

RUTGERS LAW SUMMER SESSION 2021 COURSE CATALOG

Courses Broadly Available to JD and non-JD students

Four Sessions to Choose From

1-week Session, EARLY	May 17-23 final exam/project due date determined by professor
8-week Session, LAW SCHOOL MAIN	May 25-July 15 (Monday, July 5 is a holiday) final exam period from July 20-27
6-week Session, CAMPUS MAIN	June 1-July 7 (Monday, July 5 is a holiday) final exam on July 8
1-week Session, LATE	August 2-8 final exam/project due date determined by professor

COURSES OFFERED (1-week Session, EARLY MAY 17-23)

Human Rights: Risks, Challenges, and Opportunities (Course Number 23:600:649 Section 01)

(2 credit) (Prof. Jorge Contesse)

Class meetings: Every day, Monday, May 17th through Friday, May 21st from 9:30am to 3pm EST (breaks included during times listed). Final exam due date determined by professor

Since the adoption of the Universal Declaration of Human Rights, in 1948, the expansion of human rights law has been impressive: from civil and political rights to social rights and women's rights, to areas where collectivities and even transnational corporations are subject to the law of human rights. International regimes of human rights protection have flourished, at the global level, as well as regionally, with the establishment of tribunals such as the African, European and Inter-American Courts of Human Rights. But the development of human rights law also creates pushback from nations: in recent years, the rise of nationalism and populism accompanied attacks against international human rights organs.

This course will explore the theory and practice of international human rights law, with the goal of providing students with an informed and critical perspective on some of the most pressing issues that human rights law faces today. The course will review the history and evolution of the project of international human rights law, the expansion and proliferation of human rights norms, the use of human rights law in domestic contexts, including efforts to implement human rights norms in the United States, and the challenges that current world events pose to such project. There will be a final exam, in the form of an essay and multiple-choice questions.

This course is open to JD students, other graduate students, and undergraduates with a GPA of at least 3.5 as approved by the professor. During the summer, this course is also open to practicing professionals and members of the community with permission of the instructor.

Pandemics and Financial Distress (Course Number 43:600:114 Section 01) Exclusion: not open to students currently enrolled in an ABA-accredited JD program

(2 credit seminar, LE25) (Prof. Chrystin Ondersma)

Class meetings: Every day, Monday, May 17th through Friday, May 21st from 9:30am to 3pm EST (breaks included during times listed). Final paper/project due date determined by professor

In this course we will discuss the financial consequences of Covid as experienced by individuals, businesses, municipalities and states, as well as the economy as a whole. In particular, we will focus on indebtedness and the role of credit in financial rescue. We will discuss the CARES Act and its intersection with bankruptcy laws, as well as other relief measures. We will also examine the disproportionate impact Covid is having on racial minorities, immigrants, and other marginalized groups. We will situate this discussion in the overall legal, regulatory, and economic landscape that includes historical dispossession and exclusion of Black and other marginalized individuals from wealth and financial

security. All reading assignments will be posted on Canvas with the exception of one book we will read together: *Jackie Wang's Carceral Capitalism*. We will read news articles, legislation, and law review articles that address both the laws and regulations enacted during the pandemic *as well as* the laws, regulations, and practices that have created the financial and credit landscape in which we find ourselves. Because the response to the pandemic is ongoing, we will adjust our readings to reflect the most pertinent laws, regulations, and news. Students will write response papers and a final paper at the end of the seminar.

This course is open to undergraduates, graduate students (except for students currently enrolled in ABA-accredited JD programs), practicing professionals, and members of the community. The course is capped at an enrollment of 25.

COURSES OFFERED (8-week Session, LAW SCHOOL MAIN, May 25-July 15, final exam period from July 20-27)

Introduction to American Law (Taught in Korean) (Course Number 43:600:101 Section # 01)

Exclusion: not open to students currently enrolled in an ABA-accredited JD program

(3 credits)(Prof. Jootaek Lee)

Class meetings: T/Th, Tuesday May 25th through Thursday, July 15th from 8am to 10:10am EST (10pm-12:10 am Korean Standard Time)

This course provides a basic introduction to the concepts, principles, and practical operations of the United States' system of laws. Students who attend class regularly, read all the assignments, and participate in analyzing and debating hypothetical cases should begin to develop the ability to understand the mode of legal argumentation and persuasion familiar to the American judiciary and legislatures.

The purpose of this course is to introduce you to the basics of the American legal system if it is not familiar to you, or if you have previously studied law only in non-US jurisdictions. Another purpose of this course is to introduce students to enough material for them to decide if they are interested in pursuing law school in the U.S. American JD programs have a reputation for a certain type of rigor, and this course will give students a taste of the kind of workload and class expectations that law school require. *This class is the only class of its kind to be taught in Korean by a U.S. law school professor.* Grading will depend upon a midterm, final exam, and class participation.

This course is open to undergraduates, graduate students (except for students currently enrolled in ABA-accredited JD programs), practicing professionals, and members of the community.

미국법의 기초 (한국어) (3학점) (이주택 교수)

이 과목에서는 미국 헌법에서 보장하는 다양한 시민의 권리들과 자유의 개념과 원칙을 배우고 실제 상황에 적용을 할 수 있는 능력을 키우게 될 것입니다. 종교의 자유, 언론과 집회의 자유, 총기 소유, 사생활 보호와 자치, 그리고 법의 공평한 보호를 포함합니다. 또한 연방정부와 주정부관의 권력 분배와 견제 균형에 대해서도 배울 것입니다. 수업에 잘 참여하고, 과제를 읽고, 가상의 케이스들을 분석하고 토의하는데 참여하는 학생들은 시민의 자유와 권리들에 관한 판결문을 이해하는 능력을 키울 것입니다. 또한 시민의 자유와 권리를 포함하는 헌법적인 쟁점들을 발견하고, 실제 상황에 헌법의 원칙들을 적용하며, 논쟁의 사실과 법적인 면을 구분하며, 가능한 설득력있는 주장을 펼칠 수 있을 것입니다.

또한 이 수업을 통하여 미국 JD 프로그램에 관심이 있는 학생들은 엄격한 미국 로스쿨에서 요구하는 공부량과 수업에서의 기대를 미리 경험할 수 있을 것입니다. 이 수업은 미국 법대교수에 의해 유일하게 한국어로 가르치는 수업입니다. 성적은 중간 기말고사와 수업 참여에 의해 결정될 것입니다.

Sneaker Law (Course Number 23:600:548 Section 01)

(2 Credits) (Prof. John R. Kettle III)

Class meetings: T/Th, Tuesday May 25th through Thursday, July 15th from 10am to 11:30am EST

This course will explore--through the lens of the phenomenal multi-billion dollar sneaker industry--the critical business and legal aspects of launching and running a new business. The course will cover the planning process from the creation of the idea to the ultimate production, marketing, licensing and sale of the product. There will be an emphasis on the importance of establishing a business plan, choosing the best form of business structure (sole proprietorship, LLC, corporation or partnership), how to approach product design, manufacturing, distribution, and advertising/marketing issues. The course will also cover the importance of obtaining, maintaining, licensing and protecting the related intellectual property rights (idea protection, trade secrets, trademarks, right of publicity, copyright and patents). This course is prepared for law students, and business, marketing, and fashion majors at the graduate level that want to learn about the many facets and issues that lawyers and business professionals face in both the start-up and management of a new business. During the summer session, this course is open to practicing lawyers and other practicing professionals as visiting students. Topics and issues will include the effect of secondary markets, counterfeiting, and potential litigation issues and concerns. The course book, *Sneaker Law*, is required and there is a graded final exam administered after the conclusion of the course for students seeking academic credit.

This course is open to JD students, other graduate students, practicing professionals and members of the community with the permission of the professor.

COURSES OFFERED (6-week CAMPUS MAIN, June 1-July 7, final exam on July 8)**Artificial Intelligence and Social Justice (Course Number 43:600:115 Section 01)***

Exclusion: not open to students currently enrolled in an ABA-accredited JD program

(2 Credit Seminar, LE 25) (Profs. David Lopez/Caroline Young)

Class meetings: T/Th, Tuesday June 1st through Thursday, July 7th from 10am to 12 noon EST

The world is increasingly characterized by rapidly developing technologies such as artificial intelligence (AI), social media, predictive analytics, and algorithmic tools. This development has come to increasingly dominate how we work, how we play, how we buy, how we interact with each other, and how we find romantic partners. Artificial intelligence, big data and algorithms have yielded great benefits; the knowledge of the world is at our fingertips, and we have in many ways enhanced economic efficiency and interconnectedness. These tools have even been used to advance social justice organizing efforts and other policy objectives. We collectively seek to bend the use of algorithms and associated technologies toward the goal of a more just and dynamic society.

However, these developments have occurred in an environment with scant legal regulation despite their potential impact on inequality, racial equity, and other matters of structural justice in our society. These technologies and the mega-corporations working with these technologies have also drawn criticism for their corrosive effect on privacy, for their discriminatory application, for disseminating false or discriminatory speech, and for promoting economic centralization along with political fragmentation. Anyone in the legal profession or anyone who is concerned with social justice should be monitoring this sea-change. This course examines a broad range of legal and policy challenges posed by algorithms, artificial intelligence (AI), machine learning and other emergent technologies. We investigate the regulatory stress these developments place on existing frameworks designed to ensure opportunity, non-discrimination, competition and justice. Through assigned readings, in-class discussion, and engagement with experts, students will explore the many promises and perils of algorithms and AI.

Students who complete this class will gain a thorough understanding of the ways in which algorithms depend on human judgments or assumptions. In this course, students will analyze the context of emerging legal and policy issues in the

use of algorithms and artificial intelligence in an evolving social, political, and economic environment. The course will explain the legal, ethical and moral concerns about the use of algorithms and data science.

This course is open to the following categories of students with an overall enrollment cap of 25:

- Anyone with an interest in social justice and technology (no legal knowledge required)
- Computer scientists (students or professionals)
- Data scientists (students or professionals)
- Practicing attorneys and other professionals (no math required)
- Graduate students (no math required)(not open to students currently enrolled in an ABA-accredited JD program)
- Undergraduate students (no math or legal knowledge required)
- Members of the community (no math or legal knowledge required)

Information Privacy Policy and Law (Course number 43:600:116 Section 01)*

(3 credits) (Prof. Sahar Aziz)

Class meetings: T/Th, Tuesday June 1st through Thursday, July 7th from 6pm-9pm EST

Information Privacy Policy and Law examines the evolution and current state of privacy law in the face of rapid technological change, and the challenges posed to individuals' ability to control third party collection, access, use and disclosure of their personal information. The course covers privacy torts, applicable and proposed privacy legislation and regulations, and self-regulation of privacy through technological means, contracts or other means. The course will cover sections on Privacy and the Media, Privacy and Law Enforcement, National Security and Foreign Intelligence, Employment Privacy, and Consumer Data Security.

The ubiquity of technology brings with it concerns with privacy, which in turn triggers new laws or reforms to existing laws. Due to public discourse and media coverage of privacy and data protection—whether in the context of hacking by foreign governments and companies or social media companies' collection of personal information—this course is likely to attract interest among a wide range of potential students.

This course is open to JD students, other graduate students, and undergraduate seniors with a GPA of at least 3.5 as approved by the professor. During the summer, this course is also open to practicing professionals and others in the community with permission of the professor.

COURSES OFFERED (1-week Session, LATE August 2-8, final exam/project due date determined by professor)

Understanding Statistics and Data: Empirics for Law & Policy (Course Number 24:601:521:91 Index 12463)*

(2 Credits) (Prof. Jacob Russell)

Class meetings: Most instruction will be asynchronous; required synchronous meetings every week day, Monday, August 2nd through Sunday, August 8th 6pm-7pm EST.

This course provides an introductory primer in quantitative evidence, statistics, data sciences, and causal inference. It is designed for students with no background in the subject, requiring no math, statistics, or probability background. Increasingly, we live in a world of empirical data — where arguments are won or lost on the basis of statistical and quantitative evidence. Yet most people have little familiarity with how to interpret data, or how to read a study and to understand its implications and limitations. This is a particular problem given that not all evidence is of equal quality. Even more confusion surrounds ideas about new techniques of data science, including machine learning, neural networks, and artificial intelligence, that have become increasingly common as part of the “big data” revolution.

The goal of this class is to make you a more sophisticated consumer of empirical data. Although we will examine

applications in legal practice (e.g., the types of materials that might be the subject of expert reports during litigation), we pull on examples from a range of domains, and the course is designed to teach “data literacy” regardless of one's interests. We will pay particular attention to debates over causality — what kind of evidence is required to make the claim that “X causes Y” instead of “X is associated with Y”? Such causal claims are the coin of the realm for lawyers and policy analysts, yet they are often misused. The past several decades have been described as a “credibility revolution” in empirical research, as scholars develop a deeper understanding of the kinds of research designs that can lead to credible claims of causality, a topic we take up in depth in this course.

No math skills are presumed. Our focus is on reading and evaluating, rather than producing, an empirical analysis, although we will demonstrate some relevant techniques. Topics will range from probability, to study design and analysis, to data visualization. We will also explore machine learning, comparing it to more traditional techniques of statistical analysis. The course will draw on dozens of examples and case studies designed for this class, many drawn from the headlines and from topics of hot public debate, as well as readable materials designed for a non-specialist audience.

This course is open to undergraduates (by permission of instructor), JD students, other graduate students, practicing professionals, and members of the community.

**Courses marked with an asterisk all relate to the topic, “Introduction to Policy and Big Data*