web site: http://www.admissions.law.duke.edu.]
Financial Information
The cost of providing a legal education of the quality offered by Duke is high and has been steadily increasing. An annual report of the Law School explains in moderate detail what those costs are, and how they are met; a copy is available on request. As the report reveals, the Law School is substantially subvented by the university from its endowment sources. In addition, the Law School has some resources of its own, including generous annual giving support from its alumni. Nevertheless, the bulk of the cost of the program must be borne by the students who receive it.

**Tuition**

**J.D., LL.B., and M.L.S. Candidates.** For the academic year 2000-2001, entering students in the J.D. program, transfer students, and candidates for the M.L.S. degree will pay a full year’s tuition of $26,650. Students pursuing the J.D./A.M. or the J.D./LL.M. in the summer entering program will pay an additional $8,900 in tuition for the summer term. Entering students must pay their fall tuition by August 2, 2000. The tuition refund policy is set forth below.

Subsequent years of study toward the J.D. program will be billed at the current tuition rate. In recent years, that rate has been significantly increased each year. Students in joint degree programs will be billed tuition at rates appropriate to their particular programs.

**Graduate Degree Candidates.** Students pursuing the LL.M. degree will pay tuition of $26,650 in 2000-2001 for their single year of instruction. S.J.D. candidates must enroll for two years; tuition for the S.J.D. program for 2000-2001 is set at $26,650.

**Other Fees**

**Late Registration Fee.** Students who register in any semester at a date later than that prescribed are required to pay a $25 penalty.

**Student Health Fee.** A mandatory student health fee of $460 ($230 per semester) is charged to all Duke University students. Hospital insurance is available. Cost for the academic year 2000-2001 is $847 for a single student, $2,504 for family coverage. The hospital insurance policy coverage is for one year.

**Absentia Fee.** Duke Law School students spending one semester or all of their final year of law school at another law school shall be charged an in absentia fee for the semester or semesters "visiting" at another law school. The fee is the greater of (1) ten percent of Duke Law School tuition or (2) the amount that Duke Law School tuition exceeds the tuition at the "visited" school. The fee shall not exceed two-thirds of Duke Law School tuition. Students visiting at Duke will receive no scholarship assistance from Duke Law School.
Athletic Events Fee. Law students may secure admission to all regularly scheduled university athletic contests, with the exception of soccer and basketball, held on university grounds during the entire academic year free of charge. The fee for basketball and soccer is payable in the fall semester. Students may also use the facilities of the Duke golf course upon payment of student green fees.

Duke Bar Association Fee. A $30 fee each semester is due and payable not later than the day of registration for a particular semester. This fee is utilized exclusively to support the activities of the student bar association.

Parking Fee. Students wishing to drive to the campus must register a car for the university's parking lots at an annual fee of $85-$190, depending on availability of spaces in various open or gated lots.

Academic Transcript Fee. The university will charge a one-time academic transcript fee of $30.

General Expenses

Applicants should be aware that the following general expense estimate was compiled in the spring of 2000, and for future years appropriate revisions may be necessary to reflect inflationary increases. The best estimate of total living costs for a nine-month academic year excluding tuition and fees is approximately $13,731 for a single student. Included in the above cost-of-living estimate are current expense levels for lodging, board, books (approximately $1,200 if purchased new), supplies, transportation, and personal effects. First-year students are also required to own a computer, which can cost up to $4,000 for a notebook computer. Financial aid awards in most cases cannot be based on proposed budgets in excess of these figures.

University Policies for Payment of Accounts

Payment of Accounts for Fall and Spring. The Office of the Bursar issues invoices for tuition, fees, and other charges approximately four to six weeks prior to the beginning of classes each semester. The total amount due on the invoice is payable by the invoice due date which is normally one or two weeks prior to the beginning of classes. If full payment is not received by the due date, a late payment charge as described below will be assessed on the next invoice and certain restrictions as stated below will be applied. Failure to receive an invoice does not warrant exemption from the payment of tuition and fees nor from the penalties and restrictions. Entering first year students are required to pay tuition, fees, and other charges by August 2, 2000. Students not receiving a bursar invoice should telephone the bursar's office at (919) 684-3531 to request an invoice.

Penalty Charge. If the total amount due on an invoice is not received by the invoice due date, a penalty charge will be assessed from the billing date to the due date of that invoice. The penalty will be assessed on the subsequent invoice at an annual rate of 16 percent applied to the past due balance on that invoice. The past due balance is defined as the previous balance less any credits received and any payments received on or before the due date. Students receiving loans and/or scholarships should submit in writing by the late payment date on the invoice to the bursar's office the name and amount of each loan that will satisfy the bursar's invoice to avoid penalty charges. Penalty charges will be assessed students who do not provide loan information to the bursar's office each semester—no exceptions. Mail payments to: Bursar, P.O. Box 651032, Charlotte, NC 28265-1032.

Restrictions. An individual will be in default if the total amount due on the student invoice is not paid in full by the due date. An individual who is in default will not be allowed to register for classes, receive a copy of the academic transcript, have academic credits certified, be granted a leave of absence, or receive a diploma at graduation. An individual in default will be withdrawn.
**Tuition Refunds.** Tuition refunds are governed by the following policy. It should be noted that special rules apply to students receiving Title IV loan assistance, which may be obtained from the financial aid office.

1. In the event of death or a call to active duty in the armed services, a full tuition refund is granted.
2. If a first-year student withdraws after the tuition due date for the summer or fall term, up to 50 percent of tuition may be nonrefundable, if the Law School is unable to enroll another qualified applicant because of the student's late withdrawal. First-year students who withdraw after the beginning of classes for the summer or fall term are ineligible for any tuition refund.
3. In all other cases of withdrawal, students or their parents may elect to have tuition charges refunded or carried forward as a credit for later study according to the following schedule:
   a. withdrawal before the beginning of classes-full refund;
   b. withdrawal during the first or second week-80 percent;
   c. withdrawal during the third through fifth week-60 percent;
   d. withdrawal during the sixth week-20 percent
   e. withdrawal after the sixth week-no refund; but
   f. tuition charges paid from grants or loans will be restored to those funds and will not be refunded or carried forward.

**Scholarship Assistance**

The Law School offers both merit-based and need-based scholarships to incoming students. Scholarship awards are generally made in the form of a contract committing the school to a total grant to be disbursed over the student's first five semesters of Law School. This schedule makes more money available early, when it is most needed, since summer savings and permanent job prospects lessen the financial burdens of most students in the third year.

Students seeking scholarship assistance should file a scholarship application at the same time they apply for admission. Scholarship applications are mailed with the admission application. Most scholarship awards are made just following the admission decision, so that applicants may receive the earliest possible notice of the extent of scholarship support available. The fact that a student has applied for financial aid will not affect the decision on the application for admission.

**Need Awards.** The Law School provides a number of scholarships that are intended primarily to aid those students who are most in need of financial assistance. To ensure that full consideration of financial need is possible at the time when most of our scholarship funds are awarded, such students are required to provide accurate information regarding family (student and both parents) income and other relevant circumstances on the Duke scholarship application. Inclusion of information from both parents on the Duke scholarship form is mandatory.

**Merit Awards.** The Law School competes for students with the top institutions in this country. To attract a solid core of outstanding class members, merit scholarships are also offered. Merit, for this purpose, is usually defined as extraordinary academic promise manifested by grades and test scores which are substantially above the class medians. It is not to be supposed that persons receiving such awards are more meritorious, in the broadest sense of that word, than many other entering students whose admissions credentials may seem a bit less unusual. But, it is believed, all students at the school are benefited by the solid assurance that Duke law students as a group are among the most able anywhere.
Note: Students who can demonstrate both financial need and merit should apply for a need-based scholarship, not a merit award. Typically, those who are both needy and meritorious receive slightly higher scholarship amounts than do those who apply for the funds based solely on merit.

Specially Funded Scholarships. Many of the Law School's scholarships are funded from general endowment and other Law School revenues. Some scholarship candidates are selected each year for support from one of several specially endowed scholarship funds. The criteria for these named awards vary; all students applying for aid will be considered for any special scholarships for which they may be eligible.

Upperclass Awards. Virtually all available scholarship funds are allocated to entering students and to students continuing under a scholarship contract awarded at the time of admission. No additional scholarship funding is available to upperclass students, except for the Estate Planning Conference Scholarship, which was endowed by the Estate Planning Council of Duke University and is awarded to a third-year law student with a particular interest in estate planning and the David H. Siegel Scholarships established by Allen G. Siegel of the Class of 1960, in memory of his father.
Title IV Loan Assistance

Title IV loan assistance is available to qualified students. Students who wish to apply for this assistance must complete the Free Application for Federal Student Aid. To request the Free Application for Federal Student Aid, telephone 1-800-433-3243. Be certain that your request specifies the correct academic year. To obtain more information on federal student financial aid, write to Federal Student Aid Information Center, P.O. Box 84, Washington, DC 20044 to request the booklet "The Student Guide: Financial Aid from the U.S. Department of Education--Grants, Loans, and Work-Study." This booklet is free.

Complete the Free Application for Federal Student Aid. Mail the completed form in the return envelope attached to the Free Application for Federal Student Aid. The U.S. Department of Education will process the Free Application for Federal Student Aid and mail the Student Aid Report (SAR) directly to the student applicant. The student application should verify the information on the SAR. If the information on the SAR is correct, complete, sign, and mail the SAR to the Office of Financial Aid, Duke University School of Law, Box 90363, Durham, NC 27708-0363. If corrections to the SAR are required, follow the instructions on the SAR.

Satisfactory Status Policy

To remain eligible for Title IV funding, a student must maintain a 2.1 cumulative grade point average to remain in good standing at the Law School. A student placed on probation will be allowed one semester to improve his or her grade point average to a 2.1.

Non-Need Based Loan Assistance

The Law School also has other loan programs available to students who need additional loan funds to meet the approved academic period budget. A good credit history (report) is mandatory to receive these loans. To check your credit history contact your credit bureau. For more information about credit bureaus or resolving credit problems, write to: Public Reference, Federal Trade Commission, Washington, DC 20508.

Federal Work Study

The Law School also receives a limited amount of federal work-study funds each year. The school does not recommend that first-year students work, so these funds are reserved for second- and third-year students who are working in the Law School.

Loan Forgiveness Program

Since 1988, Duke Law School has had a loan forgiveness program which assists graduates who accept low-paying public interest or government employment to repay their law school loans. Funds disbursed through this program take the form of a grant. More information about the very generous terms of this program is available from the Office of Admissions and Financial Aid or through the Law School's World Wide Web site: http://financialaid.law.duke.edu.

Visiting Students

All financial assistance for visiting students at Duke Law School must be processed through the institution from which the student will receive his or her degree.
Scholastic Standards
Grading

Most courses are generally available only on a graded basis. Independent research, ad hoc seminars, and occasionally some other courses may be designated for credit/fail grading by action of the faculty. If a student has previously taken or audited a course for at least an eight-week period, or in other special circumstances, credit/fail grading may be required or authorized in an individual case at the discretion of the instructor and the dean. Grades received in courses taken in other divisions of the university or courses transferred from other law schools are made part of the student's permanent record, but are not included in the Law School grade point average unless the student receives a failing grade.

The Law School uses a slightly modified form of the familiar 4.0 grading system. No official labels, such as specific Honors, High Pass, or A, B, C, etc., are attached to specific points or ranges of grades within the system. As at a number of other major law schools, exceptional performance may be indicated by a grade of 4.1 to 4.5, and grades above 4.0 are roughly the equivalent of an A+ in other systems. Grades below 1.5 are failing.

Classes of forty students or more have a mandatory median grade of 3.1. The standard grade distribution curve is as follows:

<table>
<thead>
<tr>
<th>Interval</th>
<th>Percentage of Class</th>
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</thead>
<tbody>
<tr>
<td>3.8-4.5</td>
<td>5-15%</td>
</tr>
<tr>
<td>3.4-3.7</td>
<td>15-25%</td>
</tr>
<tr>
<td>3.0-3.3</td>
<td>30-45%</td>
</tr>
<tr>
<td>2.5-2.9</td>
<td>15-30%</td>
</tr>
<tr>
<td>1.6-2.4</td>
<td>0-15%</td>
</tr>
<tr>
<td>1.5 or less</td>
<td>0-5% (failing grade)</td>
</tr>
</tbody>
</table>

Good Standing

Any student who is eligible to continue the study of law who is not on probation shall be in good standing. Those considered ineligible to continue the study of law include (1) any first-year student who has attained a grade-point average of less than 1.9 or who has received failure grades in courses totaling more than eight semester-hours; (2) any student who has received failure grades in courses totaling more than ten semester-hours during the second and third years or whose grade-point average for the second year is less than 2.0; or (3) any student who has been placed on probation and who
has failed to comply with the conditions of probation or who at the end of the specified
probationary period has not attained or maintained a grade-point average of at least 2.1.
Under certain circumstances a student otherwise ineligible to continue the study of law
as a result of academic performance in the first year will be permitted to repeat the first
year.

A student will be placed on probation if (1) in the first year, the student has attained
a grade-point average of less than 2.3 but not less than 2.0 and who has received failure
grades in courses totaling not more than eight semester-hours; (2) the student has
repeated the first year and attained a grade-point average of not less than 2.1 but less
than 2.3 or who has attained a grade-point average of at least 2.3 but who has received
a failure grade in any course; (3) in the second year, the student has attained a
grade-point average of less than 2.3 in either semester of that year or who has received
failure grades in courses totaling not less than six but not more than ten semester-hours
during that year; or (4) in the third year, the student has attained a grade-point average
of less than 2.3 in the fifth semester.

Maximum and Minimum Course Loads

No first-year student may take courses other than those of the required first-year
program, except joint degree students under the terms of their joint degree programs, or
with the permission of the dean. No student other than a first-year student may take for
credit courses totaling more than sixteen hours per semester, except with the permission
of the dean.

No student shall take for credit courses totaling less than twelve hours per semester,
except with the permission of the dean.

Attendance and Preparation

Students must regularly attend and prepare for all classes. A student who is exces-
sively absent or grossly unprepared may, in the discretion of the instructor, be denied
the right to take a final examination or to submit other required coursework.

Auditing Courses

Students may audit courses with the written permission of the instructor, but may
not audit courses which, in combination with courses taken for academic credit, exceed
seventeen hours per semester. The fact that a student has audited a course shall be indi-
cated in the official records of the Law School.

Examinations

Final examinations are given in most courses at the Law School, and students
should expect a final examination unless otherwise announced by the instructor. Stu-
dents must take final examinations at the regularly scheduled time, unless permission is
given by the dean's office. Permission is not normally granted except in extraordinary
circumstances such as serious illness, exam scheduling conflicts, or the scheduling of
three or more exams within a thirty-six hour period.

Submission of Papers

Papers or other required coursework must be submitted no later than the last day of
the regularly scheduled examination period of the semester in which the course is of-
fered, unless the instructor sets an earlier deadline. In exceptional individual cases, the
instructor may grant an extension, but the extension may not ordinarily be later than the
twenty-eighth day following the last day of the examination period. After that date, an
incomplete is entered. When an incomplete is entered, the required coursework must be
completed by a date set by the instructor or, in the event of a rescheduled examination,
by the dean. In no event may the deadlines be later than the last day of the regularly
scheduled examination period for the following semester.
Independent Study

Independent study projects are arranged on an ad hoc basis by the student with an appropriate member of the faculty, and require the submission of a research paper of the kind generally submitted in seminars. A student may not take for credit more than three semester-hours of independent research. Credit is awarded on a pass/fail basis.

Occasionally faculty members will agree to supervise a group of five or more students in an ad hoc seminar. Credit obtained from enrollment in ad hoc seminars is included in the three-hour limit for independent study credit, and is awarded on a pass/fail basis.

Other Standards and Rules

Like all academic institutions, the Law School is governed by scholastic standards and rules promulgated by the faculty, which cover such matters as academic misconduct, eligibility to continue the study of law, academic probation, minimum and maximum course loads, examinations, and registration procedures. A complete copy of these rules is available for review in the Law School library and on the Law School’s World Wide Web site at http://www.law.duke.edu/general/info/rules.html.
Curriculum
Course Offerings

Duke Law School has an extensive curriculum site on the web. Go to www.law.duke.edu/curriculum for more information about courses, links to faculty profiles, registration information, and the schedule for the 2000-2001 academic year.

FIRST YEAR CURRICULUM

110. Civil Procedure. A consideration of the basic problems of civil procedure designed to acquaint students with the fundamental stages and concerns of litigation—for example, jurisdiction, pleading, discovery, trial, choice of law, and multiparty actions. In addition, this course will highlight a number of specialized topics including the role of juries in deciding civil disputes, the ethical responsibilities of the litigation attorney, and the development of alternative dispute resolution systems. At several points, this course will focus on an analysis of the procedural system's operations as revealed through empirical studies. Instructor: Jones or Metzloff. 4.5 units.

120. Constitutional Law. An examination of the distribution of and limitations upon governmental authority under the Constitution of the United States. Included are study of the doctrine of judicial review of legislative and executive action, the powers of Congress and the president, the limitations on state governmental powers resulting from the existence or exercise of congressional power, and judicial protection against the exercise of governmental power in violation of rights, liberties, privileges, or immunities conferred by the Constitution. Instructor: Ides or Van Alstyne. 4.5 units.

130. Contracts. The formation and legal operations of contracts, their assignment, their significance to third parties, and their relationship to restitution and commercial law developments; the variety, scope, and limitations on remedies; and the policies, jurisprudence, and historical development of promissory liability. Instructor: Bartlett, Bernstein, Haagen, Reichman, or Weistart. 4.5 units.

140. Criminal Law. An introductory study of the law of crimes and the administration of criminal justice, including analysis of the criminal act and the mental element in crime, consideration of specific offenses as defined by statute and the common law, and discussion of typical defenses in relation to specific crimes. One of the purposes of this course is to introduce the students to the nature of social control...
mechanisms and the role of law in a civilized society. Instructor: Beale, J. Coleman, Everett, or Morris. 4.5 units.

160. Legal Analysis, Research, and Writing. An introductory study of the various forms of legal writing and modes of legal research. Through an integrated approach to writing and research, the course begins by analyzing the components of judicial opinions and ends with the students independently researching and writing a sophisticated appellate brief. The principal goal of this course is the mastery of the basic tools of legal analysis, the principles of legal writing, and the techniques of legal research using both print and online resources. Instructor: Cline, Dimond, Magat, Ragazzo, or Rice. Year-long course—total 3 units; per semester 1.5 units.

170. Property. A study of the basic concepts of real property law and conveyancing, including historical background; estates in land, including the fee simple, the fee tail with its statutory substitutes, the life estate, the estate for years, and other nonfreeholds; concurrent ownership; types of future interests; conveyances before and after the Statute of Uses; landlord and tenant; the modern deed-kinds, delivery, description, title covenants, and agreements running with the land at law and in equity; easements; and recording and title registration. Instructor: Freyermuth or Wiener. 4.5 units.

180. Torts. An analysis of liability for personal injuries and injuries to property. The law of negligence occupies a central place in the course content, but this course also considers other aspects of tort liability such as strict liability, liability of producers and sellers of products, nuisance, liability for defamation and invasion of privacy, and commercial torts. The subjects of causation, damages, insurance (including automobile no-fault compensation systems), and workmen’s compensation are also included. Instructor: Boyle, Christie, D. L. Coleman, or Stone. 4.5 units.

Upper-Class Curriculum

In the absence of special authorization from the dean, each student is required to take in each semester courses aggregating not fewer than twelve and not more than sixteen semester hours in order to be considered a full-time student for purposes of meeting the residency requirement for the J.D. degree.

The program in the second and third years is entirely elective except for a required three-unit professional responsibility course. In planning his or her program, however, the student should bear in mind that certain more basic courses may be prerequisites to other more advanced courses, and that for this reason—as well as to avoid possible schedule conflicts—it is generally advisable to take these more basic courses in the second year.

Those offerings listed as courses are open to large enrollments. Those listed as clinical have limited enrollment in order to permit close supervision of the professional work students perform. Those listed as seminars are also limited in size and engage the students in research projects with the instructor. C-L: denotes a course offered in another part of Duke University that is cross-listed and may be taken for Law School credit.

MASTER OF LAWS COURSES

190. Distinctive Aspects of United States Law. This course will introduce international students to several of the distinctive aspects of U.S. law in the context of international business disputes litigated in U.S. courts. The focus of the course will be on civil litigation including the dual federal and state court system, the discovery process under the Federal Rules of Civil Procedure, the use of expert witnesses by parties, class actions, the civil jury, and punitive damages. Instructor: Metzloff. 2 units.

195. Legal Analysis, Research, and Writing for International Students. A research and writing tutorial designed to introduce international students to the techniques of
Upper-Class Curriculum  57

case and statutory analysis as well as the tools and methods of legal research. Students are expected to complete written assignments and memoranda of law. Instructor: J. Maher. 2 units.

BASIC COURSES

200. Administrative Law. A study of administrative agencies and legislative authority, information gathering and withholding, rule-making and order-formulating proceedings, judicial review of administrative actions, and constitutional limitations on administrative powers. Instructors: Bignami and Schroeder. 3 units.

205. Antitrust. A study of the federal antitrust laws and the policy of using competition to control private economic behavior. Topics include the political framework in which competition policy is made both internationally and domestically; the economics underlying antitrust policy; monopolization and exclusionary practices; competitor collaboration; vertical restraints; mergers; and price discrimination under the Robinson-Patman Act. Study of antitrust law may be thought of as preparation for a specialized field of law practice, as background for work in the larger field of corporate law, or as an introduction to the workings of competitive markets, in which consumer choices drive important decisions that would otherwise have to be made by government. Instructor: Havighurst. 4 units.

207. Sports and the Law. Sports occupies a central place in modern society. It constitutes a significant sector in the economy and an important form of cultural expression. This course examines the legal relations among the various parties in sports at both the professional and amateur levels. Particular attention will be given to the importance given to the maintenance of competitive balance and its impact on traditional notions of competition that apply in other business settings. Contracts law, antitrust law, and labor law provide the essential core for the investigation of issues in this course. In addition, this course seeks to provide an informed perspective on the financial and business structures that define the industry. Not offered 2000-2001. Instructor: Haagen. 3 units.

210. Business Associations. Surveys the law providing ground rules for the organization, financing, and internal governance of corporations and other forms of business associations such as partnerships and limited liability companies. Considers the relationships between the law and other institutions. In-depth study of fundamental changes in corporate structure such as mergers and takeovers. Given trends toward increasing globalization in capital markets, draws comparisons with the law of other countries (the United Kingdom, other members of the European Community, and Canada). Examines portions of the federal securities laws that most closely affect the organic law of the corporation: federal regulation of the system of proxy voting in public corporations and of tender offers, and federal restraints on insider trading. Instructor: Cox or DeMott. 4 units.

215. Commercial Transactions. A study of basic policy choices made in the structuring of the law governing commercial transactions. The course serves as an introduction to debt arrangements, bankruptcy, secured lending, and payment systems. Particular attention is given to the use of the law to allocate losses among commercial parties and to promote or disadvantage particular interests. An important objective of the course is developing student skills in dealing with highly integrated statutes, the Uniform Commercial Code, and the Bankruptcy Code. Law 215 and Law 287 (Principles of Commercial and Bankruptcy Law) have a substantial overlap, and enrollment in one precludes enrollment in the other. The courses differ in their relative emphasis on bankruptcy law. Not offered 2000-2001. Instructor: Weistart. 4 units.

218. Comparative Law: Western Legal Traditions. A study of civil law and common law systems, focusing on legal institutions, legal actors, their roles, and
backgrounds. This course will examine the shared Western legal and intellectual heritage and analyze selected problem areas. Instructor: Bernstein. 3 units.

220. Conflict of Laws. A study of the special problems that arise when the significant facts of a case are connected with more than one jurisdiction, including recognition and effect of foreign judgments, choice of law, and the United States Constitution and conflict of laws. Instructors: Bernstein and Reppy. 3 units.

225. Criminal Procedure: Formal. A study of the basic rules of criminal procedure, beginning with the institution of formal proceedings. Subjects to be covered include prosecutorial discretion, the preliminary hearing, the grand jury, criminal discovery, guilty pleas and plea bargaining, jury selection, pretrial publicity, double jeopardy, the right to counsel, and professional ethics in criminal cases. Instructor: Everett. 3 units.

226. Criminal Procedure: Police. A study of the legal restrictions on police investigative practice which typically precede institution of formal proceedings, with special emphasis upon "stop and frisk," arrest, search and seizure, confession suppression, electronic surveillance, and operation of the exclusionary rule. Instructor: Talsitz. 3 units.

232. Employment Discrimination. A study of the law of employment discrimination, focusing mainly on federal law prohibiting race, sex, age, and handicapped discrimination. This course provides a basic knowledge of statutory coverage, standards, procedures and proof, and avenues of relief. Class discussion emphasizes important issues arising in current cases: for example, reverse discrimination versus affirmative action, the controversial "comparable worth" concept in equal pay litigation, and the "bottom line" defense to test invalidation. Instructor: Jones. 3 units.

235. Environmental Law. Examination of rapidly growing body of law concerned with interrelationships between human activities and the larger environment. Focus on rationales for environmental protection; risk assessment and priorities; attributes of markets and of government policies; choice of policy instruments for environmental protection; roles of different branches and levels of government, and nongovernmental actors; interplay of scientific, economic, social, and other factors in development and consequences of environmental law. Topics analyzed in the contexts of common and statutory law regimes for air, water, hazardous waste and toxics, resource use, and biodiversity and ecosystems. Focus on U.S. legal system; some foreign and global contexts. Instructors: Schroeder and Wiener. 3 units.

238. Ethics and the Law of Lawyering. Examination in detail of the "law of lawyering" relating to such issues as the formation of the attorney-client relationship, conflicts of interest, confidentiality, communications with clients, and areas where specific rules and regulations controlling lawyer behavior are in effect. Professional responsibility issues must be examined in light of applicable court decisions, statutory rules, and administrative regulations. Beyond the legal dimension, this course also seeks to address the more aspirational concerns relating to a lawyer's role in American society. This is a required course. Instructors: J. Coleman, Metzloff, Newman, and Sage. 3 units.

240. European Union Law. An introduction to the constitutional and substantive law of the European Union, including: the origins and institutions of the European Union; the relationship of European Union law and national law; the enforcement of European Union law; and freedom of movement of goods, persons, and services; and foreign relations competence of the European Union. Instructors: Bernstein and Bignami. 3 units.

245. Evidence. A study of the theory and rules governing presentation of evidence to a judicial tribunal, including the concept of relevancy; character evidence; judicial
notice; real and demonstrative evidence; expert testimony; authentication of writings; the best evidence rule; competency, impeachment and rehabilitation of witnesses; hearsay and the exceptions to its exclusion; and privileged communications. Instructors: Mosteller and Taslitz. 3 units.

250. Family Law. A study of legal and policy issues relating to the family, including marriage and divorce. Topics include requirements to marriage, unmarried cohabitation, marital contracts, equitable distribution at divorce, spousal support, child custody, and child support. In addition to a three-hour final examination, all students must negotiate a separation agreement. Instructor: Cary. 3 units.

255. Federal Income Taxation. An introduction to federal income taxation, with emphasis on the determination of income subject to taxation, deductions in computing taxable income, the proper time period for reporting income and deduction, and the proper taxpayer on which to impose the tax. Instructor: Schmalbeck. 4 units.

260. Financial Information. Many attorneys are required to evaluate financial data, notably financial statements from corporations, on a regular basis. The need is not limited to corporate attorneys; indeed litigators in securities, antitrust, malpractice, or general commercial litigation frequently must analyze financial information. This course serves to both introduce basic accounting principles and practices and their relationship to the law, as well as to study a number of contemporary accounting problems relating to financial disclosure and the accountant’s professional responsibility. Students with accounting degrees, MBAs, or who have taken more than a couple of accounting courses are not permitted to enroll. Instructor: Bylinski. 3 units.


265. First Amendment. The basic constitutional law of the free speech-free press clause and the church-state clauses of the first amendment. Instructor: Van Alstyne. 4 units.

267. Insurance Law. An examination of the nature of insurance and the insurance contract. Possible topics include: the role of risk classification, marketing, the principle of indemnity and the notion of an insurable interest; subrogation, the risks transferred, rights at variance with policy provisions, claims processes, and justifications for and the nature of regulation of insurance institutions. Not offered 2000-2001. Instructor: Law faculty. 3 units.

270. Intellectual Property. A comprehensive introduction to the principal theories of trademark law and unfair competition, patent law, copyright law, and related state and federal doctrines. NOTE: Intellectual Property is a prerequisite for Law 369 (Patent), 393 (Trademark), and 530 (Entertainment). Instructors: Boyle and Lange. 4 units.

275. International Law. Introduction to public international law including: the nature and sources of international law; its place in national and international decision making, and its impact on United States law; the positions of international organizations, States, and persons in the international legal system; principles concerning State sovereignty, territory, and jurisdiction; foreign sovereign immunity and the act of State doctrine; the law of treaties; State responsibility; international dispute settlement; the use of force; the roles of the United Nations. Provides a survey of the field and a platform for more specialized international courses. Students with strong international interests are advised to take this course as early as possible. Instructor: Byers. 3 units.

277. Introduction to International Development. Study of international development from a normative point of view. Probes the goals of international development viewed in the context of the technical methods used to advance them; includes views and perspectives on the issues presented by foreign assistance. Focus on international and bilateral aid regimes, use of participatory and grassroots
development versus centralized planning, application of appropriate technology, and the relationship between development and health and population; the environment, women's rights, indigenous peoples, and the interaction of development and human rights. Examines transplanting legal institutions and law from developed and developing countries to developing countries. See web. Instructor: Admay. 3 units.

280. Jurisprudence. A historical examination of the development of legal philosophy from ancient times to contemporary period. Detailed examination of Aristotle's work on justice, his concept of political life in the ideal state. Study of various schools of natural law and areas in which natural philosophy enters contemporary legal thought. Time devoted to development of modern legal positivism and various types of legal philosophy derived from it, such as legal realism and contemporary work exploring basic analytical structure of the legal system. The course will give students the historical and philosophical background to engage in discussions of contemporary jurisprudential issues. Instructors: Christie and Stone. 3 units.

285. Labor Relations Law. A study of the law of labor-management relations, centering upon the National Labor Relations Act, as amended. This course investigates problems involved in the regulation of industrial conflict (strikes, picketing, boycotts, and unfair labor practices), the establishment of the collective bargaining relationship, the negotiation and enforcement of the collective agreement, the arbitration of disputes under the agreement, the relationship between the union and its members, and the protection of individual and minority rights. Since the course concerns a field regulated by statute, it provides an excellent opportunity to hone statutory interpretation skills. See web. Instructor: Culp. 3 units.

287. Principles of Commercial and Bankruptcy Law. Introduction to principles and concepts of commercial law and bankruptcy and their interplay. Brief overview of innovative aspects of sales law, letters of credit, documents of title, negotiable instruments. Focus on secured transactions under Article 9 of the UCC, concepts of security interests, collateral, perfection and priority, foreclosure. Property of a bankrupt debtor's estate, automatic stay of foreclosure action, use of property subject to security interest, adequate protection of secured party's interest, fraudulent conveyances, rejection of executory contracts, bankruptcy trustees, avoiding powers, preferences, postpetition effect, set-offs, subordination. Instructor: Schwarcz. 4 units.

290. Remedies. Examination of the principles governing the use of judicial remedies, such as damages, injunctions, and declaratory judgments, in a variety of public and private law settings. Consideration of the goals of remedies doctrines and the relationship of the doctrines to other facets of the legal system. Topics include recent developments in remedies law concerning such areas as school desegregation, consent decrees in civil rights suits, and punitive damages, which highlight the tensions underlying remedies principles. Instructor: Rowe. 2 units.

295. Trusts and Estates. An examination of noncommercial property dispositions, both testamentary and inter vivos, including the following topics: intestate succession, wills and will substitutes; creation and characteristics of trusts; powers of appointment; problems in trust and estate administration. Instructor: Shaw. 3 units.

ADVANCED COURSES

301. AIDS Law. Covers issues raised by clients with HIV/AIDS. Recommended for those intending to enroll in Law 400 (AIDS Legal Assistance Project); also open to students who do not intend to take Law 400; may be taken concurrently with Law 400. A multidisciplinary approach including collaboration with medical and marketing specialists, social workers, and clients. Topics include estate planning, AIDS pharmaceuticals, public benefits, health care, permanency planning for children and other family law issues, insurance and employee benefits, public health, employment.

303. American Legal History. Explores the social history of American law from the founding of the Jamestown colony through the civil rights movement. To a significant degree, much contemporary legal debate is grounded in assumptions about the past. Provides students with a perspective on that past and a sense of the richness of American legal tradition. A survey course with a focus on specific historical incidents and context as a way of understanding broad general themes; readings consist of such traditional primary source materials as statutes, trial transcripts, and appellate opinions. Beyond official documents, it reads events such as riots, lynchings, and rebellions as important elements in our legal culture. See web. Not offered 2000-2001. Instructor: Haagen. 3 units.

304. American Legal Profession in Historical Perspective. Evaluates the moral and professional judgment of diverse American lawyers who have played prominent roles in our national life since 1776. The development of the American legal profession. Its courts and its schools will be portrayed as a response to a political environment that was in turn a consequence of unusual social and economic conditions. Much of the work is material drawn from biographies of American lawyers who played notable roles in diverse causes, public controversies, and institutions. Covers the period 1776 to 1950. Instructor: Carrington. 3 units.

305. Banking Regulation, Federal. Examination of the regulation of domestically-owned banks and related depository institutions in the United States. Review of the development of modern banking regulation paying close attention to the major public policy issues of the day, from monetary policy to consumer protection and lending discrimination. Students introduced to the complex business of banking, the wide range of supervisory responsibilities of federal banking regulators, the delicate balance between federal and state interests, the role of bank politics in the process of national policy formulation by the Congress, and the rapid evolution of banking law and policy in recent years. Not offered 2000-2001. Instructor: Cammarn. 2 units.

307. Business Torts. The focus of many tort cases has shifted from personal injury to economic losses caused by fraud, misrepresentation, and interference with contractual relations and prospective advantage. This course will consider a wide range of business related tort causes of action, the procedures by which they are litigated, and the strategies and tactics used by attorneys primarily in the interest of the health care industry. Instructors: Kanner and McGovern. 3 units.


310. Collective Bargaining. A comprehensive treatment of the legal and practical aspects of negotiating a collective bargaining agreement in both the public and private sectors. Student participation together with practical demonstrations relating to arbitrations and typical bargaining problems. Guest lectures in arbitration, union organizing, implications of civil rights legislation, and public policy implications. Students required to submit a term paper and take a one-hour examination that is partial "true," "false," fill-in, and essay. It is helpful, but not essential, to have first taken Law 285. Students interested in careers in employment or commercial law would be especially benefitted by the course. Limited to 30 students. Instructor: Siegel. 3 units.
312. Community Property. A survey of the marital property laws of Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, and Wisconsin, with comparison to the Spanish system. Students may concentrate their studies on the law of one of the nine states. Students may elect to be graded on an exam (tailored to their state), weekly papers on problems to be discussed in class, or a term paper. Community Property is a bar exam subject in California and Texas. Not offered 2000-2001. Instructor: Law faculty. 2 units.

313. Comparative Governance. Introduction to the topic of corporate governance including an overview of the legal and economic foundations of the publicly traded corporation. The core of the course will compare countries that have an "outsider/arms length" system of ownership and control (for example, the United States and the United Kingdom) with those where an "insider/control-oriented" system prevails (for example, Germany, Italy, and Japan). Topics include board systems, employee participation in corporate governance, executive pay, and institutional investors. The possibility of convergence between corporate governance systems will also be explored. Instructor: Cheffins. 2 units.

315. Complex Civil Litigation. An advanced civil procedure class with a focus on the problems of large multiparty and multiforum civil cases and how courts and litigants deal with them. Includes joinder devices, especially (but not only) class actions; federal multidistrict transfer and consolidation; big-case discovery problems; judicial case management techniques and issues; and ways of accelerating or terminating potentially or actually protracted cases including settlement, alternative dispute resolution, representative trials, and claims processing facilities. May include such matters as attorney fee awards; preclusion; and possible reforms. Instructor: Rowe. 3 units.

316. Wrongful Convictions: Causes and Remedies. An interdisciplinary examination of both the principal problems that lead to the conviction of the innocent and leading proposals for reform. A collaborative venture led by Cardozo Law School, the home of the nation's first Innocence Project; schools throughout the United States meet via video-conferencing technology. Topics include mistaken eyewitness identification; false confessions; junk forensic science; the role of forensic DNA testing; post-conviction remedies for innocence claims; the use of "jailhouse snitches" and cooperating witnesses; incompetent defense counsel; police and prosecutorial misconduct; the problem of innocence and the death penalty; and the legal, practical, and ethical issues that arise between journalists and lawyers investigating claims of wrongful conviction. Papers and in class presentations required. Instructors: Coleman and Newman. 2 units.

322. Copyright Law. Instruction in advanced copyright law with particular emphasis on contemporary practice, theory, and current literature in the field. Substantial attention will be paid to issues in the Internet environment (for example, copyright protection and infringement liability in cyberspace). Instructor: Reichman. 3 units.

323. Corporate Reorganization and Bankruptcy. Examination of legal and financial conflicts arising public firms’ use of debt; Bankruptcy Code’s standards for corporate organization, such as absolute priority, cram-down, equitable subordination, consolidation of financial structure of holding companies; how those standards affect prebankruptcy financing transactions; destructive bankruptcy problems arising from extensive use of junk bonds; implications of economic and financial theory for corporate reorganization policy. Instructor: Schwarz. 2 units.

324. Corporate Restructuring. See C-L: Finance 455. Instructors: Bradley and Staff. 3 units.

325. Corporate Finance. Focus on three distinct but interrelated components: an
326. Corporate Taxation. A study of the provisions of the Internal Revenue Code governing the tax effects of the major events that occur in the life span of a corporation, including the taxation of distributions to shareholders and the formation, reorganization, and liquidation of corporations. No papers are required, but class participation is expected. Students interested in taxation should take this course; it also has application to general corporate practice (mergers and acquisitions). It is strongly recommended that students take Law 210 (Business Associations) before taking Corporate Taxation, if possible. Prerequisite: Law 255. Instructor: Schmalbeck. 3 units.

330. Criminal Law: Federal. A study of federal criminal jurisdiction and selected federal crimes, including the major offenses used to prosecute political corruption at the federal, state, and local level, drug offenses, conspiracy and organized crime (RICO), forfeiture, and the sentencing guidelines, with an emphasis on the exercise of prosecutorial discretion in the federal system. A paper and participation in two simulated appeals are required, and enrollment is limited to 24 students. See web. Instructor: Beale. 3 units.

335. Economic Analysis of the Law. The course begins with a brief overview of elementary microeconomic theory, using examples drawn from various legal fields. It then explores the theory that the development of the common law can best be explained as a pursuit of efficient legal rules. Finally, application of economic theory to selected special topics in the law is examined. Not offered 2000-2001. Instructor: Law faculty. 3 units.

336. Economic Regulation in Japan. Examination of the economic regulations of Japan in comparison with the United States, (primary focus on Japan) by exploring some basic assumptions and differences of their regulatory approaches. Characteristics of regulatory styles discussed in the context of deregulation and privatization, centralized versus decentralized control, consensus-based versus rule-oriented regulations. Students contribute by choosing topics of individual interest such as telecommunications, distribution, financial institutions, land use and housing, employment and labor, and medical care and welfare. Instructor: Fujikura. 2 units.

337. Employment Law. Focus on common law and statutory developments in dismissal law, particularly the erosion of employment at will; common law and statutory developments in privacy law (drug testing, honesty testing, and electronic monitoring of the workplace); employee duties of loyalty and the enforcement of noncompetition clauses; employment antidiscrimination law, including prohibitions of discrimination on the basis of race and sex (title VII), age (the ADEA), and disability (the ADA); regulation of minimum wages and maximum hours under the Fair Labor Standards Act; the laws and regulatory structure governing unemployment insurance; the law regulating employer-provided pension and health insurance, ERISA; and workplace safety and health laws. Instructor: Law faculty. 3 units.

338. Animal Law. Examination of a number of topics related to the law of animals, including various issues that arise under the law of property, contracts, torts, and trusts and estates. Various criminal law issues and constitutional law questions are also examined. Consideration of such issues as the definition of “animal” as applicable to anti-cruelty statutes, the doctrines of strict liability and negligence related to injuries
caused by animals, the collection of damages for harm to animals, establishing standing for animal suits, first amendment protections, and the nuances of various federal laws. Instructor: Reppy. 3 units.

340. Estate and Gift Taxation. A study of the rules governing federal taxation of wealth transfers. Prerequisite: Law 255 (may be taken concurrently); a prior or concurrent enrollment in Law 295 is recommended. Instructor: Shaw. 3 units.

341. Food and Drug Law. Introduction to basic principles of food and drug laws and examination of how significant doctrines of constitutional, administrative, and criminal law have been elaborated and applied in the food and drug context. The United States Food and Drug Administration has a pervasive role in American society: it is often said that the agency regulates products accounting for twenty-five cents of every dollar spent by consumers. Exploration of the complex interplay of legal, ethical, policy, scientific, and political considerations that underlie the FDA’s regulatory authority, its policy-making, and its enforcement activity. Instructors: Shapiro and Zoffer. 3 units.

342. Federal Courts. Ways in which federalism and the separation of powers affect federal courts and relations with other branches and the states. The jurisdiction of the federal courts, original and appellate; justiciability, Congressional authority to define and limit; diversity and federal question jurisdiction, removal, and supplemental jurisdiction; some aspects of the law applicable in federal court: Erie, federal common law, implied rights of action, civil rights actions and immunities of officials and governments; statutory and decisional abstention requirements; and judgments: direct review of state and federal decisions, federal-state res judicata, and collateral attack via habeas corpus. Instructor: Rowe. 4 units.

345. Gender and Law. Examines topics in law relating to the law’s treatment of and impact on women through a series of different theoretical perspectives that produce alternative understandings of the relationships between gender and law. Theoretical perspectives include formal equality, substantive equality, dominance theory, different voice theory, autonomy, and anti-essentialism. Topics include employment, the family, domestic violence, school sports, sexual harassment, pornography, rape, insurance, affirmative action, women in legal practice, the regulation of pregnancy, sexual orientation discrimination, and the intersection of race, gender, and culture in the law. Some use of film. Three one-hour midterm exams with optional paper substitution for one. Instructor: Bartlett. 3 units.

347. Health Care Law and Policy. Surveys the legal environment of the health services industry in a policy perspective; attention to the tensions and trade-offs between quality and cost concerns. Topics include access to health care; private and public programs for financing and purchasing health services; economics of health care and health care costs; role of professionalism versus the new commercialism in health care; legal and tax treatment of not-for-profit corporations; regulation of commercial practice in professional fields; fraud and abuse in government programs; application of antitrust law in professional fields; internal organization and legal liabilities of hospitals; and public regulation of institutional providers. See web. Instructor: Havighurst. 3 units.

348. Intellectual Property and Software Protection. This is a course in the intellectual property law primarily applicable to computer program and software protection and related technological subjects. The course includes instruction in relevant doctrines from copyright, patent and trade secret law, and trademark and unfair competition law. There is no prerequisite, though prior instruction in basic intellectual property will be helpful. Not offered 2000-2001. Instructor: Lange. 2 units.

351. Current Immigration Law and Practice. Affirmative immigration and defense since the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Sources of law and agency organization; admission to the United States; consular visa
processing and adjustment of status; employment authorization; visas, visa waivers, and visa exemptions; employment and family-based permanent resident status; investors, miscellaneous immigrant visa provisions; emergent issues; 3/10 year bars; 245 (8) & (k); 222 (g); criminal issues; asylum/refugee status; Temporary Protected Status (TPS); NACARA; relief from removal; employment authorization and employer sanctions; citizenship; loss of citizenship. Not offered 2000-2001. Instructor: Law faculty. 2 units.

352. International Business Transactions. A case-study approach to drafting and negotiating documentation for complex, multijurisdictional international business transaction. Primary focus on the legal and practical aspects of multinational transactions, particularly in emerging markets; secondary focus on the broader political, social, and normative implications of such transactions. Topics include: international licensing, joint ventures, international securities offerings, concessions, debt swaps, and privatization. Instructor: Verrill. 2 units.

354. International Human Rights. Topics include protection of human rights in the framework of the UN; legal and historical analysis of the 1948 Covenants Including Optional Protocol; the system of the European Convention on Human Rights; reasoning and deciding of the Commission and the Court, and a comparison with American courts. Discussion of some problems including “generations of human rights” and possible conflicts between them; possible tensions between protection of minorities; meaning of the international criminal tribunals; relationships between civil rights, citizenship and globalization; compatibility between affirmative action procedures and individual rights; philosophical foundation of human rights. See web. Not offered 2000-2001. Instructor: Law faculty. 2 units.


360. International Taxation. An examination of the federal income tax imposed on income earned in foreign countries either by citizens and residents of the United States or by foreign corporations that are controlled by citizens and residents of the United States. This course also includes a study of the federal income tax imposed on nonresident aliens and foreign corporations on their income derived from United States sources. Prerequisite: Law 255 or consent of instructor. Instructor: Shaw. 2 units.

361. International Economic Law. This course examines various topics related to the conduct of international business. Subjects covered are international private trade, including private international contracts, dispute resolution, and letters of credit; national and international regulation of trade in goods, including the GATT; international regulation of monetary affairs through the IMF; foreign direct investment and transfer of technology. Instructor: Byers. 3 units.

362. Law in Emerging Issues: Russia and the Former Soviet Union. Analysis of legal aspects of business, trade, and investment in emerging market companies. Focus on the experience in Russia and other nations of the former Soviet Union. A
concentrated and practical understanding of the problems associated with business, trade, and investment, as well as policies and conditions that determine specific issues. Topics covered include legal environment; company law and securities regulation; regulation of foreign investment; currency and foreign exchange; taxation; intellectual property protection; corruption and its implications; judicial reform and dispute resolution. Not offered 2000-2001. Instructor: Law faculty. 3 units.

363. Legislation. A study of the factors involved in the development and passage of legislation, and in its interpretation by the courts. Topics covered include theories of legislation, legislative procedure and process, problems in drafting statutes, compilation of legislative histories, and determination of legislative intent. Research paper or examination. Instructor: Danner. 2 units.

368. Natural Resources Law. Focus on constitutional, statutory, and common law governing the legal status and management of federal lands and natural resources; the rationale for government ownership, management, and trusteeship of natural resources; the historical, social, economic, scientific, and political factors that influence natural resource policy; the history of public land acquisition, disposition, and reservation; the authority of Congress, the Executive, the Judiciary, and the States over public lands. Explores federal law, policy, and agency practice affecting the use of mineral, timber, range, water, wildlife, and wilderness resources on public lands; government’s role as a trustee of natural resources and natural resource damage claims. Instructor: Firestone. 3 units.

369. Patent Law and Trade Secrets. An overview of the legal framework for patents, including statutory requirements for patentability, disclosure requirements, infringement analysis, special problems of collaborative and competitive research, international issues, and the role of patent counsel in litigation. Prerequisite: Law 270 is suggested. Instructor: Sibley. 3 units.

371. Products Liability. A general survey of the substantive law of products liability including tort law with an emphasis on strict liability in tort, contract law with an emphasis on warranty, and legislation and administrative law. A review of federal and state rules of civil procedure, particularly regarding discovery, as they apply in the products liability context. Finally, a focus on a limited number of specialized product areas to consider theoretical and practical aspects of handling products liability litigation. Instructors: McGovern and Rice. 3 units.

372. Professional Liability. The past fifteen years have seen a significant increase in the number, as well as the complexity, of claims asserted against professionals. The potential liability of attorneys, accountants, doctors, architects, and other “professionals” is a matter of great importance given the significant resources expended in providing professional services in the United States. This course will analyze the contours of liability principles in professional malpractice cases in the context of the legal, medical, and accounting professions. In addition, this course will study the interaction of malpractice cases with professional ethics and the theory of self-regulation. Not offered 2000-2001. Instructor: Law faculty. 3 units.

373. Origins of Environmental Legislation. Examines philosophical and historical origins of modern environmental movement. Topics include conservationism, preservationism, transcendentalism, the views of several religions toward the environment, deep ecology, and the rights of or obligations toward animals and future generations. Includes interest group theories of legislation, public choice theory, theories that relate legislation to sectional rivalries, or to one group of firms raising competitors’ costs, and civic republican explanations of environmentalism. Focus on the origins–political, intellectual, cultural–of specific environmental laws, concentrating on those enacted in the period 1969 to 1980. Instructor: Schroeder. 3 units.

374. Constitution in Cyberspace. Covers ways in which cyberspace makes a series
of constitutional problems more difficult, easier, or just more interesting. Class reviews some of the utopian and dystopian literature about the Net’s likely effects on issues ranging from property and community, to the news media and popular sovereignty. Focus on the First Amendment, and privacy, in addition to equal protection and procedural due process. Instructor: Boyle. 3 units.

375. International Intellectual Property. Survey of international intellectual property law as reconfigured by the new universal standards of protection embodied in the TRIPS agreement, which is a component of the Agreement Establishing the World Trade Organization of 1994. Focus on the legal and economic implications of the new international intellectual property standards in the light of prior Conventions, with particular regard to such topics as patents: copyrights and related rights, trademarks, integrated circuit designs, trade secrets, and industrial designs. Prerequisite: Law 270 (Intellectual Property). Instructor: Reichman. 3 units.

380. Research Methods in International, Foreign, and Comparative Law. A survey of methods, techniques, and strategies for international, foreign, and comparative legal research, including the efficient use of LEXIS, WESTLAW, and the Internet. Examination of treaty law, the law of international organizations, European Union law, civil law and other foreign legal systems, and international litigation and business transactions. Students complete several research projects, including an annotated bibliography, on topics chosen in consultation with the instructor. Course required for students enrolled in the J.D./LL.M. in Comparative and International Law. Other students may be admitted by consent of instructor. Instructor: Topulos. 2 units.

384. Securities Regulation. A study of the federal and state securities laws and the industry they govern with emphasis on the regulation of the distribution process and trading in securities; subjects dealt with include the functions of the Securities and Exchange Commissions, registration and disclosure requirements and related civil liabilities, “blue-sky” laws, proxy solicitation and reporting requirements, broker-dealer regulation, the self-regulatory functions of the exchanges, and the regulation of investment companies. Instructor: Cox. 3 units.

385. Securities Regulation II. This class will focus on selected current issues in securities regulation and financial institution regulation. The selected issues will be explored in fact-specific settings from a client-oriented, hands-on perspective. One of the fact settings will involve a complete review of a major corporate transaction, such as an acquisition, recapitalization, or leveraged buyout. Emphasis will be placed on identifying the specific legal issues involved and evaluating the range of alternatives available to the client to achieve its business objective. Course work will include three or four memoranda of three to five pages each. Two of the memoranda will be done on a team basis, with each team consisting of two to three students. Instructor: Hart. 2 units.

388. Social Science Evidence and Law. Social science evidence has come to play an increasingly important role in civil and criminal cases at all levels of American courts. It is used, for example, in cases involving issues of trademark infringement, obscenity, discrimination, identification of criminal offenders, potential jury prejudice, misleading advertising, eyewitness reliability, sexual assault, self defense, dangerousness, and the fashioning of remedies. The goal of this course is to teach law students to become sophisticated consumers and critics of social science evidence. Instructor: Vidmar. 3 units.

390. Structuring Commercial and Financial Transactions. In exciting and innovative areas of legal practice, companies have been raising money through structures intended to separate assets from risks associated with the company. These are then dedicated to repayment of capital market securities. Structured finance or asset securitization brings together fundamental legal disciplines, including bankruptcy, securities law, corporation law, secured transactions, finance, and tax. Topics include commercial financing techniques and concepts, guarantees, loan agreements, letters of
credit, interest rate, and currency swaps; how capital markets work, rating agencies, cross-border and transnational considerations. Development and analysis of finance transactions. Consideration of ethics. See web. Instructor: Schwarz. 3 units.

393. Trademark Law and Unfair Competition. Current trademark and unfair competition law inspected from three different viewpoints: theory, case law, and litigation strategy. If enrollment allows, practical drafting assignments will partially replace the final examination. Prerequisite: Law 270. Instructor: Lange. 2 units.

396. Genetics and the Law. This course will address the principal U.S. and international legal implications of the new genetics and of modern genetic technology. In particular, we will examine how these scientific developments challenge the law and policy that governs intellectual property, privacy, discrimination, criminal prosecutions, reproductive rights issues, family structures, and human manipulation of the environment, including the subject of genetically modified crops. Instructor: Coleman. 3 units.

**CLINICAL COURSES**

400. AIDS Legal Assistance Project (Clinical Course). An in-house legal clinic for persons with HIV/AIDS. Students will represent, under close supervision, persons with HIV/AIDS in document preparation (wills, living wills, health care powers, and powers of attorney); government benefits (medicaid, medicare, social security disability, food stamps); permanency planning for children; insurance coverage; guardianship proceedings; employment and housing discrimination; other cases affecting the legal rights of persons with HIV disease. Each student will have an individual case load and will be required to spend one hundred hours on clinic cases. See web. Instructors: McAllaster and Wettach. 4 units.

405. Appellate Practice (Clinical Course). Primarily taught by members of the federal judiciary. Covers the appellate process and the proper techniques involved in brief writing and oral advocacy. Each student is required to write an appellate brief with another student. In November, students may argue their briefs before members of the Moot Court Board before arguing for a grade before a visiting federal judge. Recommended for students who plan to participate in the Dean's Cup Moot Court Competition in the spring. The problem assigned will be the same one used in the competition second semester. Although the course is helpful for Dean's Cup, it is not a prerequisite for participating in the competition. Students who cannot take the course are eligible for Dean's Cup. Instructor: Ford. 2 units.

420. Civil/Criminal Trial Practice (Clinical Course). An introduction to the civil and criminal litigation process and attendant skills. Emphasis on the interactions between attorneys and witnesses and between lawyers and juries by use of simulation and videotape pedagogy. Areas of inquiry include opening statements, closing arguments, direct- and cross-examination of lay and expert witnesses, objections, introduction of evidence, and trial preparation. Each student completes the course requirements by participating as counsel in a full jury trial. In the spring semester, instruction is concentrated in the first half of the semester. It begins with an intensive weekend of instruction in January. See web. Prerequisite: Law 245. Instructor: Becton, Beskind, Cowan, Fuller, Sandra Johnson, Kuniholm, or T. Maher. 3 units.

423. Civil Pretrial Practice (Clinical Course). This one-semester course provides an in-depth practical examination of civil pretrial practice. The course develops a student's knowledge and understanding of the procedures and problems in prosecuting and defending a civil action in the state and federal trial courts. Course provides students with an opportunity to use the knowledge gained from other related law school courses such as Civil Procedure (Law 110), Torts (Law 180), Evidence (Law 245), and Ethics (Law 238). Instructor: Glenn. 4 units.
430. Criminal Litigation (Clinical Course). An examination of the lawyering process in criminal cases from the point of view of the criminal justice practitioner. Using videotape simulation, students will participate as attorneys in simulations of various stages of the criminal justice process from initial interview through trial, with special emphasis on pretrial proceedings. The clinical phase of the seminar requires each student to practice with criminal justice practitioners pursuant to the North Carolina Rules Governing Practical Training of Law Students. Placements include district attorneys, the public defender, and private defense counsel. Prerequisites: Law 226, 245, and 420. Instructors: T. Maher and Rudolf. 4 units.

435. Death Penalty Clinic (Clinical Course). Includes a seminar and a field component. The seminar examines doctrine governing selection of cases to be tried capitally and the imposition of the death penalty, concluding with a substantial research paper. The field work begins with skills training. Students are assigned to work with defense attorneys who are handling a defendant's conviction and death sentence. Students are not able to appear in court because of the charges and serious consequence at stake. Placements often involve analysis of trial transcripts, development of legal and factual issues, and traditional legal research. Students are required to complete one hundred hours of work with their placement. See web. Instructors: Adcock and J. Coleman. 5 units.

440. Estate Planning (Clinical Course). An examination of the problems and techniques of estate planning and administration, including the income taxation of trusts and estates. Students prepare planning recommendations and draft related documents for hypothetical clients. Prerequisites: Law 255, 295, 326 (may be taken concurrently), and 340. Instructor: Shaw. 3 units.

445. Forensic Psychiatry (Clinical Course). This course is designed to provide the student with a working knowledge of the major areas of interface between psychiatry and law. Basic concepts of clinical psychiatry and psychopathology will be highlighted. Attorney and psychiatrist roles in the commitment process, right to treatment and right to refuse treatment, competency to stand trial, and criminal responsibility will be explored. Discussion of assigned readings, short lectures, interviews and observation of patients involved in legal proceedings, films, guest speakers, and field trips will form the basis of the course. Instructor: Sally Johnson. 3 units.

448. International Development (Clinical Course). This clinic is primarily concerned with assisting developing countries with legal research related to designing and implementing the framework legislation and regulation necessary for development. Where the courts make use of foreign and international law in interpreting constitutional and statutory law, the clinic will provide research support. Students and particular ministries of South Africa will have responsibility for legal issues facing the new nation as it seeks to promote development and overcome a history of inequitable legal arrangements and policies. Prerequisite: Law 277. Instructor: Admay. 4 units.

460. Negotiation and Mediation (Clinical Course). Explores processes of negotiation, mediation, and settlement in legal and other contexts. Negotiation defined as the process by which two or more parties attempt to reach a mutually agreed upon decision regarding resolution of a dispute or the social ordering of relationships. Mediation is negotiation facilitated by a neutral third party. Other forms of alternative dispute resolution (arbitration or summary jury trials) are usually preceded by negotiation. Focus on nature of conflict and strategies and tactics of negotiation and mediation. Students gain insight into their own negotiation style, improve negotiation skills, and analyze the social process of conflict resolution. Active participation, journal, and paper required. Instructor: Beason, J. Coleman, Dimond, Ellis, or Vidmar. 3 units.

465. Patent Claim Drafting (Clinical Course). Scope of patent protection is
controlled by definitions of the invention known as patent claims. The role of intellectual property protection in the economy has caused attention to be given to the precision of claim drafting. Focus on skills used in patent claim writing across a variety of technical fields and developed through exercises, problems, and competitions. Cases and secondary materials read in conjunction with the skill-oriented sessions provide a background in the law that controls the approaches taken to claim writing, as well as a basis for discussion during particular problems. For students interested in patent preparation, prosecution, and litigation, or corporate law involving intellectual property transactions. Instructor: Sibley. 1 unit.

470. Poverty Law (Clinical Course). Study of poverty, poverty programs, and the United States civil justice system. Topics include history of access to justice, demographics of poverty, a skills workshop on client-centered interviewing, food and income programs, health law, economic development, family law, employment, housing, and education. The class meets two hours per week. There is a twenty-hour field requirement and assignments to post on web discussion board. The course grade is based on a twenty-thirty page paper. See web. Instructor: Spruill. 3 units.

SEMINARS

502. Advanced Issues in Criminal Justice (Seminar). Issues covered include the scope and protection granted during the interrogatory process; the protection of privacy versus law enforcement needs to search and seize; prosecutorial discretion against vindictiveness; plea bargaining; criminal trials and the media; the jury trial; legal and ethical problems of providing representation for criminal defendants; sentencing guidelines versus unfettered discretion; death penalty litigation; race and sex in the criminal justice process. Guest speakers with unique experience will be invited to participate in some of the seminar. Not offered 2000-2001. Instructor: Law faculty. 2 units.

503. Athletics and Antitrust (Seminar). An examination of the economic structure of professional and college sports and the antitrust implications of centralized control through leagues and associations. Among the matters to be considered are the antitrust issues raised by rules controlling player movement, league control of franchise relocation, limitations on ownership rights, NCAA control of broadcast arrangements, and restrictive definitions of amateurism. Not offered 2000-2001. Prerequisite: prior or concurrent enrollment in Law 285. Instructor: Law faculty. 2 units.

505. Biotechnology and Chemical Patent Practice and Policy (Seminar). Explores the doctrines and issues that arise with respect to the patenting of biotechnological and chemical inventions. Focus on the patenting of pharmaceuticals, life forms, DNA sequences, cell lines, and similar technologies as well as the interaction of the patent system on other aspects of our society. The biotechnology revolution and the corresponding commercialization of biotechnological discoveries impact the search for and dissemination of knowledge, the academic environment, the implications for taxpayer funded research, medical research and the public good, the economics of food production and farming, and the lesser developed countries that provide raw materials for pharmaceutical inventions. Prerequisites: recommended but not required: Law 270 and a scientific and technical background. Instructor: Magri. 2 units.

506. Critical Race Theory (Seminar). The legal scholarship of black and other legal scholars on the relationship between race and the law. The influence of race on the interpretation and formation of law in constitutional and statutory settings. Examination of materials including cases, law review articles, books, and nonlegal material. Purpose: to permit participants to answer whether there can be a black perspective on the law, and what such a perspective has to say about substantive areas of the law including constitutional law, torts, property, and criminal law. Also, how black legal scholarship fits in with extensive feminist legal scholarship and other...
"parochial" concerns in this age. The concern that "black" is used to mean only black men, not black women. Instructor: Culp. 2 units.


508. Chinese Law and Society (Seminar). Survey of Chinese legal thought and practice in the People’s Republic of China. Focus on the relation of law to social ideals, to social change, and to politics. Consideration of socialist theories of law, conventional criminal and civil processes, informal and extrajudicial institutions, international law, and trade law. Prior familiarity with Chinese history or politics is unnecessary. Instructors: Gao and Ocko. 3 units.

509. Chinese Legal History (Seminar). A survey of Chinese legal history that focuses on late imperial law in the Qing dynasty (1644-1911). Attention given to the legal transformations in the twentieth century. Examination of the way in which a legal system creates and reflects a society’s structures and values in a mutually interactive process that constructs a particular "legal sensibility." Readings drawn from Chinese codes, cases, and "detective novels" as well as, for comparative purposes, from European and American legal history. No previous background in Chinese history is required or expected. Not offered 2000-2001. Instructor: Law faculty. 3 units.

512. Comparative Public Law and Policy: Ethnic Group Relations (Seminar). An interdisciplinary seminar to appraise various approaches to the reduction of conflict in deeply-divided societies, primarily in Asia and Africa. Substantial attention will be paid to the nature of ethnic identity, the sources of group conflict, and the forms and patterns it takes. Consideration will be given to methods of analyzing social science materials and utilizing them for the design of policies, laws, and institutions. Approaches include federalism, regional autonomy, electoral law, parliamentary and presidential arrangements, programs to prefer under-represented ethnic groups in education, employment, other spheres of economic activity. Emphasis on forecasting and evaluating the impact of alternative approaches. Instructor: Horowitz. 3 units.

513. Campaign and Election Law (Seminar). Examination of the legal issues that arise during the course of local, state, and federal political campaigns and on election day, plus related areas. Subject matter areas addressed in the general order faced by, and from the perspective of, a typical campaign. Topics include precandidacy activities, campaign finance laws, Federal Elections Commission and state boards of election, regulation of paid political advertisements, defamation, interaction with other political interest groups (for example, parties, PACs, and independent expenditures), enfranchisement and registration, election day issues, challenging voting results, and redistricting. Instructor: H. Dellinger. 2 units.

515A. Government, Business, and Public Policy in the Global Economy. Course will study the evolving relationship between business and government at all levels, with emphasis on the federal level. The first half of the course will focus on the U.S. Congress. How does Congress make decisions on issues of primary concern to business? How is it affected by outside influences, such as the media, campaigns, other branches of government, public perceptions, and interest groups? How has its interaction with that environment changed over time? The course will then apply principles derived from this study to other levels of government. Final section of the course will probe the existing relationship between multinational corporations and nation-states, and how the relationship is changing in the "global economy." C-L: Economics 407. Instructor: Kaufman. 3 units.

515B. The Congress (Seminar). Examination of the institution of the Congress, concentrating on the operation of the Congress within our constitutional system, and forces and constraints influencing the decisions of members. The role of constituents, interest groups, the media, staff, the congressional leadership, and the administration
are examined. Topics critically examined include: campaign finance reform and congressional ethics, the budget process, committee structure and the role of committees, and the processes of legislating, conducting oversight, and approving nominations and treaties. A major component of most classes is a case study, researched and presented by student teams. Also taught as Public Policy Studies 264S. Instructors: Kaufman and Schroeder. 3 units.

516. Access to Civil Justice (Seminar). This seminar deals with several policy areas affecting access to civil justice in the United States, selected other nations of English legal heritage, and various civil-law jurisdictions. Topics include restrictions on “unauthorized practice of law”; liability or nonliability of losers for winning parties’ attorneys’ fees; attorney advertising; antitrust restrictions on anticompetitive conduct by lawyers’ organizations; legal-expense insurance; class actions and entrepreneurial lawyering; and legal aid. Instructor: Rowe. 2 units.

518. Advanced Constitutional Law (Seminar). Federal constitutional law is at once a central and a highly controversial part of contemporary American law. The great expansion of issues subject to serious constitutional review by the courts, and the consequent profusion of judicial doctrines, necessarily mean that introductory courses in constitutional law omit or treat only fleetingly important areas and issues. This course will focus on a specific topic or doctrine in constitutional law, read extensively in the relevant case law, and examine the works of selected commentators. The topic addressed this semester is the law of the presidency: the president’s independent constitutional authority and the office’s relationship to Congress and the judiciary. Not offered 2000-2001. Instructor: Law faculty. 2 units.

520. Theory of Constitutional Adjudication (Seminar). Examination of the role of the Supreme Court and problems of method in deciding constitutional issues. Topics include uses of constitutional text, history and “original intent,” structure, precedent, and moral or philosophical values. Coverage of mainstream and critical perspectives on constitutional theory—liberal, conservative, Critical Legal Studies, feminist, and Critical Race Theory. Seminar concludes with illustrative application of theoretical approaches to recent or current major cases or controversies. Not offered 2000-2001. Prerequisite: Law 120. Instructor: Rowe. 3 units.

521. The Culture of American Law (Seminar). American law can be viewed usefully from a variety of perspectives. In law school, we usually approach the law as a set of political norms that are articulated and enforced through formal legal institutions, or as the activities of professionals working within those institutions. Law is also a mindset, a shared “culture” of ideas, attitudes, memories, and myths, that shape the lives and work of legal professionals as well as the broader society. In this course we will read critically writings on the law that have shaped or reflect the present nature of that legal culture. Our primary concern will be to understand more fully the nature of the law as practice and vocation through the prism of these writings. Not offered 2000-2001. Instructor: Powell. 2 units.

522. Contemporary Jury (Seminar). The jury plays a central role in American criminal and civil law. Its effects extend beyond the cases that are tried before it because it sets the standards around which settlement negotiations occur. It is a controversial institution that has been vigorously defended by some and severely criticized by others who have labeled it incompetent, biased, capricious, and irresponsible. In this seminar we will explore the role and performance of the jury in modern American society. Not offered 2000-2001. Instructor: Vidmar. 2 units.

523. Contracting Around (Seminar). Contracting around explores the scholarly debate surrounding and judicial treatment of agreements designed to modify statutory and common law rights and duties. The course will focus on agreements that attempt to control access to the courts, and to alter obligations related to tort, employment,

525. Corporate Reorganization (Seminar). Emphasis on the practical process of reorganizing troubled and failing businesses; taught with a practical, hands-on approach. The instructing professor currently operates several international businesses and will draw from actual domestic and international examples. Examines the roles of the various business and legal positions in workout and reorganization situations. Topics in domestic and international workouts and reorganization, in and out of a court setting, include identification of troubled companies and properties; the financial structure of these companies; identification of factors leading to the company's economic trouble; and the methods of allocating risk as the company is reorganized. Covers basic bankruptcy concepts. Prerequisite: a basic bankruptcy course is helpful but not required. Instructor: Coyne. 2 units.

526. Dispute Resolution. One of the most significant recent developments in civil procedure is the evolution of alternative methods of resolving disputes. Under the general label of alternative dispute resolution (ADR), courts and private parties are increasingly using nontraditional methods to resolve disputes that previously were resolved through the traditional court process. Course materials will cover negotiation, arbitration, and mediation, as well as specific ADR techniques such as the mini-trial, court-annexed arbitration, and the summary jury trial. Special attention to empirical analysis of the impact of alternatives. Focus on the ethical responsibility of lawyers in advising clients about settlement and conduct of dispute resolution procedures. Instructor: McGovern. 3 units.


529. Genetics and the Law (Seminar). Focus on new genetic technologies to determine whether cultural concerns about the negative impacts of the biotechnology revolution are appropriately cautious or unnecessarily nostalgic. Review of relevant aspects of cell biology, with a focus on the Human Genome Project, as well as on the legal issues implicated by the new genetic technologies including privacy, property rights, equal protection, and procreative liberty. Discussion of nonhuman/environmental issues including the implications of genetically-engineered food crops and the release of genetically-altered microorganisms into the environment. Concentration on United States law with an international and comparative perspective on the subject. Prerequisite: Law 120. Instructor: D. Coleman. 2 units.

530. Entertainment Law (Seminar). An introduction to selected theories, statutes, and regulations (other than intellectual property law) governing principal undertakings, business transactions, and legal relationships in the entertainment industry, including publishing, the theater, television and motion pictures, music, and related fields. Prerequisite: concurrent or prior enrollment in Law 270. Instructor: Lange. 3 units.

532. Advanced Issues in Agency Law (Seminar). Seminar focuses on current issues in the common law of agency, the body of law applicable to consensual relationships in which one person consents to act on behalf of another person and subject to that person's control. Agency is a common law subject of wide scope that cuts across a number of doctrinal boundaries. Prototypical examples of agency relationships include those between real estate and other specialized agents and their clients, between
employees and employers, and between officers and corporations. Instructor: DeMott. 2 units.

535. Financial Holding Companies Law (Seminar). A survey of the statutory, administrative, and litigation background behind the development of insurance agency, securities brokerage, and securities underwriting powers for the banking and thrift industries, and the development of deposit-taking activities for the insurance and securities industries, culminating with an in-depth focus on the provisions in the Gramm-Leach-Bliley Act respecting electing to be a financial holding company subject to the jurisdiction of the Federal Reserve Board as the "umbrella" Federal functional regulator. Instructor: Lybecker. 2 units.

539. Ethics in Action (Seminar). The class will function as an ethics committee considering current issues and ethics inquiries based upon actual disputes. The participants, working in small groups, will draft detailed ethics opinions that the full class will consider, revise, and the like. Instructors: Metzloff and Mine (Director of the NC Ethics Committee). 3 units.

541. The Nonprofit Sector (Seminar). The subject of the course is the vast and diverse sector of the economy composed of not-for-profit organizations. The topics to be covered include their economic function, the tax laws covering them, abuses of their special status, and policy issues regarding them. Instructors: Clotfelter and Schmalbeck. 2 units.

542. Financial Services: Mutual Funds and Other Asset Managers (Seminar). The financial services industry is now commonly viewed as including a number of discrete categories: consumer finance (credit cards, personal loans, and transaction processing); mortgage banking; commercial finance; investment banking; merchant banking/venture capital; insurance underwriting and agency; and asset management (brokerage, investment advice, investment companies, trust activities, and pension plan management and administration). Seminar will review and discuss the robust regulatory scheme for mutual funds; the investment management aspects of the federal bank regulatory system; and the treatment of common problems for financial institutions managing assets under multiple regulatory formats. Instructor: Lybecker. 2 units.

543. Federal Practice of Civil Rights and Civil Liberties (Seminar). A study of advanced constitutional law and federal practice, working through a series of problems to provide: (a) familiarity with the principal federal statutes (procedural, substantive, and remedial) used in civil rights litigation; (b) their judicial interpretation and application; and (c) a consideration of frontier constitutional issues. Not offered 2000-2001. Instructor: Van Alstyne. 3 units.

544. International Politics and International Law (Seminar). Exploration of the interface between international politics and international law as discussed in the academic literature of both international relations and international law. Consideration of a series of case studies of situations in which international politics and international law have interacted- and continue to interact- in interesting ways. Case studies will include the customary international law of the sea, the Pinochet Case, and the standard of compensation for the expropriation of foreign-owned property. The goal of the course is to link the theory of international relations and international law to real life examples, in the hope that further insights will thus be gained into the complex relationship between international politics and international law. Prerequisite: Law 275. Instructors: Byers and Keohane. 3 units.

546. Advanced Constitutional Law (Seminar). This seminar meets two hours each week. Students are permitted to enroll either in the fall for 2 credit hours or in the spring for 2 credit hours. The subject matter for the fall seminar will be the major cases of the term of the Supreme Court that ends in July 1999. The subject matter of the spring
semester will essentially be the major cases the Court will be considering for the 1999-2000 term. The reading material for the seminar is substantial. For pending cases, and for some prior cases, we read material drawn from both of the parties’ briefs, major amicus briefs, the opinions below, and transcripts of oral arguments before the Court. Papers are required. Not offered 2000-2001. Instructor: W. Dellinger. 2 units.

547. Criminal Justice Policy: Crime, Politics, and the Media (Seminar). Focus on various changes in criminal justice policy that occurred in the 1980s and 1990s (for example, changes in sentencing law and policy, increased incarceration rates, and the “war on drugs”) and identification of the factors that brought about those changes. To what degree were these changes responses to changes in the rates and types of crimes experienced in the United States? To what degree were these changes prompted by political campaigns and strategies, or by a media produced sense of crisis? Readings include legal materials which will probe and analyze statutory and administrative changes, as well as interdisciplinary readings. Each student will prepare a research paper. Instructor: Beale. 2 units.

548S. Courts, Wars, Legacies of Wars (Seminar). The impact of international, international policing, and domestic wars relating to national security on the United States courts of the Fourth Circuit (Maryland, Virginia, West Virginia, North and South Carolina), and the role played by these courts in the Mid-Atlantic South from the American Founding into the Cold War Era. The American Constitution, laws, and treaties of the United States, and principles of admiralty and international law which figure in assigned published and unpublished judicial decisions of the region’s United States district and old circuit courts and of the post-1891 Fourth Circuit Court of Appeals. Research paper required. Also taught as Political Science 238S and History 255AS. Instructor: Fish. 3 units.

549. Governance, Responsibility, and Crime in the Public Corporation (Seminar). This seminar will examine three related but distant themes common to discussing the misbehavior of the public corporation. Misbehavior is defined broadly to include poor financial performance, the manufacture of unsafe products, the pollution of the environment, and criminal misconduct. The first theme is how the current structure of the corporation contributes to its dysfunctioning. To this end, we will examine the experiences of other countries that have different ownership structures. The second theme is how we define responsible behavior and the costs and benefits of asking corporations to be responsible citizens. The final theme is the mechanisms within the criminal justice system for imposing misconduct of others. Not offered 2000-2001. Instructor: Law faculty. 2 units.

550. Health Care: Emerging Issues (Seminar). Although there are no prerequisites, this seminar may be taken either as an extension of Health Care Law and Policy (347) or for advanced study in antitrust law. Topics to be addressed include the legal accountability and regulation of managed care organizations (including ERISA issues); quality assurance; private contracts as instruments of health care reform; provider networks and related antitrust issues; conversion of nonprofit hospitals to for-profit status; and hospital mergers. Instructor: Havighurst. 2 units.

551. Independent Feature Film Production, Finance, and Distribution (Seminar). Focus on the business and legal issues faced by independent feature film producers in today’s marketplace including traditional and new sources of financing; the producer’s relationships with authors, writers, publishers, composers, actors, directors, cinematographers, editors, and the production crew; and conventional acquisition, development, production, release, distribution, and exhibition agreements. Basic working knowledge of the motion picture industry is presupposed. Intended primarily for students who are seriously interested in becoming independent feature film producers. Course requirements include extensive research and drafting, some negotiations, and a video production. See web. Prerequisite: Law 270. Instructor: Lange. 2 units.
552. The Romance of American Law: Lawyers in American History (Seminar). Evaluates the moral and professional judgment of diverse American lawyers who have played prominent roles in our national life since 1776. Explains why it has so commonly been said that American law is a jealous mistress. Its purpose is to encourage Duke law students to invest some part of their careers in public life at the local, state, or national levels. The theme is that the legal profession has a collective duty to the Republic that must be performed by those individuals who sense it, and that ought to be nurtured in university law schools. That responsibility was widely recognized in the eighteenth and nineteenth centuries and is the historic justification for university legal education in America. See web. Instructor: Carrington. 3 units.

554. International Criminal Law (Seminar). Examination of the law of crimes criminalized by international treaty or custom, including war crimes, genocide, crimes against humanity, piracy, slave trade, certain forms of terrorism. Study of historical background since World War I, current developments including proceedings of the International Crime Tribunals for the former Yugoslavia and Rwanda, future prospects including apparently imminent establishment of a permanent International Criminal Court. Also includes topics of intergovernmental cooperation in criminal matters (extradition, collection of evidence) relevant to the enforcement of criminal law. Not offered 2000-2001. Instructor: Law faculty. 2 units.

555. International Environmental Law (Seminar). Mechanisms, institutions, rules relating to regional and global environmental issues. Responsibility and liability in international law for environmental damage; marine pollution, and the role of the International Maritime Organization; regulation of transboundary atmospheric pollution, ozone-depleting gases, cross-border movement, disposal of hazardous wastes; regulation of nuclear activity and the role of the International Atomic Energy Agency; special environmental regimes; conservation of endangered species and areas through CITES, the World Heritage convention, other treaties; deforestation and biodiversity; the role of UNEP, regional, bilateral bodies; regulation of greenhouse gas emissions. Instructor: Admay. 2 units.

556. Advanced Issues in Gender and Law (Seminar). This seminar provides the opportunity to conduct an in-depth research project in a structured setting, on a topic relating to gender and law. Seminar participants read and edit each other’s work, and make class presentations on their own work. Assigned readings for the class are designed to identify and elaborate common themes and connections between the different student projects. 2 to 3 units. Not offered 2000-2001. Prerequisite: Law 345 (may be taken concurrently). Instructor: Bartlett. Variable credit.

558. International Sports Law (Seminar). Coverage of issues regarding governing bodies and individual athletes. Topics include: International Olympic Committee, structures not operating under the Olympic umbrella; link between Olympic and non-Olympic sports; sources of revenue; dispute resolution; individual athlete eligibility issues, drug use and testing; contractual opportunities; the role of politics in international sports. See web. Not offered 2000-2001. Instructor: Law faculty. 2 units.

562. International Dispute Settlement (Seminar). Considers a range of international dispute settlement mechanisms from a comparative and practical perspective including negotiation, fact finding, mediation, conciliation, arbitration, and adjudication. Focus on the International Court of Justice and the Law of the Sea Tribunal, the World Trade Organization and the dispute settlement mechanisms of the North American Free Trade Agreement, the European Court of Human Rights and other human rights treaty-based mechanisms, and mixed arbitration. Guest speakers include a number of practitioners with experience before these various dispute settlement bodies. Instructor: Byers. 2 units.
563. Jewish Law (Seminar). Study of factors (cultural and juristic) in the
development of Jewish law, especially in the Talmudic and medieval periods;
relationship between "religious" and "civil" law; the legal codes and the decision-
making process of the rabbinic courts. Some legal texts (in translation) will be submitted

564. Judicial Perspectives on Complex Litigation (Seminar). Seminar explores the
judiciary's role in managing complex litigation. This role is at times controversial, as
our adversarial system adjusts to having judges who do more than simply respond to
issues and concerns raised by the advocates. Despite these concerns, judges have
become increasingly active in managing such litigation. Focus on how judges should
meet their responsibilities for ensuring the "just, speedy, and inexpensive" resolution
of cases. Attention given to specific grants of authority, such as Rule 16 and the class
action rules, as well as the inherent authority of courts to control the proceedings before
them. Visiting judges address issues of importance in judicial handling of complex
litigation. Instructors: McGovern and Metzloff. 2 units.

565. International Law on Foreign Investment (Seminar). Explores in detail the
international foreign investment law regime. Examines the standard of treatment of
foreign investment under international law and the existing mechanisms to settle
investment disputes. Review of the latest efforts to develop a Multilateral Agreement
on Investment. Emphasis on the evolving nature of the regime and its impact on U.S.
foreign investment, including novel questions such as the relationship between
investment and the environment, labor, and corruption. Discussion of problems
pertaining to the challenges of globalization, privatization efforts, the role of
multinational corporations and domestic regulation. Instructor: Posadas. 2 units.

567. Global Capital Markets (Seminar). Integrates macroeconomic policy, events,
and announcements with asset market movement, asset valuation, and volatility in a
variety of financial markets/instruments in the modern context of globalized capital
markets. Explores the standard topics of equity and fixed-income investing as well as
venture capital, derivative products, commodities and currency trading, country risk
analysis, and multinational costs of capital. Involves much topical reading as well as
summer reading in preparation for the start of class in fall. A major project is required
as well as a series of short papers and one exam. Eight to ten outside speakers will
discuss the topics covered in order to ground the class in practical applications and
strategy. Instructors: Leachman and Wallenstein. 3 units.

568. Justice, Law, and Commerce in Islam. History and schools of Islamic
jurisprudence; Islamic legal reasoning; approaches to ethics and procedural justice, the
ethical regulation of commerce, including a detailed study of pertinent issues in Islamic
law. Also taught as Religion 254. Instructor: Cornell. 3 units.

569. Legal Dynamics of the Start-Up Environment (Seminar). Course is designed
to provide first-hand experience with the legal and business issues faced by venture-
backed enterprises. Each student enrolled in class will be assigned to a company and
mentor. Students will commit to spending at least six hours per week with the
organization. Students will be invited to participate in a series of workshops hosted by
the Council for Entrepreneurial Development. Instructors: Frey and Lange. 2 units.

571. Law Firm Practice (Seminar). Seminar explores the reality of legal practice in
a variety of contemporary settings and organizations. Examines practice organizations
including large and small private law firms, government agencies, prosecutorial offices,
in-house counsel groups, and courts. Issues include the economics of law practice; the
demands of professional and personal life; the goals, values, and ethics of lawyers in
different practice settings; the ability to serve clients; the professional acculturation and
training of young lawyers; and the responses of various practice organizations to issues
of gender and race. Readings include ethnographic, sociological, and economic analyses
of contemporary law practice. Instructor: Conley. 2 units.
573. Military Justice (Seminar). Examines the practice of military justice in the U.S. and its sources of authority under the Constitution, the Uniform Code of Military Justice (UCMJ), and the Manual for Courts-Martial (MCM). Focus on the history of military justice in the U.S.; the UCMJ as enacted by Congress and as amended since 1951; types of crimes proscribed by Congress in the UCMJ; military jurisdiction; the Military Rules of Evidence (MREs); military trial practice and procedure; the organization, composition, and function of the service appellate courts and the U.S. Court of Appeals for the Armed Forces; the military lawyer and organization of the service Judge Advocate General departments in the Department of Defense. See web. Instructors: W. Cox and Everett. 2 units.

576. Law and Anthropology (Seminar). This seminar introduces anthropological and other social science theories about the nature of law and disputing, explores the role of social science in studying the contemporary legal system, and considers uses of anthropology and other social sciences as evidence. The seminar includes a review of the writing of anthropologists on comparative law and dispute resolution, discussion of a number of ways in which contemporary social theory is influencing our legal system, and analysis of recent studies of the workings of the jury and the dynamics of courtroom communication. Instructor: Conley. 2 units.

579. Mass Torts in Manifold Perspective (Seminar). An integrated and in-depth look at combination of issues raised by complex mass tort lawsuits; substantive tort law; civil procedure; litigation strategy; lawyer-client relationships; economics of settlement, ethics, judicial role, societal impacts. Exploration of eight to ten celebrated mass tort lawsuits such as Buffalo Creek disaster, asbestos, Dalkon Shield, Agent Orange, Woburn leukemia case, tobacco smoking, silicon breast implants, electromagnetic fields, medical malpractice. Readings will emphasize historical accounts that put litigation in context, as well as judicial opinions and scholarly commentary. Not offered 2000-2001. Instructors: Metzloff and Wiener. 2 units.


582. National Security Law (Seminar). A study of the separation of powers in national security matters; presidential war powers; the War Powers Resolution; the role of the judiciary in national security matters; congressional and presidential emergency powers; operational Law and the Law of War; internal and personnel security; the Freedom of Information and Privacy Acts; access to national security information in the federal courts; and restraints on disclosing and publishing national security information. See web. Instructors: Everett and Silliman. 3 units.

583. Philosophy of Law (Seminar). This seminar introduces students to philosophical thinking about law through a selective study of some of the main concepts that structure legal analysis in two substantive areas of the law: tort and crime. Our overall concern will be with the nature of liability for tortious injury and criminal wrongdoing: How is liability in these two areas to be justified? Does either form of liability express a coherent notion of responsibility or fairness? Or are these forms of liability perhaps better understood as instruments for achieving social utility or welfare? Are these exclusive options? Readings focus on such concepts as intention and motive, negligence, strict liability, causation, insanity and other excuses, punishment, and nuisance. 2 to 3 units. Instructor: Stone. Variable credit.

585. Philanthropy, Voluntarism, and Not-for-Profit Management (Seminar). An examination of the role and functioning of the not-for-profit sector in relation to both
the public sector and the private for-profit sector in dealing with significant social problems. Also taught as Public Policy Studies 280S. Instructor: Fleishman. 3 units.

586. Property: Advanced Topics (Seminar). Examination of the concept of property, its place in liberal democratic theory, its usefulness in resolving current social conflict issues. The concept of rights. The particular right of property and the extent it should be placed beyond the democratic process. Property concepts used in resolving issues such as freedom, organ transplants, economic rights. First Amendment freedoms. Not offered 2000-2001. Instructor: Law faculty. 2 units.

587. Race and the Law (Seminar). Are we a colorblind society? Is English-only the way to go? Is there a model minority? Are Native American children better off with Native American parents? Should affirmative action be abolished? Are all women white and all blacks men? Was Brown right? Exploration of historical and contemporary treatment of race by courts and legislature. Examination of social and political forces that contribute to development of legal doctrine of education, employment, health care, interracial sex and marriage, public accommodations. Exploration of the definition of race, intersection of race and gender, interplay of race and class, juxtaposition of various ethnic groups, utility of biracial dichotomy in multiracial society. Instructor: Culp. 2 units.


590. Risk Regulation (Seminar). Pursues an integrated analysis of society’s efforts to deal with risks of harm to humans and other life. Study of the science, economics, and policy of risk leading to an examination of specific reforms of the laws and institutions of risk assessment and risk management that are currently being debated in the Congress. Not offered 2000-2001. Prerequisite: Law 235 or consent of instructor. Instructor: Wiener. 2 units.

592. Telecommunications Law (Seminar). This seminar explores contemporary issues in international telecommunications regulation, especially in the United States; emphasis will be on the future: the information highway; new technologies; and new legislative and market strategies in America and elsewhere in the world. Frequent guest lecturers. Prerequisite: Law 270. Instructor: Lange. 3 units.

593. Sexuality and the Law (Seminar). This is a course about how sexuality affects the structure and enforcement of legal rules and regimes, and how sexual orientation influences the application of legal rules to individuals in our society. Much of this course will center around discussions of gay, lesbian, and bisexuality, but the course will end with a section on heterosexuality. Instructor: Culp. Variable credit.


705. Bioethics and Health Law (Seminar). Examination of the complex ethical and legal issues that arise in medical care and research, particularly issues arising from advances in biomedical technology. Focus on a variety of bioethical concerns in three general medical contexts: clinical care, medical research, and genetic science. The seminar concludes with a look at critiques of the current bioethics model, and a discussion of health and human rights. Instructor: Dame. 2 units.

710. Advance Evidence: Children as Victims and Witnesses in Trial Process (Seminar). A decade ago, the "Day Care" cases in California, Minnesota, New Jersey, and North Carolina brought public attention to the area of child sexual abuse, which almost all agree damages an appalling number of children in our nation each year, and today a vigorous debate rages among social scientists about the degree to which false charges may be suggested to children by interviewers with preconceived views that
abuse occurred. This seminar examines some of the legal issues involved in prosecutions where children are victims and witnesses, and in particular, child sexual abuse prosecutions. Instructor: Mosteller. 2 units

715. Comparative Constitutional Law (Seminar). Comparison of different structures for organizing government, primarily in the United States and Europe. Topics drawn from comparative constitutional and administrative law including: constitutionalism, separation of powers, relationship of administrative agencies to legislative and executive powers, federalism, and the structure and function of constitutional and administrative courts. The purpose of comparison is to introduce different approaches to legal control of government and to analyze the extent to which such approaches guarantee just, effective, stable, and accountable systems of government. Instructor: Bignami. 2 units.

718. Comparative Tort and Contract Law (Seminar). Addresses topical issues of tort and contract law in a comparative perspective. Several recently launched international projects are the starting point and focus for much of the exploration of specific tort and contract issues. Projects include the Vienna Convention on Contracts for the International Sale of Goods, the UNIDROIT Principles of International Commercial Contracts, the Principles of European Contract Law, and E.C. Directives on Product Liability and on Unfair Terms in Consumer Contracts. Discussion of the impact of diverse national laws and practices on the formation and application of internationally uniform norms as well as interaction among these various unification projects. Instructors: Bernstein and Lookofsky. 2 units.

720. Digital Technologies (Seminar). An advanced copyright course which explores the legal and policy issues surrounding the protection and use of copyrighted works in a digital, networked world. Topics include the applications and circumvention of technological protection measures, Internet service provider liability, peer-to-peer technology, fair use, and “sharing.” Covers recent amendments to the law, including the Digital Millennium Copyright Act, and litigation, such as the Napster, MP3.com, and DeCSS cases, as well as current legislative proposals. Prerequisite: Copyright Law (Law 322) or Intellectual Property (Law 270). Instructor: Southwick. 2 units.

725. Lessons from the OJ Trials (Seminar). Use of the O. J. criminal and civil trials as the jumping off point for a more detailed exploration of selected evidence topics than is possible in the basic Evidence course. Goals include: to deepen intellectual understanding of the meaning and practical application of important evidence doctrines; to improve practical ability to use those doctrines, both inside and outside the courtroom; to sensitize the student to the political, social, and economic considerations relevant to both trial strategy and law reform; to improve research and writing skills by working closely with a professor on a substantial research paper. Instructor: Taslitz. 2 units.

730. White Collar Crime (Seminar). Fundamentals of white collar criminal litigation, emphasizing practical elements of trial technique and special topics of current interest. Complements a general course in federal criminal law by exploring the application of general principles to a trial setting. Discussion of basic considerations of federal criminal law through examples drawn from an actual case involving insurance fraud and the deprivation of “honest services.” Students develop, deliver, and critique closing arguments from both prosecution and defense perspectives. Consideration of securities fraud, health care fraud, money laundering, and the relationship between criminal and civil remedies in cases involving economic injury. Instructor: Sage. 2 units.

735. Regulation and Public Policy (Seminar). Course complements classes on administrative law and regulated industries, introduces students to the public policy objectives of regulation, the political constraints on regulation, and the methods most
commonly used by legislatures and administrative agencies to accomplish regulatory goals. Drawing examples primarily from regulation of the American health care system, the course explores issues such as self-regulation, standard-setting, mandatory disclosure, price controls, public goods, social insurance, and allocation of scarce resources. Instructor: Sage. 3 units.

INDEPENDENT STUDIES AND TUTORIALS

604. Ad Hoc Tutorial. Topics vary each semester offered. 1 to 3 units. Instructor: Law faculty. Variable credit.


610. Exchange Program. Credit/no credit grading only. Instructor: Law faculty. Variable credit.

615. Ad Hoc Internship. With approval from the Law School Administration (specifically the Associate Dean for International Studies), law students may register for a one-credit internship in a legal setting during the summer break. The internship must be closely linked to the student’s course of study. It is supervised by the Associate Dean for International Studies and by a senior lay practitioner in the legal setting. At the end of the internship, the student must submit a written evaluation that includes a discussion of the impact of the internship on the student’s educational program and career plans. Instead of a grade, students receive a credit/no credit notation on their transcripts which does not count toward the academic credit required for graduation. Instructor: Law faculty. 1 unit.

620. Externship in International Law. Taken concurrently with Law 622. Credit/no credit grading only. Instructor: Law faculty. 10 units.

622. Externship in International Law–Paper. Taken concurrently with Law 620. Instructor: Law faculty. 4 units.

630. French for Legal Studies. An introduction to the terminology and basic concepts of French law. Reading and analysis of legal texts (codes, cases, contracts, wills). Communication about law and law-related issues in French. Prerequisite: three semesters or equivalent of French. Instructor: Mirandes. 2 units.

635. German for Legal Studies. An introduction to the terminology and basic concepts of German law. Reading and analysis of legal texts (codes, cases, contracts, wills). Communication about law and law-related issues in German. Prerequisite: three semesters or equivalent of German. Instructors: Bernstein and Bernstein. 2 units.

640. Independent Research. Law students in their second and third year of the J.D. or LL.B. programs may undertake up to four semester hours of independent research in any academic year if the research is approved by a faculty member. Research will be graded on a credit/fail basis. Students undertaking independent research will meet regularly with the faculty member supervising the research in order to ensure contemporaneous discussion, review, and evaluation of the research experience. Instructor: Law faculty. Variable credit.


653. Legal and Business Russian. A linguistic and cultural introduction to law and business in Russia. Focus on the specialized vocabularies involved in legal and business Russian. Explores the special problems associated with developing legal and business terminology in a society that is making the transition from a communist system to a
market economy. Students explore difficulties in translating legal terminology from a civil law language to a common law language. Prerequisite: two years of Russian language studies. Instructor: Andrews. 3 units.

655. Spanish for Legal Studies. An introduction to the terminology and basic concepts of Spanish law. Reading and analysis of legal texts (codes, cases, contracts, wills). Communication about law and law-related issues in Spanish. Prerequisite: three semesters or equivalent of Spanish. Instructor: Posadas. 2 units.

665. Korean for Legal Studies. An introduction to the terminology and basic concepts of Korean law. Reading and analysis of legal texts (codes, cases, contracts, wills). Communication about law and law-related issues in Korean. Prerequisites: three semesters or equivalent of Korean and consent of instructor. Instructor: Staff. 2 units.

SUMMER COURSES

Summer Curriculum for the Duke-Geneva Institute in Transnational Law

202G. Comparative Products Liability. Examines American and European products liability laws and the policies underlying these laws. Compares American products liability law and policy with that of various European countries and with the provisions of the EC Directive on products liability. Discusses the historical origins of modern products law and identifies the domain of products law, distinguishing those fact patterns that give rise to contract claims, ordinary tort claims, and products liability claims. Considers the prerequisites for a product liability claim beginning with the standard of liability in products cases. Considers damages issues including special American and European statutory limits on compensatory and punitive damages in products cases. Instructor: Law faculty. Variable credit.

204G. Access to Civil Justice in Anglo-American and Continental Legal Systems. The first term of the course will focus on policy issues concerning the financing of civil litigation in the United States and Britain. The second term of the course will deal with the role civil litigation plays in continental European countries (emphasis on Germany, Switzerland, and Austria, plus sometimes France, The Netherlands, and Scandinavia) and factors responsible for this role. See web. Instructors: Koch and Rowe. 2 units.

207G. Comparative Intellectual Property. This course will provide a practical introduction to the basic principles of intellectual property law, together with an advanced exploration of particular issues in intellectual property, from multiple national and international perspectives. A solid grounding will be provided in each of the following topics: copyright, patent, and trademark law. This will be supplemented with a consideration of current issues in those and other areas of intellectual property such as copyright in the digital age, patent protection for biotechnology inventions, sound, shape, and smell trademarks, and protection for designs. See web. Instructors: Christie and Dworkin. 2 units.

213G. Constitutionalism and Social Change. The first term of this course will examine the most important features of the Western European forms of government, particularly insofar as those features relate to the structures to be utilized by the new Eastern European democracies. Special attention will be given to the relations between the Chief of State, the Cabinet, and the Parliament, in view of implementation of the principles of separation of powers and of the rule of law as well as the role of constitutional justice. The second term of the course will focus on constitutional developments in South Africa. See web. Instructors: Bartole and Goldstone. Variable credit.

224G. International Banking Law. This course intends to introduce students to selected aspects of international banking. It will provide them with an overview of the banking industry in a global or international context as well as the use of international payment mechanisms as a means of promoting finance and trade. See web. Instructors: Ramasastry and Thevenoz. 2 units.
225G. International Criminal Law. An examination of the ways in which states cooperate in the enforcement of their respective penal codes and of the enforcement of international criminal law. Topics include: extradition, transfer of prosecutions, international arrest procedures, and securing evidence abroad. Analysis of the Nuremberg and Tokyo Tribunals, International Criminal Tribunals for the former Yugoslavia and Rwanda, and the prospects for a permanent International Criminal Court. Instructor: Law faculty. Variable credit.

238G. Human Rights, War Crimes, and Crimes Against Humanity. This course will examine international criminal law in the broader context of human rights law. In addition to providing an overview of the subject, the course will address issues currently confronting the field. See web. Instructors: Dugard and Morris. 2 units.

255G. Comparative Secured Transactions. The course examines current and prospective developments in the law governing security interests in personal and real property. The comparative study illuminates the extent to which different legal approaches produce different rules and the effects of such differences on actual financing practices and the availability and cost of credit. The course gives students both a solid grounding in UCC Article 9 and an exposure to comparative law. Instructor: Law faculty. Variable credit.


290G. Introduction to American Law. The first term of this course offers an overview of how the American legal system came into being and came to have the form that it has. The second term will concentrate on the impact of American federalism on the civil litigation system. See web. For non-U.S. students only. Instructors: Christie and Haagen. Variable credit.
and practice of cross-border insolvency law. Recent attempts to unify the treatment of international insolvencies, including the European Union Insolvency Convention, the International Bar Association Concordat, and the UNCITRAL Model Law on Cross-Border Insolvency (1997), will be discussed. The second term of the course deals with the cross-border insolvency problems involving Japan and other civil law countries. See web. Instructors: Smart and Taniguchi. 2 units.


237H. Human Rights: International, Hong Kong, and Japanese Perspectives. The first term of this course will begin with an introduction to the origins and the development of the international law of human rights. The Western traditions of human rights and the concept of a “universal” standard of human rights will be considered, as well as current challenges to that concept, like cultural relativism and Asian values. The second term of the course will deal with the legal status of women and minorities in Japan. See web. Instructors: Hayashi and Petersen. 2 units.

242H. Health Care Regulation: Asian and Western Perspectives. The first term concentrates on three main themes. First, the patient's "right to know" in light of the "doctor's know best" attitude. Second, examines the regulation of the health care profession. Third, highlights the problems of integrating Chinese medicine with Western regulatory regimes. The second term covers American cases and statutory law on informed consent to treatment. The final week is devoted to studying current issues surrounding "managed care." Instructor: Law faculty. Variable credit.

245H. Privatization in Emerging Markets. This course will offer a comparative examination of privatization in the developing world, from a legal, economic, and normative perspective. Case studies will be used from Latin America and Southeast Asia. The first term of the course will begin with a general introduction to privatization. The second term of the course will examine how Thailand, a developing country with a civil law background, designs its legal system to cope with an ever-changing market and economic environment. See web. Instructors: Chua and Yoonaidharma. 2 units.

250H. South East Asian Law and the Impact of the Economic Crisis. This course begins with an exploration of the evolution of contemporary legal systems in South East Asia and the influences which have shaped them. The second half provides an in-depth country study of Thailand with a focus on Thai law and policy as it relates, for example, to the treatment of foreign investors and workers, foreign shareholding, and ownership of land before and after the crisis. Instructor: Law faculty. Variable credit.

260H. Mergers and Acquisitions in China and Korea. The first term of this course will examine the development, current practice, and main issues of mergers and acquisitions (M & A) in China. The second term of the course will discuss various legal issues related to mergers and acquisitions in Korea. It will focus on the three basic types of transaction: mergers, asset purchases, and stock purchases. In addition, a newly introduced statutory technique of dividing up a corporation will be explored. See web. Instructors: Kim and Zhang. 2 units.

270H. Foreign Direct Investment in China. This course will examine key legal, administrative, and regulatory dimensions of foreign direct investment in China at two levels. The first term will approach foreign investment in China from a microeconomic perspective, while the second term will concentrate on the macroeconomic regulation of inbound direct investment. The first term will consider foreign direct investment from both an organizational and contractual perspective. The second term will examine major features of the PRC legal, administrative, and regulatory environment for foreign direct investment. See web. Instructors: Lam and Lewis. 2 units.
290H. Introduction to American Law. This course will provide a broad introduction to key elements of American law. A portion of the course will focus on recent United States Supreme Court cases that reveal important issues and concerns within the American legal system. In particular, the course will cover constitutional rights such as Due Process, Equal Protection, and First Amendment “freedom of speech” protection. The course will also provide an introduction to various aspects of the American litigation system, including the reliance on the jury; the growth of alternatives to litigation such as mediation and arbitration; and “discovery” procedures, including interrogatories and depositions. See web. Instructors: Reppy and Rubenfeld. Variable credit.
The First Professional Degree in Law

**Juris Doctor.** Upon favorable recommendation of the faculty, the degree of Doctor of Law (J.D.) will be conferred upon students who have successfully completed the following requirements:

1. six semesters in residence at Duke, during a minimum of eighty-four weeks of class; and
2. a passing grade in courses aggregating eighty-four semester-hours; and
3. a grade-point average of at least 2.1 and status in good standing under the rules of the Law School.

Three hours of credit toward the J.D. degree (six with special permission of the Administrative Committee), may be earned in courses taken at Duke outside the Law School in the Graduate School, in upper-level undergraduate courses, or in courses in foreign languages.

Two semesters of law study undertaken at another accredited American law school may be counted toward the required total if the final two semesters (exclusive of a summer session) and at least fifty-four semester hours of law study are completed at Duke, except as specifically authorized by the law faculty.

**Bachelor of Law Degree.** Upon favorable recommendation of the faculty, the degree of Bachelor of Law (LL.B.) will be conferred upon students who have satisfied all of the requirements listed above as necessary for the Doctor of Law degree but who do not possess a baccalaureate degree before completing the program of study for the Doctor of Law degree.

Joint Degrees for Enrichment: Summer-Entering Programs

**Master of Arts for Law Students.** The School of Law and the Graduate School of Duke University jointly sponsor a program of study in law and several alternative disciplines, including cultural anthropology, economics, English, environmental studies, history, mechanical engineering, philosophy, political science, psychology, public policy science, Romance studies, and an interdisciplinary program in the humanities. The purpose of the program is to encourage the broader intellectual interests of law students and to foster dialogue between law and related disciplines. Upon satisfactory completion of the required course of study, candidates will be awarded both the M.A. or M.S. and J.D. degrees.
Students enter the joint J.D./M.A. (or J.D./M.S.) program in the summer before the first year of law school, undertaking part of the first-year law curriculum. Throughout their remaining six semesters in residence, students will combine their legal studies with courses selected from the Graduate School curriculum, generally taking one or two Graduate School courses per semester during the first year and five more in the final four semesters, for a total of eight Graduate School courses.

**Master of Laws (International and Comparative Law)**. Since 1985, the Law School has offered the opportunity to selected J.D. candidates to pursue a Master of Laws degree emphasizing international and comparative law study contemporaneously with their study for the J.D. degree. Students accepted to this joint degree program will enter in the summer, undertaking part of the regular first-year curriculum with students who are enrolled in the joint J.D./M.A. summer program. During the remaining six semesters of law study and in a four-week period of summer study at the Duke-Geneva Institute in Transnational Law at the University of Geneva in Switzerland, or its Asia-America Institute in Transnational Law in Hong Kong, or in another approved program, J.D./LL.M. students will complete requirements for both degrees. Candidates for the LL.M. degree will be required to complete twenty credit hours of approved courses, which must include international law (public), comparative law, research methodology in international, foreign, and comparative law, and coursework or an independent study for which a significant piece of writing is required. Candidates must obtain a minimum grade point average of 2.5 in these courses. Students must also show competency in at least one foreign language. Six of the twenty hours required for the LL.M. may be taken in the Graduate School or in upper-level undergraduate course work, including advanced language study. Beyond the required courses, the courses applied toward the LL.M. consist primarily of those in international, comparative, and foreign law at the Law School and at one of the Institutes in Transnational Law but may also include courses taken in related fields in other divisions of the university. The area studies program at Duke is particularly rich in courses dealing with Canada, China, Germany, and Japan.

**Accelerated J.D. Program**

Since 1990, the Law School has offered a program under which students may earn a J.D. degree in fewer than three years. Participants begin Law School during the summer before the first year, attending classes with joint degree candidates. During a later summer they must attend classes at another ABA/AALS-accredited law school. While not for everyone, this program will enable participants to reduce by about six months the time required to obtain a J.D. degree, which may have the effect of lowering the effective cost of a legal education. At the time of their application for admission, interested students must designate that they are applying for this accelerated program.

**Advanced Professional Degrees in Law**

The Law School program is primarily designed to serve students seeking a first professional degree in American law. Except for international students and participants in the J.D./LL.M. program described above, students are rarely admitted for the purpose of continuing the study of law at the master's or doctoral levels, although the faculty is empowered to authorize such admissions. Applications for such study by American graduates of American law schools are not sought. International students should consult the chapter of this bulletin addressed to them.

**Master of Laws (LL.M.)**. Most international students seek the master's degree, having already been trained in the law of their own countries. To qualify for this degree, the student must successfully complete two semesters of study in residence, and no fewer than twenty-one semester hours with a cumulative grade point average of 2.5. Included in the twenty-one credits of work must be at least two credits of individual written work to be completed either in a seminar or in an independent study course supervised by a
faculty member. Many students also take a first-year course. Most foreign students will be expected to enroll in Introduction to American Law, which provides an overview of several areas of the American legal system and also a two-credit legal writing course, which offers instruction and practice in the kinds of written tasks facing American law practitioners.

The remainder of the academic program is individually selected by the student from the curriculum offerings for first-year and upperclass students. International students attend classes with American students and are graded on the same basis. The degree is granted to students who achieve a grade point average of 2.5. Candidates ordinarily are expected to complete the L.L. M. degree in one year.

**Doctor of Juridical Science (S.J.D.).** Outstanding international students who have earned a degree at the master's level from Duke or a law school of recognized standing, and who have a serious academic interest in law, may be admitted as provisional candidates for the S.J.D. degree. Only international students who have achieved superior academic performance during the master's degree program as well as at their home institutions should apply to the S.J.D. program. Samples of written work, such as completed seminar papers, and a statement of research intentions, should be included with the application. Candidates will usually be asked to complete one or two additional semesters of coursework with a grade point average of at least 3.1, and must pass an examination to test mastery of their chosen field, before being admitted from provisional candidacy to candidacy. The program will ordinarily take from one to three years to complete, depending on the time necessary for research and the production of the doctoral dissertation. It is expected that S.J.D candidates will conduct original research and make a significant and original contribution to legal scholarship. A committee of the primary faculty supervisor and two additional faculty members will approve a candidate's dissertation proposal, assess the progress of the candidate and the research product, and conduct an oral examination upon the candidate's dissertation. Generally, only one or two students gain admission to this program of study each year.

**Other Professional Degrees for Lawyers**

Advanced degrees may be pursued together with the J.D. degree. Under any approved joint-degree programs, including those described below and those approved on a case-by-case basis by individual application, the Law School recognizes twelve credits from the other degree program toward the J.D. requirements, as long as both are completed simultaneously.

**Master of Business Administration.** The School of Law and Duke's Fuqua School of Business have established a combined program of study in law and graduate-level business administration. The program provides the opportunity to acquire an education in both law and business administration in four years. Upon satisfactory completion of the required course of study, candidates will be awarded both the M.B.A. and the J.D. degrees.

The student in the M.B.A.-J.D. program may enroll the first year in either the Fuqua School of Business or the School of Law. If the student begins in the Law School, the first-year curriculum is the same as that of other law students; if the student begins in the business school, the first-year curriculum is the same as that of other graduate business students. The student's second year consists of the full first-year program of the other school. In the third and fourth years of the program, the student takes courses in both schools, with about two-thirds of the courses taken in the Law School. Students interested in the health care industry may elect to concentrate their work in the Fuqua School in health administration.

**Master of Environmental Management.** The School of Law and Duke's Nicholas School of the Environment have established a combined four-year program of studies in law and graduate-level environmental management. The program gives students the
opportunity to acquire knowledge about natural resources and environmental science which is critical in identifying and resolving legal issues with implications for the environment. Upon successful completion of the program, candidates receive both the M.E.M. and J.D. degrees. Students in the J.D./M.E.M. program typically spend the first full year in the Law School and the following year in the Nicholas School. During the remaining two years, candidates can structure an elective program of combined study that meets the requirements of both programs. Students are required to complete 36 credits and a master’s project in the Nicholas School. The J.D. degree requires 84 units of credit, 12 of which may be satisfied through work in the Nicholas School.

Master of Public Policy. The School of Law and Duke’s Sanford Institute of Public Policy have established a combined four-year program of studies in law and graduate-level policy sciences. The program provides an opportunity for students to acquire decision-making skills and substantive policy knowledge that would be useful in dealing with problems of the public sector. Upon satisfactory completion of the required course of study, candidates will be awarded both the M.P.P. and the J.D. degrees. The first year is spent exclusively in the Law School; the second year exclusively in the Institute of Public Policy; and the third and fourth years primarily in the Law School. In addition, the student must select a substantive policy area in which to concentrate from among the fields of the administration of justice, communications policy, health policy, and education policy; a summer internship and thesis will be required in the chosen field.

Master of Theological Studies. Students in the joint J.D./M.T.S. program are required to complete a minimum of seventy-two hours in the Law School and a minimum of twelve courses in the Divinity School, and to take all courses required for the two degrees. Persons interested in this joint program must apply separately for admission to each school. Generally students apply simultaneously to both schools. Later applications will be considered, but must be made before the end of a student’s first year in either the Law School or the Divinity School.

Doctor of Medicine. The School of Law and the Duke University School of Medicine jointly sponsor a program of combined legal and medical education. The program provides an opportunity to acquire a full basic education in the two fields in six years. Upon satisfactory completion of the required course of study, candidates will be awarded both the M.P.P. and the J.D. degrees. The student in the M.D.-J.D. program begins the six-year course of study in the School of Medicine. As in the regular M.D. program, the first year is devoted to the basic medical sciences, and the second year to the basic clinical disciplines. After those two years, the student enrolls in the Law School, taking the prescribed first-year courses. A total of seventy-two credits must be earned in the Law School. As electives, the student may select Law School courses that pertain to medical-legal interests. After completing all law requirements, the student returns to the Medical School for elective clinical work tailored to the student’s specialized needs. In addition, eighteen semester-hours, or two summer sessions, of elective basic science work are required.

Ph.D. in Political Science. The Law School and the Department of Political Science offer a joint degree program combining a J.D. and a Ph.D. in political science. The coordinated course of study permits some reduction in the required coursework for each degree. The program is intended to integrate in a comprehensive, rigorous manner the subject matter and methodology of both disciplines. Study may be undertaken in areas such as American government, political theory, comparative government, and international relations.

The joint program is extremely selective and demanding, requiring about seven years to complete. Only students strongly committed to careers for which holding professional degrees in both disciplines is very important should apply. Graduates of the joint program would be well-positioned to conduct research and to teach either in law schools or departments of political science or to pursue careers in government, international institutions, or the private sector.
Similar joint J.D./Ph.D. programs may be created with one or more additional departments in the future. Meanwhile, some joint programs can be arranged on an ad hoc basis.

**The Secondary Degree in Law**

**MASTER OF LEGAL STUDIES**

Upon favorable recommendation of the faculty, the degree of Master of Legal Studies (M.L.S.) will be conferred upon students who have successfully completed a one-year program of study in the Law School. Students specifically admitted to candidacy for this degree will pursue an individually designed curriculum including both first-year and upperclass courses. In exceptional cases, the degree may also be awarded to J.D. candidates who meet its requirements and who decide not to continue the study of law.

Students will be deemed successfully to have completed a one-year program of study in the Law School if, during a minimum of twenty-eight academic weeks, they have satisfied the following requirements:

1. a passing grade in Law School courses aggregating thirty semester-hours, excluding cross-listed courses, and including at least one course requiring substantial supervised writing, and
2. a grade-point average of at least 2.3 and status in good standing under the rules of the Law School.

M.L.S. candidates generally may not transfer into the J.D. program. Only applicants with a genuine interest in a one-year program of legal studies should apply. Note that the M.L.S. degree does not qualify one to sit for a bar examination or to practice law.
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Publications

The Law School has five scholarly publications, all of which are published both as bound volumes and in fully searchable format on the Law School’s world wide web site at http://www.law.duke.edu/journals.

Law and Contemporary Problems. Since 1933, the Law School has published the quarterly, Law and Contemporary Problems. The journal is distinctive among professional legal publications in both format and content. Each issue is devoted to papers on a particular topic of contemporary interest. These topics often reflect an interdisciplinary perspective with contributions by lawyers, economists, social scientists, scholars in other disciplines, and public officials. The journal also publishes student notes related to past symposia.

The journal is widely distributed, and its subscribers include general university libraries, governmental agencies, and foreign educational institutions, as well as the more traditional law libraries and law firms. Law and Contemporary Problems is monitored by a general editor and a faculty editorial board.

Twenty-five upperclass law students serve on the editorial staff of this publication. Ten rising second-year students are selected each year on the basis of academic performance during the first year of Law School and demonstrated writing ability in an annual writing competition. Five rising third-year students are selected each year on the basis of academic performance during the first two years of Law School.

Duke Law Journal. The Law School publishes the Duke Law Journal six times a year. Edited by students, the journal is among the most prestigious and influential legal publications in the country. Approximately one-third of the contents of each issue consists of student notes dealing with current legal developments; the rest of the issue is devoted to articles and comments by professors and practitioners. Full responsibility for the selection and editing of material is vested in the journal’s student editorial board and its elected officers.

The journal staff of approximately fifty students is chosen on the basis of academic performance in the first year of law school and/or demonstrated writing ability in an annual writing competition. Students may also seek membership on the journal by submitting a publishable student note.

Alaska Law Review. Since 1983, Duke Law School has published the Alaska Law Review. As Alaska has no law school but has the highest number of lawyers per capita of any American state, the Alaska Bar Association contracted with the Law School to provide a professional law journal responsive to the needs of Alaska’s diverse legal community. Alaska has a range of cutting edge legal issues in the areas of natural resources law, environmental law, land use planning, economic development, state-federal relations, and Native American rights.

While supervised by a faculty advisory committee and a general editor, student editors have primary responsibility for writing, editing, and managing the Alaska Law Review. Twelve rising second-year students are chosen as editors on the basis of academic performance during the first year of law school and demonstrated writing ability in an annual writing competition. Several students may also be selected for membership by submitting a publishable note.
Duke Journal of Comparative & International Law. The Duke Journal of Comparative & International Law was established in 1990. The journal, which is published semi-annually, publishes articles from international scholars and practitioners, and student notes. Recent titles of symposia issues include International Infrastructure Protection and National Security; Public and Private Initiatives after TRIPS; Contemporary Issues in Controlling Weapons of Mass Destruction; and Justice in Cataclysm—Criminal Trials in the Wake of Mass Violence.

Approximately ten staff members are selected annually on the basis of writing ability demonstrated by the submission of a publishable note or superlative performance in the annual writing competition. Several international students earning the LL.M. degree are also selected each year on the basis of academic record and/or special skills or interests that indicate their likely contribution to the journal.

Duke Environmental Law and Policy Forum. The Law School began publishing the Duke Environmental Law & Policy Forum in 1991. The Forum is an interdisciplinary annual magazine managed through the Law School but with a strong connection to Duke University's School of the Environment. The Forum publishes legal and policy articles from academics and professionals as well as student notes. To fulfill its commitment to both legal and policy analyses of environmental issues, many of the Forum's forty or so staff members are joint degree students from the Law School, the Terry Sanford Institute of Public Policy, and the Nicholas School of the Environment.

Recent topics covered in the Forum include international environmental norms and assessment requirements, corporate responsibility to reduce solid waste, review of wetlands classifications, an analysis of the Clean Air Act: Amendments of 1990, and extraterritorial enforcement under NEPA.

[Information about the publications of the Duke University School of Law is also available at the Law School's World Wide Web site: http://journals.law.duke.edu]

Office of Student Affairs

The Office of Student Affairs provides support for many aspects of student life at the law school. Student Affairs staff assist students with academic planning; program events to foster students' social and professional growth; help administer Law School Rules & Policies, including the Honor Code; provide accommodations for disabled students; and counsel students on any personal issues which may arise, providing referrals to University or outside offices as needed. Any students who have questions about life as a law student are encouraged to visit the Office of Student Affairs. The office's Web site is a good resource for Duke Law policies, contacts, and other student information.

Student Organizations

Student organizations at Duke Law represent a wide variety of cultural, intellectual, social, political, athletic, religious, and artistic interests, and their activities are an important complement to the curriculum. The students of Duke Law participate in over 30 different organizations under the umbrella of the Duke Bar Association (D.B.A.), the Law School’s student government; The D.B.A. funds student groups, organizes community service events, and acts as a liaison between students and the administration. Any Duke Law student interested in starting a new organization may submit a charter to the D.B.A.

Alibi, The Duke Law Literary Magazine. Alibi showcases the literary and artistic talent of Duke law students, faculty, staff, and alumni. All forms of written and visual art are welcome. Submissions represent a wide range of topics; in the 1999-2000 year, Alibi particularly encouraged submission of critical essays exploring the intersection of law with some other humanistic discipline, such as law and literature. Alibi is published every spring and distributed throughout the Law School.

American Bar Association’s Law Student Division. The ABA/LSD allows law students contact with the nation’s largest professional association for lawyers, the
American Bar Association. Each year the student body elects ABA/LSD representatives who serve as liaisons between students and the ABA. For a small enrollment fee, any law student may join the Law Student Division and receive product discounts, a subscription to the ABA magazine, Student Lawyer, and information about the ABA’s programs and publications on specialized areas of the law. The ABA/LSD also promotes various advocacy and essay contests throughout the school year.

Asian Law Association. The ALA provides a forum in which members of the Law School community can explore issues and engage in activities of interest to American students of Asian descent, foreign students from Asia, and other students and alumni interested in Asia and law. Each year the association holds dinners and other social events. The ALA also works to enhance the quality and accessibility of Asian law resources at Duke University.

Black Law Students Association. The purpose of BLSA is to provide black law students a forum for expressing their unique needs and concerns; to provide a support mechanism for local issues; to provide a black united front; to develop future black leadership; to keep the lines of communication between black law students and the community open; and to utilize the collective resources of the member chapters to effectuate the goals of the National Black Law Students Association. Each year BLSA holds several events to welcome admitted black students during Open House weekend.

Christian Legal Society. The Duke University chapter of the Christian Legal Society is a multi-denominational fellowship of Christian law students working to integrate their faith in Christ with their Law School experience and their legal careers. They seek to fulfill this mission through Bible study, meeting, prayer, and outreach endeavors, such as group-sponsored coffee breaks and bearing witness to the character of God individually in their other activities in the Law School.

Deans’ Advisory Council. The Deans’ Advisory Council is an honorary service organization. The work of the DAC is to advise the deans on student issues and assist the administration of the Law School in its public contacts. Members represent the school in dealing with admissions applicants, placement interviewers, alumni, supporters, and guests. Members of the Deans’ Advisory Council are selected by the deans and administrative staff of the Law School, with input from the Duke Bar Association. Selection for membership reflects the collective judgment of the deans that the student is unusually deserving of trust and respect, and manifests traits for which the school would like to be known. Membership in the organization generally continues after graduation; alumni members continue to assist in the same areas of administrative work.

Domestic Violence Advocacy Project. The DVAP program is grounded in the firm belief that if battered women receive guidance, information, and support, they will be better able to use the legal system to help themselves and their children escape from violence in their homes. DVAP advocates act as liaisons between battered women and the District Attorney’s Office, facilitating greater communication and a sense of common purpose, thereby enabling the legal system to prosecute cases of domestic violence more effectively. In addition, DVAP volunteers have created the sole database of domestic violence cases in Durham county, an important resource for tracking the incidences and changing faces of domestic violence in our community.

Duke Ballroom Dance Club. The Duke School of Law Ballroom Dance Club promotes social interaction among members of the Law School community in a relaxed, non-competitive environment, by providing a forum in which members can learn and practice American-style social ballroom dance. The club sponsors free lessons for Duke Law students and holds at least one dance a year.

Duke Bar Association. The Duke Bar Association coordinates professional, social, and other extracurricular activities of the student body. The Association resembles in its composition and purpose both a university student government and a professional bar
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Association. It addresses student grievances and serves as a mediator between students, faculty, and the administration. The Association oversees all student organizations, publicizes Law School activities, sponsors athletic and social programs, and disburses its dues funds among the school's organizations.

**Duke Golf Club.** The Golf Club organizes golf lessons for law students and holds a spring tournament, the Barristers' Cup, with golfers from the UNC School of Law. In the spring of 2000, the Law School won the Barristers' Cup.

**Duke Law Democrats.** Duke Law Democrats is an organization of law students interested in democratic issues. Members promote progressive ideals by participating in the political process, exploring democratic issues in the legal profession, and providing a forum for political discussion.

**Duke Law Republicans.** Duke Law Republicans work closely with the Durham County Republican Party Association to assist candidates for local, state, and federal office. Additionally, the organization brings candidates to the Law School to meet with students and discuss their respective positions. Duke Law Republicans assist with voter registration and encourage political participation in the Law School community.

**Environmental Law Society.** The ELS promotes student discussion and awareness of environmental issues by co-sponsoring the annual Cummings Colloquium on Environmental Law, hosting individual speakers and student discussions with lawyers practicing in environmental law, and coordinating social and community service events. Its goals are to enhance legal education through the creation of a vital environmental law program at the Law School and to explore summer internships and career opportunities in environmental law in both the public and private sectors.

**Federalist Society.** The Duke chapter of the Federalist Society is a group of conservative and libertarian students interested in the current state of the legal order. The Society is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is the province and duty of the judiciary to say what the law is, not what it should be. The Society seeks both to promote an awareness of these principles and to further their application through its activities.

**Graduate and Professional Student Council.** The GPSC includes representatives elected from the business, divinity, environment, graduate, law, medical and nursing schools. These schools make up almost half of Duke's student body. GPSC appoints representatives to many University and Trustee committees and responds to proposals and reports. GPSC also plans interdepartmental and interschool social events and publishes a monthly newsletter.

**Health Law Society.** The Duke Health Law Society is an interdisciplinary organization of students and faculty with interests in exploring professional and academic aspects of health care. The group works to introduce this important field to the Law School community by sponsoring lectures and seminars and initiating broad-based dialogue.

**Howard W. Hunter Society.** The purpose of the Howard W. Hunter Society is to advocate Latter-Day Saint values and interests at the Law School. The society establishes a network for Latter-Day Saint students and alumni of Duke Law School while fostering support for their families with family-friendly social alternatives. The society also provides a forum for the scholarly study of legal topics of interest to Latter-Day Saints, including the highest standard of professional ethics and issues involving religion and the law. In addition, the society aims to recruit other members of the Church of Jesus Christ of Latter-Day Saints to the Law School.

**Innocence Project.** Students from Duke and UNC law schools work in cooperation with the North Carolina Center on Actual Innocence to identify cases of potential innocence among North Carolina prisoners. When cases are identified, students assist in gathering the necessary evidence and assist attorneys recruited to represent the prison-
ers. The project gives students valuable contact with real-world legal problems, with emphases on research and problem solving.

**Intellectual Property Law Society.** The Intellectual Property Law Society brings together law students and scientists who are doing cutting-edge work in this booming field. The group sponsors speakers and panel discussions on patent, trademark, copyright, telecommunications, and other closely-related fields.

**International Humanitarian Law Project.** IHLP provides pro bono legal assistance to a variety of international bodies and non-governmental organizations. Last year, they gave support to the International Criminal Tribunals for the former Yugoslavia and Rwanda. This year, they plan to work with Human Rights Watch, Redress and other organizations.

**International Law Society.** The goal of ILS is to promote student awareness of the international legal community by facilitating multicultural exchanges through speakers, language tables, interaction with foreign LL.M. students, and social events with an international twist. Members of the ILS have recently given outstanding performances in moot court competitions dealing with international law, such as the Jessup International Law Moot Court Competition and the Rousseau International Law Moot Court Competition.

**Jewish Law Students Association.** JLSA is an organization of law students, faculty and alumni who share an interest in Jewish legal issues and sociopolitical concerns. The purpose of the organization is to serve as a forum in which beliefs touching upon those concerns may be expressed. JLSA sponsors lectures and social events.

**Latino Students Association.** The goal of the LSA is to unite Latino law students and provide a support network to connect students with alumni around the world. The organization encourages prospective Latino students to come to Duke, helps new students make the transition into law school, and endeavors to share the richness of Latino culture with the school.

**Moot Court Board.** The Moot Court Board is composed of second- and third-year students who represent the highest level of oral and appellate advocacy at Duke Law School. Members are selected from the top finishers in intramural moot court competitions and represent Duke at interscholastic tournaments around the country. Last year, Duke was a regional finalist, best brief winner, and national quarterfinalist in the prestigious National Moot Court Competition; a regional champion, national champion, and international World Cup finalist in the Jessup International Moot Court Tournament; tournament champion and winner of the best brief award at the Sutherland Cup Moot Court Competition; and the first American law school to compete in the Charles Rousseau International Moot Court Competition, argued in French. Board members also direct the annual Hardt Cup and Dean's Cup intramural competitions, as well as the Rabbi Seymour Siegel Moot Court Competition, an intercollegiate competition focusing on legal and medical ethics.

**OUTLAW.** OUTLAW exists to promote awareness of gay and lesbian issues in the Law School and the greater Duke community; to provide support and social outlets to the Law School’s gay and lesbian community; and to promote scholarship in the field of gay and lesbian legal issues.

**Parents Attending Law School.** Parents Attending Law School (PALS) is a social network and support group for law students who have young children. The group assists the Admissions Office by corresponding with applicants who have questions about child care, and related concerns. PALS also maintains a small study room, equipped with toys and a networked computer, available to parents who must occasionally bring their children to the Law School. PALS also sponsors or co-hosts programs pertinent to topics such as “Balancing Career and Family,” and holds family-based social activities such as a Holiday Party and an Easter Egg Hunt.
**Pro Bono Project.** The Pro Bono Project provides law students with opportunities to volunteer for public service while in law school. The purposes of the project include: influencing students to be more receptive to pro bono service and civic commitment in their careers as lawyers; making students more aware of the delivery of legal services for those who do not have full access to the judicial system; giving students who plan a career in public interest an opportunity to demonstrate their early commitment; exposing students to a variety of work settings to help them make knowledgeable career decisions; and providing a contribution to the public. Opportunities are available in a wide
variety of settings from government to legal services and covering subject areas as diverse as criminal law, child custody law and immigration law.

**Public Hearing - A Cappella Choir.** Public Hearing is dedicated to fostering a sense of community and spirit within the Law School by performing concerts here and at Law School-sponsored functions. The group also provides entertainment for patients in Duke’s hospitals and medical facilities.

**Public Interest Law Foundation.** The Public Interest Law Foundation (PILF) is composed of students interested in giving to their communities either by pursuing professional careers in public interest or government work, or by performing pro bono work. PILF promotes public service by encouraging participation in Duke’s pro bono program; by bringing guest speakers to campus to discuss a wide array of public interest job opportunities and career choices; by raising money to fund summer positions in the public and not-for-profit sectors; and by encouraging students pursuing jobs in the private sector to perform pro bono work. Additionally, PILF works with the Office of Career Services to provide various informational sessions oriented toward students interested in careers in public interest, including sessions about Duke’s loan repayment assistance program.

**Sports and Entertainment Law Society.** The SELS introduces interested students to the diverse and complex field of sports and entertainment law. Sports law is an amalgamation of many legal disciplines ranging from antitrust law to tax law; entertainment law is equally wide-ranging, encompassing more areas of law than any other legal discipline. Both of these fields are dynamic and ever-changing, with new issues arising on an almost daily basis due to recent court decisions, new legislation and regulations.

**Volunteer Income Tax Assistance.** The VITA Program offers free tax-preparation assistance to people who cannot afford professional assistance. This includes elderly, handicapped, and non-English speaking taxpayers.

**Women’s Law Students Association.** WLSA’s purpose is to provide both a forum and organization center for women law students. WLSA focuses on the concerns of women in the legal profession by sponsoring events such as panel discussions on the history of women in the law, potluck dinners with women professors, and a panel on balancing a career and family.

**Student Pro Bono Activities**

The Pro Bono Project was started at Duke in the fall of 1991 as a voluntary program to encourage and help students volunteer their services to the community in response to student and faculty interest in pro bono work.

The Pro Bono Project provides bright, energetic law students with the opportunity to explore the world of public service at a time when they are deciding on their careers and contemplating the civic contributions that they will make throughout their careers. The project provides students “easy access” to opportunities during the school year, to work at charitable, civic, nonprofit, governmental, religious, educational institutions, and private law firms doing pro bono representation in the Law School’s surrounding community. In this way, the project becomes a link between the Law School and its community. The project has adopted a goal of every student volunteering 30 hours of their legal skills to the community while in law school.

Beyond the value to the community and beyond the lessons of public interest work itself, the project enhances the students’ legal and professional skills. The students have an opportunity to learn about how law is practiced in a variety of settings. They are stimulated by first hand contact with people who have very real legal problems. They gain confidence as they learn that they have the ability to help people solve problems. And after a student’s third semester at the Law School, he or she can be certified to represent clients, under the supervision of an attorney, in court proceedings. For those
Beyond the Curriculum

students seeking public interest as a career, it is an opportunity to demonstrate their commitment through service. For all students, it is an opportunity to develop important professional skills and contacts.

Placements are available in these and other areas: the environment, trial and appellate criminal practice, health care access, mental health, economic development, education, consumer protection, child abuse and neglect, juvenile delinquency, immigration, civil liberties, AIDS law, international human rights, women's rights, prisoners' legal services, employment law, racial justice, mediation, death penalty litigation, domestic violence prevention, social security and poverty law.

Public Interest Programs

Public Interest at Duke Law School includes student organizations, such as the Public Interest Law Foundation, clinical programs, pro bono and public service opportunities, law journals dealing with public interest topics, and school sponsored events and retreats.

The Public Interest Book Club is unique among law schools. Central to the program are discussions of books on public interest topics. Students assist the Associate Dean for Public Interest, Pro Bono, and Special Projects each spring in selecting the books to be discussed during the coming year. During the year, students and faculty come together to discuss the book and the related topic. Authors are brought in whenever possible. At other meetings, often in coordination with the Office External Relations or the Career Services Office, public interest speakers meet with students to discuss such topics as public interest careers, pro bono opportunities and current issues in public interest law. Public interest students learn by doing through the Pro Bono Project, the Criminal Litigation Course, the Death Penalty Clinic, the AIDS Legal Assistance Project and the Poverty Law Seminar.

Entertainment and Recreation

Many recreational facilities are available to students on Duke's campus. The Bryan Student Center holds cafes, three theaters, lounges, patios, and an art gallery. The student-run Duke University Union presents cultural activities, including films, major speakers, musical performances, art exhibits, radio and television programs, and theatrical productions. Durham and nearby areas offer additional entertainment options.

Duke is ideally situated to provide sports and recreation opportunities, both on and off campus. Law students are entitled to use the new Wilson Recreation Center, as well as the University's tennis courts, swimming pools, fitness trail, and golf course. Near campus, students can enjoy woodland hiking, horseback riding, trail biking, and sailing. Law student teams participate in intramural sports, such as softball and basketball. North Carolina's mild climate makes outdoor activities possible during most of the school year. Weekend excursions to other parts of the state can be very rewarding; several Appalachian ski slopes are about three and a half hours to the West, the Outer Banks the same distance to the east.

Duke is a member of the Atlantic Coast Conference, and the University's sports teams compete on campus during the school year. In particular, Duke's legendary basketball teams have made the sport a passion for many Dukies. Many law students join the annual campout and lottery for basketball tickets.

Academic Year Employment/Work-Study

The study of law is demanding. It is designed to occupy the full time of the student and calls for the highest level of concentration. It is unwise for students to dilute their efforts with outside work, especially during the critical first year of study. Accordingly, employment during the first year is strongly discouraged.

While students should limit their employment during the school year for academic
reasons, no student may be employed for more than 20 hours per week during the academic year. This 20-hour limitation is not only a rule of Duke Law School, but is also a requirement of the American Bar Association for the status of a full-time student eligible to graduate in three years.

For those who find some outside earnings necessary to meet the expense of studying law at Duke and who qualify for the college work/study program under applicable federal regulations, arrangements have been made to provide some part-time employment in the Law School. A number of positions in the law library are filled by law students. Students are often employed in their second or third years as research assistants for faculty members. The University maintains a general placement office to aid in finding on-campus employment, and law students may serve as undergraduate residence advisers if they have been at Duke one year or have previously held similar positions.

Law student spouses who seek employment will find opportunities as good here as in most other areas of the country. Laboratory and technical workers, computer programmers, secretaries, technicians, and medical personnel are the workers most in demand in this area. The University personnel office and the Medical Center personnel office can assist interested persons in locating suitable employment on campus.
Law Library and Computing Services
The published sources of law, in print and electronic forms, are the basic working materials for both the practicing attorney and the legal scholar. At Duke, law students have ready access to the materials of legal research through the resources of an excellent library collection, networked electronic information sources, and the skills of highly trained library and computing services staff to help them develop research skills to last throughout their professional careers.

Recognizing its place at the center of the Law School community, the Duke Law Library is designed to offer accessible, well-organized collections and services for students. Generous group and individual study areas are located in proximity to the most-used materials, and the library is fully networked to provide desktop access to electronic sources.

The library collection of over 550,000 volumes is a major research collection featuring comprehensive coverage of basic Anglo-American primary source materials, including nearly all reported decisions of federal and state courts, as well as current and retrospective collections of federal and state codes and session laws. Digests, legal encyclopedias, and other indexing devices provide access to the primary documents. Materials subject to heavy student use are available in multiple copies in the library and electronically. Extensive collections of records and briefs from the United States Supreme Court, the Fourth Circuit Court of Appeals, and the North Carolina Supreme Court and Court of Appeals are maintained in microform and hard copy. The extensive and continuously expanding collection of legal treatises is organized in the familiar Library of Congress classification system and is indexed in the Duke University public on-line catalogue, which is accessible through the campus network, the World Wide Web, and through dial-in from outside the campus. Special treatise collections are maintained in several areas, including the George C. Christie collection in jurisprudence and the Floyd S. Riddick collection of autographed senatorial material.

The periodical collection includes extensive runs of all major legal research journals, bar association publications, institute proceedings, and newsletters. The library is a depository for United States government publications, with concentration on congressional and administrative law materials. Hard copy document holdings are supplemented by an extensive microform collection, which includes complete runs of the Congressional Record and the Federal Register, all post-1970 congressional materials, congressional committee prints dating back to the mid-nineteenth century, and a number of special subject collections. In addition, law students have access to the documents collection of the main campus library. Important state government documents are collected in both hard copy and microform.
In addition to its Anglo-American holdings, the library holds substantial research collections in foreign and international law. The foreign law collection is extensive in coverage, with concentrations in Canadian, other commonwealth, and European law and business law materials, and growing collections in Asian and Latin American law. The international law collection is strong in primary source and treatise material on both private and public international law topics, and is supplemented by collections held at the main library.

The Duke University Libraries (Perkins, Law, Business, and Medical) together contain one of the major research collections in the country, holding over 4,000,000 volumes. Law students have access and borrowing privileges at other libraries in the Duke system and those at local universities. To obtain materials not available locally, the law library staff uses a variety of electronic networks to retrieve information from libraries and other sources throughout the country. Cooperation with other libraries, both on and off campus, ensures that materials are available when needed for the Law School community.

The success of a law school library depends as much on the quality of the services it provides as on the strengths of its collection. At Duke, the library staff includes ten librarians with graduate degrees, six of whom hold additional degrees in law. The manager of computing services also holds a degree in law and library science. The law-trained staff members serve as instructors in the first-year research and writing program and regularly offer seminars in topics of advanced legal research. They also provide instruction in effective use of the school’s computer network and applications. The staff produces a series of research guides, a newsletter, and various current-awareness services, including bibliographies of books and articles by Law School faculty members. The library publications have been honored with the American Association of Law Libraries’ Law Library Publications Award. Information about library services is also published on the library’s World Wide Web home page http://library.law.duke.edu.

The library features nearly 300 individual study carrels, nearly all of which are wired for connections to the Student Research Network. Sixty carrels are equipped with networked computer terminals and an additional twenty terminals are available for students in group study rooms and in the computer instruction room. The Student Research Network is designed to provide a workstation environment where law students can access and work with electronic and print information sources, create legal writing documents, and print them. The network provides shared access to word-processing software (WordPerfect and MS Word), legal research and other commercial on-line databases (Lexis, Westlaw, Dialog, etc.), electronic mail, the World Wide Web and other resources of the Internet, the university on-line catalog, and locally mounted databases. Duke faculty make increasing use of the network to distribute information to students and for course-related e-mail discussion groups, and are actively engaged in developing other productive uses of network technologies to supplement in-class instruction. The library is a member of the Computer Assisted Legal Instruction consortium (CALI), and makes CALI exercises freely available to students in support of the Law School curriculum.

Because of the growing reliance on computing and network technologies, all entering students in the JD program are required to own portable computers capable of accessing the law school network via dial-in from their residences or through direct connections in the law school building. Computing Services staff offer advice to students about computer purchases and assist law students in making productive use of computers an integral part of their law school experience.
The staff of the Law Library in 2000-2001 includes:

Richard A. Danner, B.A., M.S., J.D., Senior Associate Dean for Information Technology, and Research Professor of Law
Mark P. Bernstein, B.A., J.D., M.L.S., Deputy Director of the Law Library and Senior Lecturing Fellow
Hope E. Breeze, B.A., M.L.S., Head of Technical Services
Janeen J. Denson, A.B., M.S.L.S., Head of Collection Services
Melanie J. Dunshee, B.A., J.D., A.M.L.S., Reference and Education Services Coordinator and Senior
Michael J. Hannon, B.A., J.D., M.L.S., Reference Librarian and Lecturing Fellow
Doris M. Hinson, B.A., M.L.S., Cataloger
Janet Sinder, A.B., J.D., M.S., Head of Information Services and Senior Lecturing Fellow and Website Manager
Katherine Topulos, B.A., M.A., M.S., J.D., Foreign and International Law Librarian and Lecturing Fellow
Gretchen Wolf, B.S., M.S., Acquisitions Librarian

The Computing Services staff includes:
Kenneth J. Hirsh, B.A., J.D., M.L.S., Manager of Computing Services and Senior Lecturing Fellow
Becky A. Mangum, B.S., Assistant LAN Manager
Alonzo A. Felder, B.S., Faculty Support Data Processing Specialist
International Students
International Law Study at Duke

Duke Law School warmly welcomes international students from countries throughout the world to all its programs of study. The presence of students from a wide variety of cultures and legal systems greatly enhances the education of all Duke Law School students. Highly qualified foreign law university graduates who seek exposure to the American legal system and the legal profession are encouraged to apply to one of the following degree programs. Information about opportunities for international students at Duke University School of Law is also available at the Law School’s World Wide Web site: http://international.law.duke.edu.

Degree Programs for International Students

Juris Doctor (J.D.). International students with excellent academic qualifications and English proficiency may seek admission to pursue the J.D. and joint degree programs. Applicants should recognize that they will enter a program designed for extremely capable professional students who already possess a substantial background in American culture and familiarity with the American educational system. The burdens of a new educational system in a wholly new environment are especially demanding for students who have not previously studied in the United States.

International applicants whose first language is not English must present a high score on the Test of English as a Foreign Language (TOEFL). Applicants who already hold a university-level degree from an English medium institution may, however, inquire about exemption from this requirement. All J.D. applicants are required to take the Law School Admission Test (LSAT). Candidates who have earned professional law degrees in countries with a legal system not dissimilar to that found in the United States may be able to receive credit for as much as one-third of the course work required for the completion of the J.D. degree. Students who have completed the LL.M. degree in the United States may also apply to the J.D. program; in some cases, they may be able to complete the J.D. degree in fewer than three years. All inquiries about the J.D. program should be directed to the Law School Office of Admissions, which oversees admissions to this program. For further information, consult the following web site: http://admissions.law.duke.edu.

Master of Laws (LL.M.). The Duke LL.M. degree program is designed for foreign law graduates. The LL.M. program typically enrolls sixty students from more than twenty-five different countries. Participants in the LL.M. program will include practicing lawyers; judges; academicians; prosecutors; staff members from ministries, banks and corporations; and a small number of outstanding recent law graduates.

The LL.M. degree requires two semesters of study in residence at Duke and a minimum of twenty-one semester hours of course work. Students may elect to take one first-year course, which will bring them into contact with entering American J.D. students who are facing similar academic challenges for the first time. LL.M. students
will also enroll in a seminar or in an independent study course with a faculty member, the end product of both being the submission of a substantial piece of written work by the student. LL.M. students as a group undertake a two-credit Distinctive Aspects of American Law course. The course is taught by a Law School faculty member and provides insight into distinctive aspects of American law. The course also provides the opportunity to visit North Carolina and Durham courts as well as the Supreme Court of the United States. A two-credit legal research and writing course is required of LL.M. students who do not have a strong common law background. The course prepares students for the kinds of writing responsibilities expected of qualified American law practitioners. All LL.M. students will receive orientation to the Law Library and the computer system. Additional courses are individually selected by the student with the guidance of a faculty advisor. LL.M. students participate in classes with J.D. students and the same grading scale is applied. International students whose first language is not English receive extra time on final examinations, however. Students are expected to complete the degree in one year unless special alternative arrangements are made.

Doctor of Juridical Science (S.J.D.). International students who have already earned a degree in American law or in a common law country at the master’s level may apply for admission to the S.J.D. program. Admission is extremely selective, and students should apply only if they have achieved exceptional academic records at both their home and their American institutions. S.J.D. candidates are expected to be able to demonstrate that they have the capacity to conduct original research and to produce a thesis which will be a significant contribution to legal scholarship. Applicants should submit transcripts from all previous academic institutions at which they have studied; references from at least two faculty members very familiar with the applicant’s credentials, including one from a faculty member acquainted with the applicant’s studies in the United States; a sample of written work; and a preliminary thesis proposal. Students admitted to the S.J.D. program will usually be asked to complete one to two semesters of course work at Duke before undertaking the thesis component of the degree. The student’s research and thesis will be supervised by a faculty member highly qualified in that area of law and by two additional faculty members in the same or related fields. Prior to the thesis project, the candidate will sit for an examination in his or her area of study and fulfill requirements recommended by faculty sitting on the Graduate Studies Committee. The S.J.D. normally involves a minimum of two to three years. It should be noted that very few students gain admission to this program of study. For additional information, contact the International Admissions Office.

Admission of International Students

An admissions process separate from the J.D. admissions is maintained for foreign students applying to the LL.M. or S.J.D. programs. Prospective applicants should write for forms and information to Ms. Judith Horowitz, Associate Dean for International Studies. An application fee of $65 is charged and should accompany the application. Students from countries where English is not the principal language are required to present a high score on the Test of English as a Foreign Language (TOEFL), which is administered by the Educational Testing Service of Princeton, New Jersey. For further information, appropriate officials at the student’s university should be consulted.

Applications and supporting material should reach Duke by January 20. Students are advised that it may take up to two months for TOEFL examination results to reach Duke. Late TOEFL scores and other application materials can seriously delay or even jeopardize admissions decisions. Applicants will be notified of acceptance beginning in February. Admissions decisions will continue until the LL.M. class is full. It is recommended that applicants try to apply as early as possible. Admission is for the fall semester only. A deposit fee of $500 will be required to confirm acceptance of a position at the Law School.
Financial Aid

Duke offers limited financial assistance to international students. All non-U.S. citizens will need to provide proof of sufficient financial support for tuition and living expenses for the degree program before the university initiates the student visa process. Foreign students admitted to the J.D. program must demonstrate that they have funds available for all three years of study. The Law School does not award new scholarship funds on the basis of need or merit once the student matriculates.

Housing

Duke University maintains a limited number of furnished apartments in which international students may reside. In addition to Duke University housing, there is an abundance of well-appointed, reasonably priced housing in the area. Compared to most urban areas, the cost of living and quality of life in Durham are excellent. Most students prefer to have a car since off-campus public transportation is not readily available.

Placement with American Law Firms

International students may find that they would like to complete their legal education with an internship at an American law firm. Students are welcome to use the services of the Law School Office of Career Services. The office sponsors special sessions for international students in order to explain the placement process, to help with writing resumes and with interview techniques, and to offer other kinds of assistance as necessary. Students from Duke participate in an annual job fair held in New York at which law firms from the U.S. and abroad interview job applicants. The visa office at Duke will help students obtain permission to engage in a period of practical training following completion of the degree program. The Law School cannot guarantee that students will have success in locating a position with an American law firm to facilitate the job search. International students are advised to make contact with American law firms, if possible, before they leave their home countries. Students who have the benefit of at least two years of legal experience before they pursue the LL.M. degree are often the most successful in identifying positions with American law firms. Information about taking state bar examinations is available in the Office of Career Services. Many students prepare for the state bar examination at Duke University.

Special Features of Duke for International Students

The size of the international student body at the Law School is large enough to make its presence felt at the school, but not so large as to be a totally separate entity. All international students are supported in their efforts to become an integral part of the Duke community. To this end, the university’s International House sponsors orientation sessions, offers the opportunity for foreign students to elect to have a host family in Durham, and provides a number of special programs and services throughout the year. Duke Law School also conducts a week-long orientation for all new students and several separate sessions designated specifically for international student concerns. International students are selected as representatives to the Duke Bar Association and the Deans’ Advisory Council. All clubs and associations, but especially the International Law Society, encourage the participation of international students. The Duke Journal of Comparative & International Law provides opportunities for international students to submit articles and for as many as five LL.M. students to participate as staff members in the production of the journal.

Duke Law School has an associate dean whose office is responsible for the admission of international applicants; orientation, academic and adaptation counseling, and other services for international students. Each LL.M. student is assigned to an academic adviser who offers guidance with course selection. The legal research and writing course is carefully structured in order to familiarize students with the law
library, with legal writing techniques of a gradually more demanding nature, and with
the skills necessary for a beginning law office associate to function effectively. The
Distinctive Aspects of American Law course provides an introduction to various areas
of American law, of the legal profession, and of the judicial process. The goal of the
LL.M. program is to provide international students with the most complete exposure
to American law and culture that can be accomplished in one academic year.

All international students are welcome to attend the Law School’s summer
residential institutes. The Duke-Geneva Institute in Transnational Law is held during
the month of July. The Institute is co-sponsored by the University of Geneva Law
Faculty in Geneva, Switzerland. The Institute takes advantage of many international
institutions located in Geneva to arrange for special sessions with highly-placed officials
at those institutions. Courses are taught in English by both American (usually Duke)
and non-American faculty, and LL.M. students enrolled at Duke may be able to earn
up to six credits toward their degree. One course provides an introduction to the
American judicial system. The Institute enrolls about sixty students from Duke and
other American law schools as well as students and law graduates from law schools
throughout the world.

A very similar institute, with a strong Asian and financial institutions emphasis, is
similarly conducted in Hong Kong with the University of Hong Kong law faculty
during the month of July. The Asia-American Institute in Transnational Law enrolls
approximately sixty students from many different countries. Participants in the institute
typically include judges, lawyers, students, faculty members and government officials.
The largest groups of participants have come from the United States and Hong Kong,
but other countries have included Bulgaria, Mongolia, Japan, France, Germany, Taiwan,
Korea, Kyrgyzstan, the Philippines, Portugal, China, and Thailand. Brochures
describing both institutes can be obtained from Duke University Law School.

Study Abroad: Geneva

Course Descriptions

Comparative Secured Transactions. This course will examine current and prospective
developments in the law governing security interests in personal and real property.
After considering the business context, the course will move to an in-depth study of Article
9 of the Uniform Commercial Code (as currently in force in the U.S. and as recently re-
vised) and of several civil law approaches to this subject (exemplified by French, Italian,
Spanish and Swiss law). Consideration will also be given to the current drafts of the Un-
droit Convention on International Interests in Mobile Equipment and the Uncitral Con-
vention on international receivable financing, as well as the EBRD Model Law and the
draft eurohypotheque. The subject will be examined from both practical and theoretical
points of view.

The comparative study will illuminate the extent to which different legal
approaches produce different rules and the effects of such differences on actual
financing practices and the availability and cost of credit. The course will give students
both a solid grounding in UCC Article 9 and an exposure to comparative law. Taught
by Foëx, Sigman, and Bussani (2 semester-hours of credit).

Comparative Products Liability. This course will examine American and European
products liability laws and the policies underlying these laws. It will compare American
products liability law and policy with that of various European countries, and with the
provisions of the EC Directive on products liability.

First, the course will discuss the historical origins of modern products law. Then
it will identify the domain of products law, distinguishing those fact patterns that give
rise to contract claims, ordinary tort claims, and products liability claims. Secondly, it
will consider the prerequisites for a product liability claim, beginning with the standard
of liability in products cases. A plaintiff must establish a “defect.” This is a complex
term, covering three distinct kinds of product flaws: manufacturing defects, design defects, and inadequate instructions and warnings. There is disagreement among American jurisdictions and among European countries, as to how the term “defect” should be defined in each of these contexts. The course will then examine other elements of the plaintiff's case, such as cause in fact and proximate cause. Thirdly, the course will take up the defenses available to the manufacturer, including contributory negligence and assumption of risk. During this discussion, we will ask whether any defenses should be available, given the policies behind products liability, and whether it is appropriate to employ comparative fault principles in products cases. Lastly, the course will consider damages issues, including special American and European statutory limits on compensatory and punitive damages in products cases. Taught by Werro and Wells (2 semester-hours of credit).

Constitutionalism and Social Change. The first term of this course will focus on the impact of social change on constitutional interpretation. Social change confronts the constitution with problems which do not find a direct answer in the text, but nonetheless affect constitutional norms or values if they remain unanswered. Most of these problems, but certainly not all of them, have their origin in new scientific and technical developments which entail new risks for fundamental rights. The question will be how interpreters of the constitution (and in particular constitutional courts) can meet these challenges, which instruments are available, how methodology comes in, and where interpretation ends and constitution-making begins. Most examples will be drawn from the jurisprudence of the German Constitutional Court, yet always with reference to other jurisdictions and the alternatives they present.

The second term of the course will focus on constitutional developments in Canada and South Africa and the extent to which hopes for social change are pinned on perfecting constitutional arrangements. Among the topics raised in respect of each country will be: key constitutional documents and provisions; basic structures and institutions of federalism and human rights protection; constitutional amending processes; powers and methods of judicial review; and illustrative cases in regard to freedom of expression and equality rights. A primary focus in this part of the course will be the extent to which Canadian models of constitution-making and interpretation have influenced the dramatic constitutional changes in South Africa. In addition, students will be invited to explore contemporary, dynamic debates over constitutional issues in each country. In respect to Canada, for instance, this will include discussion of the vexed problem of Quebec's secession from the rest of the country. Taught by Grimm and Bauman (2 semester-hours of credit).

European and Comparative Employment Law. The first term of this course will cover the sources of European employment law and examine comparative aspects of the contract of employment, the law of dismissal, and the transfer of undertakings. The second term will concentrate on European collective bargaining and the social dialogue. Collective bargaining and social dialogue will be examined by focusing on developments in Great Britain's 1999-2000 partnership agreements. Taught by Aubert and Carby-Hall (2 semester-hours of credit).

International Criminal Law. The first part of this course will address the ways in which states cooperate in the enforcement of their respective penal codes. Specific topics will include extradition, transfer of prosecutions, international arrest procedures, securing evidence abroad, and other aspects of inter-governmental cooperation in the field of justice, with particular emphasis on economic and financial crime. The second part of this course will focus on the enforcement of international criminal law, including criminal provisions in international humanitarian law and human rights law. Specific topics covered will include the Nuremberg and Tokyo Tribunals, International Criminal Tribunals for the former Yugoslavia and Rwanda, the national prosecutions for genocide and crimes against humanity in Rwanda and in Ethiopia, and the prospects for a
Introduction to American Law (non-U.S. students only). The first term of this course will examine the evolution in American jurisprudence from its English common law and Continental antecedents; the origins of American constitutional law, at both state and federal levels; the transformation of doctrinal law from procedural to substantive emphasis; the importance of the Civil War on legislative and judicial processes at state and federal levels; the relationship between the settlement of the American West and the refinement of Eastern legal traditions; the rise of the American law school to its present place in the legal system; the establishment of a uniquely American common law tradition; the introduction of American legal realism and its influence on the role of doctrine in American law; the rise of the national law firm in commercial life; and some contemporary issues in which law and culture interact. Laboratory illustrations will be drawn from torts, contracts, first amendment, and intellectual property cases, with some additional readings in secondary materials.

The second term of this course will examine major elements of American law that pertain to civil practice. The term will be designed to acquaint students with the primary fields of public law that affect commerce: securities regulation, antitrust, and taxation. In addition, it will examine the traditional core of American private law defining relationships between individuals and between business enterprises: property, inheritance, descent and distribution, and family law. The term will familiarize students with the structure and role of state and federal courts in the context of trusts and estates and transfers of wealth in the U.S. Taught by Lange and Shaw (2 semester-hours of credit).

Faculty

Gabriel Aubert (M.A., LL.M., Ph.D., University of Geneva; Master of Comparative Law, Georgetown University Law Center). Having been deputy director of the Center for European Legal Studies in Geneva from 1981-87, Mr. Aubert joined the University of Geneva Faculty of Law in 1987 as a full-time professor; he is a part-time professor of law since 1999. He teaches Swiss Employment Law, Collective Bargaining Agreements, and European Employment Law. He has also taught Employment Law at the universities of Fribourg and Lausanne. Mr. Aubert drafted the code of labor of the Republic of Albania, as well as its executive orders. His recent publications on Swiss law include articles on data protection in employment law, arbitration in employment law, and dismissal. Since 1990, he has organized the Geneva Annual Conference on Employment Law, which is attended by practitioners. Since 1997, he has been a part-time associate justice at the Federal Supreme Court of Switzerland.

Richard Bauman (B.A., LL.B., M.Ed., University of Alberta; LL.M., Dalhousie University; D.Phil. in Law, Oxford University). Mr. Bauman has been a professor of law at the University of Alberta since 1988. In the Faculty of Law, he has taught constitutional law, corporate law, jurisprudence, contract law, and specialized seminars on topics in contemporary legal theory. He has also frequently given lectures on legal philosophy in other University departments. He is the author or editor of several books in law and another in philosophical logic. He has also published articles in books and journals on both Canadian and South African processes of constitutional change and interpretation. He has a forthcoming book entitled Ideology, Community, and the Radical Critique of Law. Mr. Bauman was a visiting scholar at Duke Law School in 1994-95.

Mauro Bussani (Law degree, University of Trieste). Mr. Bussani currently teaches the law of secured transactions at the Law Faculty of the University of Trento (Italy). He is co-editor of two comparative law Projects: “The Common Core of European Private Law” and “Ledroit comparé des sûretés réelles.” His recent publications include the editorship of a volume on the interpretation of law, the authorship of a volume on the com-
parative law of security transfer of ownership, and articles on the methodology of European comparative law enterprises, as well as on the inner stratification of legal systems. He taught as visiting professor at several law faculties including Tulane University, Universidade Federal de Rio Grande do Sul at Porto Alegre in Brazil, Universidad Nacional Mayor de San Marcos in Peru, and Université de Montpellier, Université Panthéon-Assas (Paris II), Université Panthéon-Sorbonne (Paris I), and Paris Institute of European Legal Studies, all in France.

Jo Carby-Hall (M.A., LL.B., Aberdeen University; Ph.D., Cambridge University; D.Litt., Northlands University; Advocate). Mr. Carby-Hall is Director of International Legal Research in the Center for Legislative Studies at the University of Hull, England. Having been in practice as a legal adviser, he subsequently entered Bristol, then Hull Universities at which he undertakes teaching and research into the international, European Community and national regimes for the regulation of labor and management. He is Editor of the journal Managerial Law, and Deputy Editor of The Journal of Legislative Studies as well as a member of the Editorial Board of The British Food Journal, the Comparative Law Review, and Just et Lex (in Warsaw). Mr. Carby-Hall's master's degree is in Italian and French and he also holds a bachelor's degree in Arabic and Greek. He obtained his Ph.D. by thesis and his D.Litt. for scholarly published works. He was honored with a military decoration for his work in naval intelligence and was awarded the Cyprus, Borneo and Northern Ireland military campaign medals. The Republic of Poland has awarded Mr. Carby-Hall the Knighthood of the Cross of the Order of Merit for the work he has done for Poland. Mr. Carby-Hall has written numerous books, monographs, articles, editorials and reviews, a great number of which have been translated into several languages. He lectures at universities in various parts of the world and is invited professor of law at Paris, Nantes and Bordeaux universities in France and Jean Monnet professor of law at Nicholas Copernicus University in Poland. As honorary consul for the Republic of Poland, he performs numerous diplomatic functions.

Bénédicte Foëx (Law degree, LL.M., Doctorate in Law, University of Geneva). Mr. Foëx joined the University of Geneva Faculty of Law in 1989. He teaches property law, the law of secured transactions, and an introduction to private law. He is a Faculty co-director of the Duke-Geneva Institute in Transnational Law. His recent publications include articles on the draft Unidroit Convention on international interests in mobile equipment and on the "eurohypotheque" project, as well as a book on pledge agreements. Mr. Foëx practiced law for twelve years in Geneva before becoming a full-time faculty member in 1998; in 1994-95, he spent a semester as a visiting scholar at Duke Law School.

Dieter Grimm (Dr. iur., University of Frankfurt; LL.M., Harvard University). Justice Grimm served from 1987-99 on the Federal Constitutional Court of Germany and returned to teaching after the end of his term. He had been a professor of law at Bielefeld University and is now a professor at Humboldt-University Berlin. He is also Permanent Fellow of the Wissenschaftskolleg (Institute for Advanced Study) Berlin and a Distinguished Member of the Global Faculty of New York University Law School. His research and his publications concern questions of constitutional law, constitutional theory and constitutional history.

Maurice Harari (Law degree, University of Lausanne; LL.M., New York University). Mr. Harari is a partner in the Swiss law firm of Lachat and Harari. He has previously served as an assistant district attorney, as an investigating magistrate, and as a judge with the Tribunal of First Degree in Geneva. Mr. Harari has been an expert for the Council of Europe on extraterritorial jurisdiction. He is a regular lecturer at the Geneva Law Faculty on criminal procedure and international cooperation law.

David Lange (B.S., LL.B., University of Illinois). Mr. Lange has been a member of the Duke Law School faculty for twenty-eight years. Prior to joining the Duke faculty, he worked as a writer, producer, director, and production coordinator in radio, televi-
tion, and motion pictures; as a practicing attorney, with an emphasis in media law; and as General Counsel to the Mass Media Task Force of the National Commission on the Causes and Prevention of Violence. He is a founding member of the ABA Forum Committee on the Entertainment and Sports Industries and served on the Forum Committee’s initial Governing Board. He acted for a number of years as Counsel to a leading North Carolina law firm with an emphasis in copyright, trademarks, and unfair competition and related intellectual property matters. He is currently a member of the Board of Trustees of The Copyright Society of the United States. At Duke, Mr. Lange teaches courses in intellectual property, copyright, trademarks and unfair competition, entertainment law, and telecommunications law and policy. His recent publications include a co-authored casebook in intellectual property, a co-authored article on public-private initiatives to facilitate worldwide intellectual property transactions after the TRIPS Agreement, and an essay on the cultural implications of the Internet. He has served as an advisor to the Vietnamese National Office of Industrial Property and continues to act as a consultant and advisor to the National Copyright Office of Vietnam.

Madeline Morris (B.A., J.D., Yale University). Ms. Morris joined the Duke law faculty in 1990. She teaches in the areas of criminal law and international criminal law, and is a faculty director of the Duke-Geneva Institute in Transnational Law. Her publications include articles on crime by military personnel, on justice in the wake of genocide, and on the establishment of a permanent International Criminal Court. Her current research focuses on the relationship between national and international criminal jurisdictions. She served in 1995-97 as legal advisor to the President of Rwanda and during 1997 as special consultant to the Secretary of the United States Army.

Robert Roth (Law degree, Doctorate in Law, University of Geneva). Mr. Roth is a member of the University of Geneva Faculty of Law. His areas of specialization are criminal procedure, criminal legal history, international criminal law, and medicine and the law. Previously, Mr. Roth was legal advisor to the City Council of Geneva and since 1992, he has been a judge at the Supreme Court of the Canton of Geneva. Mr. Roth has published extensively in the fields of criminal law, legal history, and jurisprudence.

Nancy Shaw (A.B., J.D., with distinction, Duke University). Ms. Shaw is a member of the faculty at Duke Law School, where her primary teaching interests are in the fields of trusts and estates, taxation, and fiduciary law and ethical issues in legal practice. She also serves as Counsel to the North Carolina law firm of Poyner and Spruill. Ms. Shaw is a frequent speaker at continuing legal education programs for practicing attorneys and has been a member of the Council of the North Carolina Bar Association’s Probate and Fiduciary Law Section and the Fourteenth Judicial District Ethics Committee.

Harry Sigman (J.D., Harvard University). Mr. Sigman is an internationally known scholar and practitioner in the commercial law field. He has taught at the law schools of University of Southern California, University of California at Los Angeles, KU Leuven in Belgium, KU Brabant (Tilburg) in the Netherlands, and Hebrew University in Jerusalem. Mr. Sigman is a U.S. delegate to working groups of both the Uncitral Convention on international receivables financing and the Unidroit Convention on international interests in mobile equipment. A member of The American Law Institute, he is also a member of the national Drafting Committee that recently completed revision of Article 9 (personal property secured transactions) of the Uniform Commercial Code, and is currently engaged in securing its enactment throughout the U.S. Mr. Sigman is also involved, as a consultant to governmental agencies and others, in law reform projects in Eastern Europe, the Middle East, Australia, and New Zealand. He is also a participant in The Common Core of European Private Law project of the University of Trento, Italy, and is a member of the International Academy of Commercial and Consumer Law.

Michael Wells (B.A., J.D., University of Virginia). Mr. Wells has been on the University of Georgia Law School faculty since 1978. Prior to that, he clerked for a U.S. Circuit Judge and worked at Covington and Burling, a Washington, DC, law firm. He has
been a visiting professor at Boston University, William & Mary, and the University of Lyon, in France. Mr. Wells has taught torts, products liability, comparative law, insurance law, federal courts, constitutional law, and constitutional litigation. He has written a number of law review articles, and is the co-author of a casebook, Constitutional Torts.

Franz Werro (L.L.M., Boalt Hall School of Law; Doctorate in Law, Venna legendi in private and comparative private law, University of Fribourg). Mr. Werro is a professor of law at the University of Fribourg (Switzerland). His areas of expertise include tort, contract, and family law. He also teaches an introduction to European private law and an introduction to Anglo-American law. Presently, he is visiting at the Georgetown University Law Center in Washington, DC, where he teaches comparative law. Before coming to teaching, Mr. Werro practiced international arbitration in a Geneva law firm. Prior to this, he practiced for a short period in a law firm in San Francisco. His publications include books and articles in private and comparative law.

Study Abroad: Hong Kong

Course Descriptions

**Comparative Criminal Law.** This course will provide a comparison between common law and civil law legal systems by focusing on Hong Kong and the PRC. The course will first examine a range of international and domestic legal responses to financial crime, with special reference to Hong Kong, covering topics such as corporate crime, organized crime, money laundering, confiscation and forfeiture proceedings, corruption and the Independent Commission Against Corruption.

The second half of the course will introduce students to the criminal law and procedure of the PRC, including the structure and sources of PRC criminal law, the classification and structure of offenses in the PRC, criminal procedures in the PRC, and the handling of cases in the PRC both within and outside the framework of criminal procedures. The course will then examine the approach of the PRC to issues of corporate liability and commercial crime. Taught by Jackson and Fu (2 semester-hours of credit).

**Comparative Securities Law: China and Japan.** The first term of this course will involve an analysis of the scheme of securities regulation in the PRC. Topics covered will include many of the following: economic reform and the development of the stock market, types of securities and capital structure, regulation of the primary market offerings, trading in the secondary markets, insider dealing, takeovers, market manipulation, misrepresentation, fraud against customers, stock exchanges, and securities market professionals.

The second term will provide an overview of securities regulation from a comparative perspective, focusing on U.S. and Japanese laws. Using power point as a medium of instruction, presentations will be made and discussed on most of the following topics: investment tools, including security and derivatives; securities markets, with attention to the stock exchange, OTC market, and ATS; intermediaries, such as broker-dealers, banks, and investment advisors; investor protection, including regulatory devices, remedies, and SIPC; disclosure, including IPO, integrated disclosure, and timely disclosure; insider trading, like regulatory rationale, types, and sanctions; manipulation, including free market, surveillance, and stabilization; tender offer, including contest for control and the 5% rule; investment trust, including collective investment and investment companies; and international aspects, including foreign securities, applicable law, and IOSCO. Taught by Yu and Tatsuta (2 semester-hours of credit).

**Health Care Regulation: Asian and Western Perspectives.** The first term of this course will concentrate on three main themes. First, it will examine the patient’s “right to know” in light of the “doctor’s know best” attitude, looking at the differences between “general approval practice” “reasonable patients’ tests,” and the concept of self-deter-
mination. Second, the course will examine regulation of the health care profession by analyzing statutory as well as non-statutory regulatory regimes that affect professional conduct and its effectiveness. Third, the course will highlight the problems of integrating Chinese medicine with Western regulatory regimes or the conflict between science-based Western medicine and empirical-based Chinese medicine.

The second term will cover, first, the American cases and statutory law on informed consent to treatment noting how regulation of disclosure practices reflects on awareness of the patient’s ignorance and powerlessness, a feature not only of the inequality of expertise but also of market characteristics of long standing. Public regulation and private self-regulation of professional services, rationalized as responses to consumers’ information deficits in purchasing medical care, will also be considered in the American context, with special attention paid to the regulation of acupuncturists by American states. The final week will be devoted to studying developments in the U.S. market for health services that have recently given patients a somewhat stronger hand in some of their dealings with physicians, mostly by giving them new corporate allies who can in theory represent their interests. Current issues surrounding “managed care” will be examined in light of concerns about runaway health care costs and about consumer ignorance and patient autonomy. Taught by Liu and Havighurst (2 semester-hours of credit).

**Introduction to American Law.** This course is intended to provide a broad introduction to key elements of American law. The course will focus to a large extent on recent Supreme Court cases that pertain to distinctive aspects of American law. Emphasis will be placed on exploring contemporary problems in American law that reveal key issues and concerns within the American legal system. Special attention will be given to developing a working understanding of the American litigation system, including its reliance on the jury and the growth of alternatives to litigation, such as arbitration, within American courts. The course will include a session on the law and role of punitive damages in the American system, as well as a focus on “mass tort” litigation such as the recent lawsuits against the tobacco industry. The course will also include materials designed to provide students with an introduction to especially significant elements of American constitutional law and American civil rights law. Discussions will focus on statutes designed to prohibit discrimination in the workplace and on important constitutional rights such as Due Process, Equal Protection, and the First Amendment “freedom of speech” protections. Taught by Metzloff and Bernstein (2 semester-hours of credit).

**South East Asian Law and the Impact of the Economic Crisis.** Prior to the economic crisis in 1997, many of the countries in South East Asia had experienced unprecedented economic growth. In this period of growth, legal reforms were targeted mainly at attracting foreign investment. The economic downturn highlighted problem areas in the law and posed new and unexpected challenges. This course will begin with an exploration of the evolution of contemporary legal systems in South East Asia and the influences which have shaped them. It will also examine successive waves of legal reform which supported changes in economic policy prior to the economic crisis. The fallout of the crisis and responses through law and policy reform in two or three of the South East Asian countries will then be examined. These themes will be further developed in the second half of the course through an in-depth country study of Thailand. This part of the course will examine Thai law and policy as it relates, for example, to the treatment of foreign investors and workers, foreign shareholding, and ownership of land before and after the crisis. Taught by Tan and Sukonthapan (2 semester-hours of credit).

**The World Trade Organization: The Adjudication of International Trade Disputes.** This course is designed to provide students with an understanding of the WTO system as it applies generally, and as it affects Asian countries in particular. The first term of this course will provide an overview of the WTO system. Attention will be given...
to the theory of international trade, the history of the Havana Charter, the General
Agreement on Tariffs and Trade, the Uruguay Round, and the structure of the WTO
Agreement and its Annexes. The Dispute Settlement Understanding will be examined
in terms of its structure, procedures, enforcement measures, and in comparison to other
international dispute settlement mechanisms. The substantive content of a number of
the other Annexes will also be examined, including the GATT, the Agreement of Safe-
guards, the General Agreement on Trade in Services, and the Agreement on Trade-Re-
lated Aspects of Intellectual Property Rights.

The second term of this course will consider the application of the WTO system to
a number of specific cases. These will include cases of significant general relevance, for
example, the Tuna-Dolphin, Beef Hormones, and Bananas Cases, as well as cases of
particular relevance to Asia. Examples of the latter include the Kodak-Fuji and Shrimp-
Turtle Cases. The course will conclude with a review of the current status of the
negotiations in the WTO Millennium Round, and of how those negotiations involve
and affect Asian countries. Taught by Byers and Kittichaisaree (2 semester-hours of
credit).

Faculty

Michael Byers (B.A., University of Saskatchewan; B.C.L., LL.B., McGill University;
Ph.D., Cambridge University). Mr. Byers is associate professor of law at Duke Universi-
ity, where he teaches international law, international dispute settlement, and interna-
tional economic law. He is the Director of Duke Law School’s J.D./LL.M. Program in
Comparative and International Law. From 1996-99, he was a Fellow of Jesus College,
University of Oxford and a Visiting Fellow of the Max Planck Institute for Compara-
tive Public Law and International Law in Heidelberg. He is the author of Custom, Power,
and the Power of Rules (Cambridge University Press, 1999) and the editor of The Role of Law in
International Politics (Oxford University Press, 2000). He also has many publications on
human rights and is a member of the editorial board of the International Journal of Refugee
Law.

Fu Hualing (LL.B., Southwestern University of Political Science and Law; M.A. in
Criminology, University of Toronto; S.J.D., Osgoode Hall Law School, York University).
Mr. Fu’s primary areas of teaching and research are criminal and administrative law.
First, at City University of Hong Kong and since 1997 at the University of Hong Kong,
he has additionally taught courses in Chinese law, including human rights law. Among
his publications are articles such as “Fiscal Reform in China: Implication for Hong
Kong,” “Regulating the Established Press in China,” “A Bird in the Cage: Police and Po-
litical Leadership in Post-Mao China,” and “The Relevance of Chinese Criminal Law to
Hong Kong and Its Residents.” Mr. Fu has been associate editor of the International Journal of Comparative and Applied Criminal Justice since 1991.

Clark Havighurst (A.B., Princeton University; J.D., Northwestern University). Mr.
Havighurst is the William Neal Reynolds Professor of Law at Duke University, teaching
in the fields of antitrust law and health care law and policy. In 1999-2000, he served as
the interim dean of Duke Law School. His scholarly writings include articles on the role
of competition and private contract in the financing and delivery of health care, a wide
range of antitrust issues arising in the health care field, the law of medical malpractice,
and many kinds of regulation in the health services industry. In the summer of 1998, he
published (with the help of James F. Blumstein and Troyen A. Brennan) a revised edition
of his 1988 law school casebook, Health Care Law and Policy: Readings, Notes, and Ques-
tions. His most recent scholarly book, Health Care Choices: Private Contracts as Instru-
ments of Health Reform, was published by AEI Press in February 1995. He has also published a
major book on economic regulation in health care, Deregulating the Health Care Industry: Planning for Competition. A member of the Institute of Medicine of the National Academ-
my of Sciences and, until recently, of its Board of Health Care Services, Mr. Havighurst

Faculty 117
Michael Jackson (LL.B., Hons, University of Auckland; LL.M., University of British Columbia). Mr. Jackson joined the University of Hong Kong’s Faculty of Law in 1984, after practicing as a litigation lawyer in New Zealand. His teaching is primarily in the fields of criminal law, and equity and trusts. He has published in the area of criminal law and is presently completing a textbook on Hong Kong criminal law. He has also practiced as a lawyer in Hong Kong, assisting in several large commercial fraud cases. He is currently a member of the Criminal Law and Procedure Committee of the Law Society of Hong Kong. He has also assisted the Law Reform Commission of Hong Kong on a number of occasions.

Trina Jones (A.B., Cornell University; J.D., University of Michigan). Ms. Jones is associate professor of law at Duke University, where she teaches courses on civil procedure, employment discrimination, and race and the law. Before joining the Duke faculty, she practiced law as a litigator with the Washington, D.C., law firm of Wilmer, Cutler and Pickering. Her scholarly work focuses on legal ethics and civil rights law. She is a member of the North Carolina Bar and of the District of Columbia Bar.

Kriangsak Kittichaisaree (LL.B., University of Wales; LL.M., Harvard University; Ph.D., Cambridge University). Dr. Kittichaisaree is Director of the Legal Affairs Division in the Ministry of Foreign Affairs of Thailand. He is also Visiting Fellow and Lecturer in International Criminal Law at the University of New South Wales in Sydney, Australia. He is the author of The Law of the Sea and Maritime Boundary Delimitation in Southeast Asia, “Using Trade Sanctions and Subsidies to Achieve Environmental Objectives in the Pacific Rim,” and International Criminal Law (forthcoming), and has many publications especially in the area of environmental law and law of the sea. His memberships on national committees are many, again, in particular, those concerning environmental and sea-related policies.

Athena Liu (B.A., Ph.D., Glasgow University). Ms. Liu teaches courses in family law, torts, and medico-legal issues at the University of Hong Kong. She is the author of several publications on family law, artificial reproduction and reproductive rights, and the protection of children. Currently, she is a member of the Law Reform Commission Working Group on Guardianship and Custody of Minors, the Provisional Council on Human Reproductive Technology, and the Hospital Governing Board of Bradbury Hospice. She was also a member of the Hong Kong Family Mediation Group that drafted a Professional Code of Practice for Family Mediators. She has contributed articles to the Hong Kong Law Journal, The Journal of Medical Ethics, the Asia Pacific Law Review, and The Journal of Family Law.

Thomas Metzloff (B.A., Yale College; J.D., Harvard University). Mr. Metzloff is professor of law at Duke Law School and for the past two years has served as senior associate dean for academic affairs. After graduating from Harvard Law School in 1979, where he was an editor of the Harvard Law Review, Mr. Metzloff clerked for Justice Byron R. White on the Supreme Court of the United States. Prior to coming to Duke in 1985, he practiced law in Atlanta, where he primarily litigated professional liability cases. At Duke, he has regularly taught courses primarily in the areas of civil procedure, professional ethics, and complex litigation. Much of his research relates to current issues of importance in American courts, particularly the growth and development of alternatives to litigation. Several of his publications have been in the areas of mediation and medical malpractice.

Pisawat Sukonthapan (LL.B., Thammasat University; LL.M., Institute of Air and Space Law, McGill University; J.S.D., Stanford University). In addition to teaching at Thammasat University Law School, Ms. Sukonthapan serves as the Executive Director of the Mekong Region Law Center, a position she has held since 1997. She has received several prestigious scholarships, for example, from the Netherlands Government, the Harvard-Yenching Institute, the Max Planck Institute in Munich, and the Asian Founda-
tion. She teaches mainly in the areas of investment law, air law, and intellectual property law. She has been a member of a large number of Thai Government Subcommittees, especially in the areas of intellectual property, and has developed special programs for judges and practitioners in Laos, Mongolia, and Nepal.

**Carol Tan** (LL.B., LL.M., London School of Economics, University of London). Ms. Tan has taught at Keele University and the London University School of Oriental and African Studies, as well as the University of Hong Kong. She has been Visiting Fellow at the Institute of South East Asian Studies, Singapore. At SOAS, she taught in the area of Asian legal systems and investment laws. Her principal areas of research include Chinese customary law, and, increasingly, investment in South East Asia.

**Misao Tatsuta** (LL.B., Kyoto University; LL.M., University of California-Berkeley). Mr. Tatsuta taught corporation law, securities regulation, and other areas of business law at the Faculty of Law, Kyoto University, before becoming professor emeritus in 1997. He now teaches at the Faculty of Law, Kobe-Gakuin University. He has published, both in Japanese and in English, many articles primarily on corporation law and securities regulation. He also taught as Visiting Professor of Law at the University of Washington, the University of Pennsylvania, the University of British Columbia, the University of Sydney, and the University of Munich. In addition to his academic activities, Mr. Tatsuta has played an important role in advisory committees for the national government with regard to revising corporation law and other branches of law. Recently, the China Securities Regulatory Commission and other agencies invited him as one of the advisors in drafting the Chinese Securities Law. Mr. Tatsuta is a member of the Bar and also practices law at Oh-ebashi Law Office in Osaka. In 1999, he was elected a director of Sumitomo Mutual Life Insurance Corporation. He serves on the Membership Committee of the Osaka Stock Exchange and as a director of the Japan Investors Protection Fund, Inc.

**Yu Guanghua** (B.A., Economics, Shanghai Maritime Institute; LL.B., S.J.D., University of Toronto; LL.M., Osgoode Hall Law School, York University). Mr. Yu has taught at the University of Hong Kong since 1996 and before that at City University of Hong Kong. He teaches company law, tort law, introduction to Chinese law, and securities regulation. His primary research interests are in theories of economic and social regulation, Chinese commercial law and policy, and company law and policy. He writes on those areas both in Chinese and in English. His newest publication, a book in Chinese entitled Studies in Law and Economics, is forthcoming.
Career Services
Career Services

The many advantages of attending a small, highly-regarded, national law school like Duke certainly extend to the area of career services and placement. In fact, Duke Law School offers one of the most successful career services and employment records among all American law schools. For example, members of the recent class of 1999 reported ninety-nine percent employment six months after graduation. The most recently graduated class of 2000 reported a 97.4% employment rate, the highest in Duke Law School history. We have every expectation that subsequent graduating classes of Duke Law School will enjoy similar results.

Duke Law School graduates find employment in all sectors of the legal profession. The class of 1999 presents a typical profile. Seventy-four percent of its graduates are presently employed across the United States in private law firms. Eighteen percent have taken prestigious clerkships with federal and state court judges. The remaining members of the class are employed by government agencies, public interest organizations, military JAG offices and public corporations.

The geographical destinations of our graduates are equally diverse. While a significant majority of our students take jobs in the eastern one-half of the United States, Duke Law School has over 7,000 alumni presently practicing law in all fifty states. This broad alumni base supports our students' networking efforts when involved in a job search.

Second-year law students at Duke experience similar success in the employment market. Through our fall on-campus interview program, over ninety-two percent of the second-year class find summer clerkships in law firms throughout the United States at salaries which typically range between $1,400 and $2,300 per week. This past fall, over 438 legal employers from across the country visited Duke Law School to recruit from a pool of fewer than 190 law students. This extremely favorable employer/student ratio is one of the very best in the United States. The remaining members of the class will locate summer jobs through other means, often by working with our national Law School Alumni Network. Last year, these second-year class achieved a ninety-nine percent summer employment result.

Although first-year law students typically face a more difficult job market, Duke's first-years enjoy a relatively successful summer job search experience. Over ninety percent of these students locate summer clerkships with law firms, federal agencies, judges, and public interest organizations. Several find jobs as a result of Duke's February on-campus interview program for first-year students. Some students find summer jobs clerking with legal employers in Europe and Asia in connection with Duke Law's summer programs in Geneva and Hong Kong.

The success of our nationally prominent placement program is a function of several factors, the most obvious being the extremely high caliber of individuals who attend Duke Law School. But also of significance is the level of hands-on, career-related support provided by the Law School's Office of Career Services to Duke Law students. Because of Duke Law School's relatively small size, students receive a significant amount of one-on-one counseling and preparedness training from our professional staff. Our goal in the Office of Career Services is to ensure that Duke Law students are as informed and prepared as possible as they enter a very competitive job market. We also strive to provide potential legal employers with information describing the qualities and capabilities of Duke Law students, thereby guaranteeing a high demand for a relatively small supply of Duke Law School talent.

In furtherance of ensuring well-prepared and informed law students, the Office of Career Services at Duke Law School hosts a variety of programs throughout the academic year aimed at increasing law students' job search skills and information base. Communications and interview skills, resumes and cover letters, and self-assessment techniques are some of the areas covered in our career development workshops.
Additionally, practicing attorneys from across the country regularly visit Duke Law School to participate in panel discussions and seminars aimed at increasing student awareness of both available areas of legal practice as well as issues facing student law clerks and new lawyers. This office also maintains a state of the art on-line computer research capability which law students utilize for the most up to the minute information about the legal employment market.
Below are placement statistics for the four most recent graduating classes:

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</tr>
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<tbody>
<tr>
<td>Inquiries Received</td>
<td>605</td>
<td>630</td>
<td>709</td>
<td>739</td>
</tr>
<tr>
<td>Interviews on Campus</td>
<td>334</td>
<td>343</td>
<td>407</td>
<td>438</td>
</tr>
<tr>
<td><strong>Employers’ Geographical Distribution</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northeast</td>
<td>42%</td>
<td>43%</td>
<td>40%</td>
<td>47%</td>
</tr>
<tr>
<td>Southeast</td>
<td>33%</td>
<td>34%</td>
<td>32%</td>
<td>31%</td>
</tr>
<tr>
<td>Midwest</td>
<td>13%</td>
<td>12%</td>
<td>12%</td>
<td>5%</td>
</tr>
<tr>
<td>West</td>
<td>12%</td>
<td>11%</td>
<td>16%</td>
<td>17%</td>
</tr>
<tr>
<td><strong>Student Information</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Graduates Reporting Employment at Graduation</td>
<td>91%</td>
<td>93%</td>
<td>94%</td>
<td>95%</td>
</tr>
<tr>
<td>Six Months After Graduation</td>
<td>98%</td>
<td>99%</td>
<td>99%</td>
<td>99.5%</td>
</tr>
<tr>
<td><strong>Type of Employment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private Firms</td>
<td>71%</td>
<td>73%</td>
<td>75%</td>
<td>74%</td>
</tr>
<tr>
<td>Business/ Corporations</td>
<td>8%</td>
<td>3%</td>
<td>3%</td>
<td>3%</td>
</tr>
<tr>
<td>Government and Public Interest</td>
<td>5%</td>
<td>3%</td>
<td>5%</td>
<td>3%</td>
</tr>
<tr>
<td>Judicial Clerkships</td>
<td>14%</td>
<td>18%</td>
<td>17%</td>
<td>18%</td>
</tr>
<tr>
<td>Teaching/ Advanced Study</td>
<td>2%</td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
</tr>
</tbody>
</table>

[Information about career services at the Duke University School of Law is also available at the Law School’s World Wide Web site: http://www.duke.edu/career/index.]
External Relations
External Relations

Though Duke Law School graduates are dispersed across the country and throughout the world, their relationship with the Law School remains close. The Duke Law School External Relations Office, working with the Duke Law Alumni Association, links the school's alumni with the Law School and with each other. Information about alumni programs sponsored by the Law School is also available at the Law School's World Wide Web site: http://www.alumni.law.duke.edu.

Law Alumni Association. Every alumnus/ a of the Law School is a member of the Law Alumni Association. The Law Alumni Association Board of Directors, its governing body, consists of approximately thirty members, who serve three-year rotating terms.

Reunions and Law Alumni Weekend. The Law School External Relations Office organizes reunions by class at five-year intervals. The reunions are held in the spring on Law Alumni Weekend. A reunion chairperson from each class is responsible for helping to plan reunion activities and encouraging classmates to attend. At the 50th reunion, alumni are inducted into the Half-Century Club.

Service Awards. In 1985, the Law Alumni Association Board established the Charles S. Murphy Award to be presented during Law Alumni Weekend to an alumnus or alumna whose devotion to the common welfare is manifested in public or quasi-public service or in dedication to education. Charles S. Murphy, a North Carolina native, devoted himself to public service, serving in the administrations of Truman, Kennedy, and Johnson as well as serving as a Duke trustee and member of the Law School Board of Visitors. In 1994, the Law Alumni Association Board established the Charles S. Rhyne Award to honor an alumnus or alumna whose career has been devoted to private practice but who has also made significant contributions to public service.

In 1999, the A. Kenneth Pye Award was established to honor an alumnus, alumna, or member of the Duke University School of Law community whose work in education reflects the life and ideals exemplified by former dean A. Kenneth Pye who is fondly remembered not only for his profound personal integrity and vigorous intellect, but for his exceptional ability to recognize individual student needs and the great compassion with which he assisted those who might otherwise have faltered.

The International Alumni Achievement Award was established to honor an
international alumnus or alumna who has given distinguished service to his or her own profession and home country and has maintained strong ties with Duke Law School.

**Alumni Publications.** The Duke Magazine, an award-winning alumni publication which provides news and features about University programs, faculty research, student life, and alumni activities is published for all Duke alumni. Through the magazine, alumni are informed about each other, campus changes, and issues affecting higher education generally and Duke specifically.

The Law School External Relations Office publishes the Duke Law Magazine twice yearly. It is sent to all Duke Law alumni and other members of the Law School community including students. Through the magazine alumni are informed of faculty work on important legal issues and programs at the Law School. An alumni section includes an alumni notes feature through which alumni can keep each other informed of milestones in their professional and personal lives. It also includes articles on different segments of our alumni body and profiles of some interesting individuals.

Also published bi-annually is Passport, a newsletter designed to highlight the global aspects of Duke Law School. Mailed to all alumni of the school, Passport features articles on international trends in law and the emergence of Duke faculty, students, and alumni as leaders in addressing these trends.

To keep the Duke Law community appraised of progress in the current university-wide campaign, the Office of External Relations also publishes twice each year The Campaign for Duke Law School Newsletter. This newsletter tracks the school’s progress toward a $50 million campaign goal and highlights totals, recent major gifts, and how campaign gifts are enhancing programs within the Law School.

**Local Associations.** The Law School External Relations Office coordinates and supports the activities of local law alumni associations. The purpose of the local association program is to establish and maintain a sense of community and identity with the Law School and among our alumni. We also hope to increase alumni awareness of the progress and needs of the school. These objectives are pursued through social and educational events for alumni which are attended by a Law School representative.

Besides serving a social and networking function for local alumni and encouraging a sense of community, these groups also provide some practical assistance to the Admissions and Career Services Offices of the Law School.

**International Alumni Programs.** The Law School also pursues a strong alumni relations program with our growing international alumni body. The Law School External Relations Office sponsors programs for current international students to explain alumni and development programs. There are many local associations outside the United States including Tokyo, Taiwan, and several in Europe. Alumni events are held each year in conjunction with the transnational institutes in Asia and in Europe, as well as an International Alumni conference.

**Future Forum.** The mission of the Future Forum is to bring together current students, young alumni, Law School faculty and administrators to strengthen the bonds that exist within the Law School community and to prepare students and young alumni to be future leaders of the Law School alumni body.

**Alumni Programs for Students.** In response to both student and alumni interest, the Law Alumni Association sponsors a series of panel discussions featuring alumni in various legal fields. This program is composed of panels of alumni invited to the Law School to discuss timely issues in the legal community such as law firm delivery of pro bono service and the changing nature of legal practice. The Braxton Craven Inn of Court, a professional organization of attorneys, judges and students that holds regular meetings with educational programs, includes second and third year students each year providing valuable educational and networking opportunities.

In addition to coordinating these events, the Law School External Relations Office is involved with students and student organizations throughout their Law School
careers, and, in fact, ushers them into alumni status by coordinating the Law School activities for Graduation Weekend. Students are invited to attend all alumni events at the school and make a significant contribution to the Annual Fund Campaign as volunteers during the annual telethons. The Law School External Relations Office is also available to individual students and to student organizations who wish to contact alumni.

**Alumni Admissions Interviewing Program.** In 1985, the Law School began a program which invites alumni to help in the application and admissions process. The program, which is administered by the Law School Admissions Office, involves alumni in recruiting and communicating with prospective students.

**Annual Fund Campaign.** Gifts made by alumni and other friends of the Law School to the Duke Law School Annual Fund provide flexible financial support to the school. These funds undergird the operating budget and pay for items that endowment funds, often designated for specific purposes, do not address and that tuition revenues fall short of covering. Duke Law alumni are very responsive to the Annual Fund Campaign.
Appendix A

UNDERGRADUATE INSTITUTIONS REPRESENTED IN THE ENTERING CLASS 1999

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#### STATES REPRESENTED IN THE 1999 ENTERING CLASS

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#### INTERNATIONAL COUNTRIES REPRESENTED IN THE 1999 ENTERING CLASS*

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* This information reflects reported citizenship from the admissions application.