



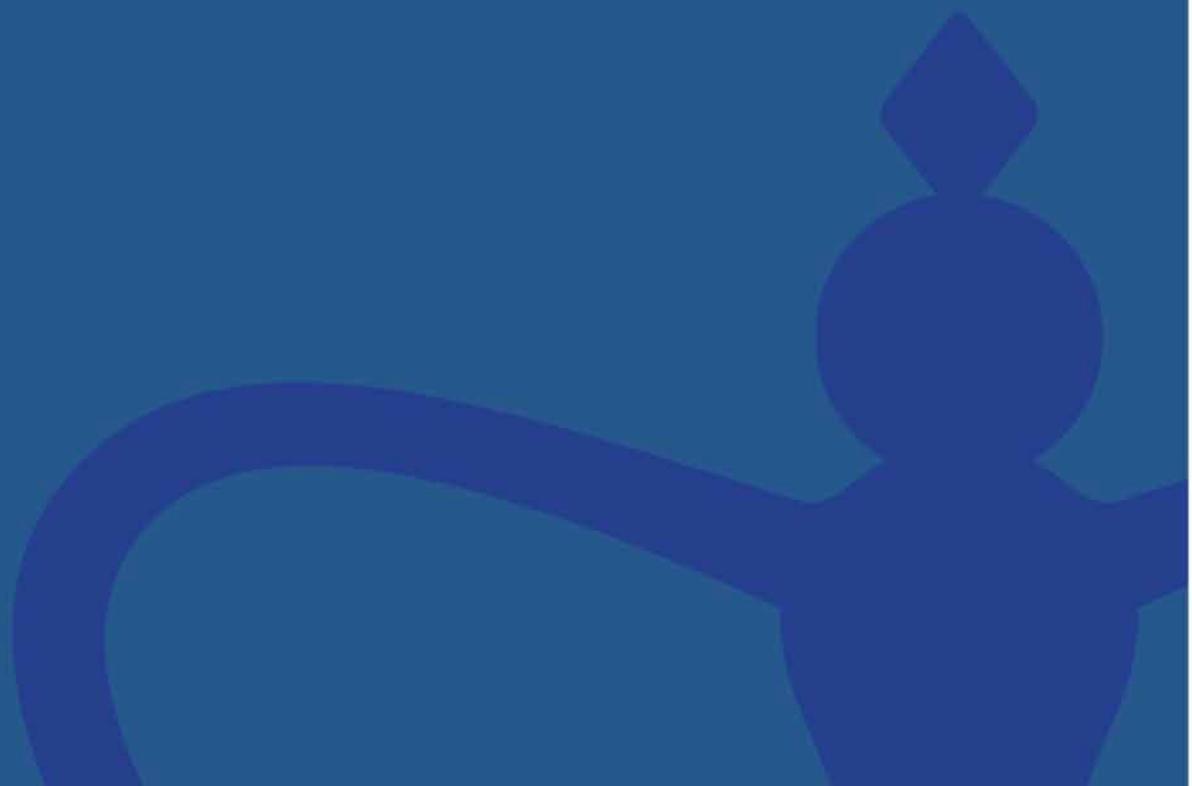
**Columbia  
Law School**

Experiential Learning Program

# Fall 2021 Handbook

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*Clinics, Externships, Policy Labs, and Simulations*



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March 2021

Dear Columbia Law Students:

Experiential legal education is an intensive study of law and lawyering through representation and advocacy. The American Bar Association requires all JD students to earn at least 6 credits of experiential learning. At Columbia Law School students have a number of experiential options. CLS offers Clinics, Externships, Policy Labs, and Simulations, including Workshop in Briefcraft/Moot Court Student Editor, the Negotiation Workshop, Trial Practice, and other simulation courses. This letter provides a short description of the types of offerings, and the pages that follow offer detailed descriptions of each.

## **CLINICS**

All Clinics are part of Morningside Heights Legal Services, Inc. – a public interest law firm located in recently renovated and beautiful space on the 8<sup>th</sup> and 9<sup>th</sup> floor of Jerome Greene Hall. Clinic students are members of that law firm and work under the close supervision of full-time faculty, staff attorneys and fellows with real clients and partners on real problems. Some are offered for one semester, while others require a full year commitment. One semester clinics offer 7 credits, and full-year clinics offer additional credits for the year. The intensity of the work allows students to dive into the lifelong process of becoming capable, thoughtful, responsible, and reflective lawyers. Students identify and pursue their own learning goals while providing essential legal representation and advocacy. Clinic students develop a wide range of competencies as they take on increasing responsibility for their clients' cases and projects. Knowing that they have the watchful supervision of experienced lawyers and teachers, they also experience the profound weight of working on important and often personal matters. Students become counselors, mediators, litigators, and educators as they learn to apply legal knowledge and other skills to their clients' diverse concerns. Students assume the role of lawyer in cases and matters involving individuals, communities, and organizations that otherwise might be unable to secure assistance. Additionally, in weekly seminars and simulations, faculty provide personalized feedback and reinforce skills, such as interviewing and counseling clients, mediating among parties with disparate interests, and drafting legal documents. Clinic students can expect to devote at least 21 hours each week to their clinic work and seminar.

## **EXTERNSHIPS**

The CLS Externship program provides students with field learning opportunities in a diverse array of practice areas. Externs work in Judges' Chambers, Government, Non-Profits and In-House Legal Departments. They may practice civil, criminal, corporate, labor, immigration law or they may work Externships provides students with field learning opportunities in a diverse array of practice areas. Externs work in Judges' Chambers, Government, Non-Profits and In-House Legal Departments. They may practice civil, criminal, corporate, labor, or immigration law, or they may work with community groups on organizing and advocacy projects. Externship placements give students a chance to develop skills and knowledge essential to the practice of law. At the same time, externs engage in meaningful work on behalf of clients. Each externship has its own placement-specific seminar. Some are offered every semester and others are offered only in the Fall or Spring semester. After an application and selection process, students are assigned to a placement where they are closely supervised by an on-site experienced attorney or a judge. In nearly all CLS externships, the participating students in the particular externship are all placed at the same agency or office. Students also participate in a weekly seminar most often taught by a lawyer or judge from the placement. Students in externships earn 4 or 5 credits and can expect to devote at least 12-15 hours each week for attending the seminar and performing their fieldwork.

## **POLICY LABS**

Columbia Law School's innovative Policy Labs prepare our graduates to solve exceptionally complex public problems and lead change through collaboration with professionals and stakeholders from many different disciplines and communities. In those courses, students learn to link traditional lawyering skills with other forms of knowledge and expertise. Policy Labs combine cutting-edge theory with hands-on learning, policy, and practice; litigation and transactional work. Students work in seminar-style, larger-class, and small-group settings; they also work with live clients and engage in simulation experiences. These courses enable law students to work in teams with professionals from other fields, and with the communities they serve.

## **SIMULATIONS**

Simulation-based courses allow students to step into the role of a lawyer while remaining in the classroom under close faculty supervision. Through the use of rich hypothetical scenarios and real-world case studies, these classes introduce students to practice-based legal challenges and the tools needed to solve them. Simulations include Workshop in Briefcraft/Moot Court Student Editor; the Negotiation Workshop; the Deals Workshops; Trial Practice; and upper-year simulation courses covering a variety of subject matters, from real estate transactions and pretrial commercial litigation to native peacemaking and public education policy. Simulations typically offer between 2-4 credits. Unifying all these offerings is a focus on the development of a broad range of legal skills, including interviewing and counseling clients, negotiating and drafting commercial agreements, writing motions and briefs, and orally presenting before a range of tribunals.

You will find detailed descriptions of these course in the pages that follow. The Experiential Learning Application for Clinics, Externships, and the Policy Labs will be open from April 1 through May 4. You must log into Lawnet and apply through the online application. You can apply for up to 3 courses and rank them in your order of preference. Students will receive an offer from their highest-ranked choice that has selected them for participation. Applications for Simulations follow their own individual timetables. Please refer to the Curriculum Guide for descriptions and additional information about the Simulation offerings.

If you have any questions about experiential learning or the application process, please contact us. For questions about particular Clinics, Externships, and Policy Labs, please see the contact information in the course descriptions that follow.

Sincerely yours,

Philip Genty  
Vice Dean for  
Experiential Education  
and Everett B. Birch  
Clinical Professor in  
Professional Responsibility

Susan Kraham  
Director of Externships  
and Field-Based Learning

Ilene Strauss  
Director of Legal Writing  
and Moot Court Programs

## Important Dates and Events

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### Application Timeline

Date and Time	Event
<b>Thursday, April 1 12:00 PM EST</b>	Online application is available through LawNet
<b>Tuesday, May 4 5:00 PM EST</b>	Online application closes
<b>Friday, May 14</b>	Acceptance offers emailed to students
<b>Monday, May 17 12:00 PM EST</b>	Deadline to accept or decline offer
<b>TBD</b>	Second Round of application is available through LawNet
<b>TBD</b>	Second Round of application closes
<b>TBD</b>	Acceptance offers from the Second Round are emailed to students
<b>TBD</b>	Deadline to accept or decline offer from the Second Round

## FAQs

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1. ***What is a Clinic?*** Clinics are part of Morningside Heights Legal Services (MHLS), CLS's in-house, non-profit, public-interest law firm through which students represent clients and work with partners. Full-time Clinical Faculty, Staff Attorneys and Fellows teach two weekly clinical seminars and supervise legal representation and advocacy for real clients and partners. All clinical seminars are taught at the law school. Students work in MHLS office space, located on the 8<sup>th</sup> and 9<sup>th</sup> floors of the main law school building. They are assigned to clients and projects. They learn to be legal problem solvers by assuming primary responsibility for their matters, under the close supervision of experienced clinical faculty. In addition to weekly seminars, faculty provide frequent and detailed feedback on student work as they teach various legal competencies. Students examine, learn and reflect on the ethical dimensions of lawyering and engage in guided reflection on these issues.
2. ***What is an Externship?*** What distinguishes externships is the opportunity to engage in supervised practice at external offices and partner organizations with real clients on real cases. Experienced supervising attorneys provide extensive feedback and opportunities for reflection. Each Externship has two parts – a seminar and fieldwork. The seminar component is 2 credits and meets weekly (except for the Judicial Externships which have a 1-credit seminar and only meet 7-8 times over the course of the semester). The seminars are taught by experienced attorneys, who are adjunct CLS faculty and most are also employed at the fieldwork partner organization. During these weekly sessions, student will be introduced to the important substantive and practice skills they need to succeed in their fieldwork. Importantly, the seminars address ethical issues and encourage students to be reflective and intentional in their practice. Most of the seminars are held at CLS but some are held at the Externship site. Additionally, seminars may be graded or ungraded (please refer to each Externship's webpage or the online curriculum guide for this information).

Externship students engage in the practice of law. In most externships, all students enrolled do their fieldwork at the same site supervised by the seminar instructors and/or site supervisors. Externship fieldwork is either 2 or 3 credits and is ungraded (Pass/Fail). This translates to a weekly average of 11 or 14 hours respectively. All externship credits (both the seminar and the fieldwork) count towards the 6-credit experiential learning requirement.
3. ***Can I be paid or get CLS pro bono hours for my fieldwork?*** No. Students cannot earn credit and be paid for the same work. Fieldwork hours count towards the New York Bar Pro Bono requirement but not CLS's.
4. ***How do I apply for the Negotiation Workshop?*** Registration for Negotiation Workshop is the same as for all other courses and no special application is necessary.

5. ***How do I apply for the Empirical Legal Analysis Lab?*** Professor Fagan will send an announcement to students with instructions to apply for the lab.
6. ***How do I apply for Moot Court Student Editor: Workshop in Briefcraft?*** The Student Editor application will open in Lawnet in mid-May. Ilene Strauss will send an announcement with more information closer to the date when the application will open.
7. ***Can I take an Externship if I need accommodations?*** Columbia Law School's experiential learning program is an academic community that values diversity and seeks to promote meaningful access to educational opportunities for all students. CLS experiential courses will provide reasonable accommodations to qualified students with disabilities to afford an opportunity for their full participation in the experiential programs and activities. If you receive accommodations, please reach out to the Director of Externships and Field-Based Learning.
8. ***How many experiential courses can I take in one semester?*** Students may only participate in one externship or clinic in each semester. Students may not enroll in an externship and a clinic in the same semester. However, students in Advanced Clinics may also participate in an externship with permission from both instructors. Students in the Capital Post-Conviction and the Empirical Legal Studies Laboratory may take another experiential learning offering concurrently.
9. ***Can I drop an externship or clinic during add/drop?*** No. The registration process for experiential learning is different from the registration lottery. Once a student has accepted a spot in a clinic or externship, they can only drop it for good cause and with the instructor's permission. If a student has accepted a judicial externship and interviewed with a judge, they will not be able to withdraw.
10. ***How many other courses should I take if I am taking an externship?*** Each student is different, but we strongly encourage you to schedule your classes so that you have at least one full day to spend at your externship. Depending on whether you are taking a 4-credit or 5-credit externship, you may want the flexibility to spend two full days at your placement.
11. ***Can I get experiential credit for an independent internship?*** CLS offers L6695, *Independent Experiential Project*, which allows students to find their own fieldwork. Students interested in doing so, must find a faculty advisor who agrees to supervise the student and comply with the established requirements. Any proposed project must be approved in advance by the Director of Externships and Field-Based Learning.
12. ***Can I take more than one externship or clinic during my time at CLS?*** Students may take a different externship each semester. However, with very limited exceptions, students may only take one clinic at CLS.

# **Fall 2021 Clinics**

# Community Advocacy Lab (L9362)

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## **Instructors**

Colleen F. Shanahan, *Associate Clinical Professor of Law*

## **Experiential Credits**

7 credits (3 for seminar; 4 for fieldwork)

## **Course Description**

The COVID-19 pandemic has laid bare our society's challenges of racial, economic, and social injustice. Community Advocacy Lab prepares students to meet these challenges as lawyers who are society's problem solvers, creative researchers, and strategic thinkers. Our clients range from Harlem-based organizations to national advocacy campaigns – all focused on racial and economic justice and grounded in the needs of communities. Current students are working on:

- criminal justice reform, including fines and fees, youth courts, and public defense;
- civil justice reform including family law, housing, workers' rights, and civil summons.

The clinic employs an expansive range of lawyering strategies to create a more just legal system. Students work as movement and community lawyers, develop and advance policy campaigns, design and evaluate services, advocate to change court rules and systems, and draft and advance legislation.

## **The Seminar**

The seminar is integrated with the fieldwork. It encourages skill development, addresses the theoretical and substantive bases of the clinic's work, and provides opportunities for students to reflect on their work and development as lawyers. Students consider the complexity of poverty, social justice, and racial justice across areas of the law while developing a range of skills, including:

- Interviewing, research & information gathering
- Problem solving, strategic analysis, data analysis & design thinking
- Policy & legislative advocacy
- Written & oral advocacy
- Collaboration & working with diverse communities
- Project planning & management
- Media engagement

## **Fieldwork**

Clinic students have complete ownership and autonomy over their work. They are not interns or assistants who receive assignments. Rather, they are student attorneys who develop and implement all phases of client representation and advocacy. Students have regular supervision meetings with the clinic director and work with clients and colleagues during office hours.

## **Important Information**

The course is limited to 9 students and is open to JD and LL.M candidates. There are no prerequisites to take this course. Prof. Shanahan is holding zoom office hours for students interested in Community Advocacy Lab. Please schedule online at <https://calendly.com/colleen-shanahan-cls/cal-clinic-enrollment-office-hours>

# Entrepreneurship & Community Development Clinic (L8631)

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## **Instructors**

Lynnise Pantin, *Clinical Professor of Law*

## **Experiential Credits**

7 credits (3 for the seminar; 4 for fieldwork)

## **Course Description**

The Entrepreneurship & Community Development Clinic (“ECD Clinic”) is a one-semester course that introduces students to transactional lawyering. Students in the ECD Clinic will provide free transactional legal services to low income and moderate income entrepreneurs and community based organizations in the neighborhoods surrounding Columbia on issues relating to new and emerging businesses. The clinic will be of interest to students interested in learning to work with organizational clients and learning to represent clients in transactions.

## **The Seminar**

As part of their Clinic experience, students attend a twice-weekly classroom seminar, which combines analysis of client matters, the relevant substantive law and lawyering skills required in a transactional practice. The purpose of discussion in the seminar is not to merely display mastery of the reading. Rather, discussion involves sharing thoughts, perspectives, and ideas, and listening to and building upon the contributions of others. Regular attendance and participation are expected.

Attorneys for entrepreneurs encounter client needs in a variety of expansive substantive areas. In addition to the lawyering skills learned in seminar and clinic work, student attorneys in the ECD Clinic will be exposed to a range of substantive legal disciplines including:

- Business formation
- Intellectual property law
- Contract drafting and negotiation
- Start-up capital raising and financing
- Corporate governance
- Employment law
- Other transactional legal services

## **Fieldwork**

Fieldwork in the Clinic will take the form of interviewing, legal research, problem-solving and legal analysis, writing, counseling, transaction/project planning, negotiating, and drafting contracts. More specifically, the Clinic will undertake legal work for clients that may include: 1) advising about entity choice and assisting with corporate formation, 2) answering employment questions, 3) assisting with the registration of trademarks and advising on other intellectual property issues, 4) drafting and negotiating agreements such as leases and other contract agreements, 5) assisting with applications for tax-exemptions and 6) advising on relevant regulatory and licensing issues. Students may also research and write on issues related to public policies that affect Clinic clients and may provide community education workshops on substantive law issues pertinent to the Clinic’s practice areas.

**Important Information**

The course will be limited to 8 students and will be open to JD and LL.M candidates. There are no prerequisites to take this course, although Corporations and an intellectual property course will be helpful.

# Human Rights Clinic (L9233)

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## **Instructor**

Gulika Reddy, *Clinical Teaching Fellow*  
and Sarah Knuckey, *Lieff Cabraser*  
*Clinical Professor of Law* (Spring,  
alongside Gulika)

## **Experiential Credits**

Fall: 7 credits (4 graded for seminar component & 3 graded for project work) Spring: 5 credits (2 graded for seminar component & 3 graded for project work) Credit adjustments possible in exceptional circumstances in consultation with professor

## **Course Description**

The Human Rights Clinic prepares students for lifelong careers in social justice advocacy around the globe. Through the Clinic, students join a community of advocates working to promote human rights and to recalibrate the global power imbalances that drive economic and political inequality, exploitation, threats to physical security, poverty, and environmental injustice.

Through fact-finding, reporting, litigation, media engagement, advocacy, training, and innovative methods, the Clinic seeks to prevent abuse, promote accountability, and advance respect for human rights. Embedded in the Clinic's work is a commitment to the values of equality and mutual exchange in transnational partnerships; respect for rights-holder autonomy, voice, and power; and diversity, inclusion, full participation, and justice within the human rights field.

Through a combination of Seminars and Project Work, and with the mentorship of Clinic professors and supervisors, students develop the wide range of skills necessary to be strategic and creative human rights advocates, critically analyze human rights, and advance human rights methodologies. The Clinic engages students in an active and co-creator mode of education, and students are taught to self-assess and monitor their own progress, and are involved in building the methods, pedagogy, and institution of the Clinic itself.

## **The Seminar**

The Clinic Seminar in the Fall provides a map of the terrain of international human rights advocacy, including the field's dominant strategies, methods, and critiques, equipping students with the knowledge and the tools to navigate the field with confidence and critical reflection. Students learn to assess where they and human rights projects are positioned, the available routes for action, and how to ethically, pragmatically, and responsibly choose which steps to take toward which ends. They learn project selection and design; choice and sequence of advocacy tactics; fact-finding and interdisciplinary research methods; interviewing witnesses, experts, and perpetrators; evidence assessment; digital and physical security; report and brief-writing; using judicial and quasi-judicial processes; advocacy options at the local, national, regional, and international levels; engaging the press and using social media; working with partners and engaging in rights-based human rights advocacy; promoting inclusion and full participation, countering identity-based harms, and working as an effective ally; mitigating vicarious trauma and promoting resilience; leadership and teamwork; engaging with critiques of human rights and transformative human rights advocacy; ethical frameworks and the navigation of ethical dilemmas; and accountability and project evaluation. The Spring seminar provides an opportunity for advanced analysis of thematic human rights issues and skills acquisition.

## **Advocacy Projects**

Students work in teams on projects that are designed to pursue social justice in partnership with civil society and communities. Through its project work, the Clinic functions similarly to a non-governmental organization, with students implementing advocacy projects. It also serves as a laboratory for testing new, innovative, and interdisciplinary modes of human rights work, and seeks to be a model of rigorous and critical human rights advocacy.

Projects vary from year to year and span the globe. They have addressed urgent and complex human rights issues in the Central African Republic, Papua New Guinea, Peru, Yemen, Kashmir, and the United States. Recent topics include: corporate accountability for human rights violations and environmental harms in the extractives industry, labor rights among immigrant communities, education rights and religious and ethnic discrimination, the right to fair trial, human rights and humanitarian law violations in counterterrorism operations and armed conflict, the right to mental health during armed conflict, and the rights to water and sanitation.

## **Important Information**

The course will be open to JD and LL.M candidates. It is recommended that students take Human Rights prior to, or concurrently with, this course.

# Immigrants' Rights Clinic (L9258)

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## **Instructors**

Elora Mukherjee, *Jerome L. Greene Clinical Professor of Law*, and Amelia Wilson, *Lecturer-in-Law*

## **Experiential Credits**

7 credits (3 for seminar, 4 for casework)

## **Course Description**

Through an intensive learning and working environment, students work with faculty who are leaders in immigrants' rights and develop lawyering and advocacy skills through direct client representation and cutting-edge projects related to immigration reform.

Immigration has become one of the most prominent political and human rights issues in the United States. Students in the Immigrants' Rights Clinic take on significant case responsibilities on behalf of the most vulnerable immigrants who would otherwise face the deportation process without representation. Under the leadership of Professors Elora Mukherjee and Amelia Wilson, the clinic works in conjunction with or on behalf of national and local organizations devoted to immigration reform. Students take on cutting edge projects involving regulatory and legislative reform, impact litigation, and public education.

There is no right to government-appointed legal counsel in U.S. immigration proceedings. Even children do not have a right to counsel in removal proceedings, and they are often forced to navigate the immigration court system alone, in a language they do not understand. Working under the guidance of the clinic's faculty, students represent asylum seekers from around the world who are facing deportation. Students who continue in the clinic beyond a single semester have the opportunity to work on more complex casework and take on varied forms of advocacy.

Each student is expected to handle significant case responsibilities, visit immigration detention facilities, and have at least one appearance in immigration court or the asylum office by the end of the semester. Students, working in teams, will assume primary responsibility for all aspects of the individual case preparation, including interviewing clients and witnesses, investigating facts, drafting pleadings, motion practice and briefing, developing case strategies, conducting oral argument, leading negotiations, preparing witnesses, and performing legal research. The Immigrants' Rights Clinic requires a time commitment averaging 21 hours of casework per week (3 hours for each credit).

## **Important Information**

If you are interested in learning more about the Immigrants' Rights Clinic, please email Elora Mukherjee ([EMukherjee@law.columbia.edu](mailto:EMukherjee@law.columbia.edu)) or Mimi Wilson ([aw3193@columbia.edu](mailto:aw3193@columbia.edu)) to schedule a time to talk.

# Lawyering in the Digital Age Clinic (L9269)

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## **Instructors**

Conrad A. Johnson, *Clinical Professor of Law*,  
and Brian Donnelly, *Lecturer-in-Law*

## **Experiential Credits**

7 credits

## **Course Description**

Now more than ever, we see that the ability to use technology thoughtfully and creatively in law practice is critically important. Those who can help public interest or private practice legal organizations leverage their already substantial investments in technology bring much sought after added value to their employers. That is why leaders of the bar, judges, and the most prestigious public-interest organizations turn to students in the Lawyering in the Digital Age Clinic for help with pressing challenges.

The Clinic has pioneered the study of how technology affects the practice of law. Indeed, when the Clinic began in 2001, it was the first in the country to focus on this emerging field. Students in the clinic learn both contemporary and traditional lawyering skills through hands-on experience using the digital technologies that are reshaping the profession.

[Visit the Clinic's website](#) to learn more about who we are and what we do.

Note, that while there is substantial client contact, we have long found ways to collaborate closely with our clients online. Additionally, much of the work you will perform will take place online. As such, challenges such as those posed by 9/11, hurricane Sandy and COVID-19, while devastating, have had little effect on our ability to serve our students and clients.

## **The Seminar**

Through twice-weekly seminar sessions, we explore a structured framework for learning the habits of mind and skills of contemporary practice. The seminar provides a safe setting for achieving digital literacy as it applies to law practice. Law is a profession that runs on information. Lawyers engage in three essential tasks: we gather, manage and present information.

In our seminar, we engage in exercises and thoughtful discussion of the theory, tools and techniques that lawyers need to gather, manage and present information effectively and creatively in the digital age. The seminar is also a place where we unpack the out of class exercises that are designed to help you learn interviewing, counseling, drafting and presenting information online, among other important lawyering tasks.

## **Fieldwork**

Our clients are public interest legal organizations, prominent jurists and non-profit legal technology initiatives that have a serious interest in integrating technology to improve access to justice. Through client representation, students gain proficiency with both the traditional skills of lawyering that are enhanced by technology, such as interviewing, counseling and drafting, as well as the skills necessary to practice at a high level in the digital age, including online fact-investigation, searching, knowledge management and digital presentation. Throughout, we emphasize how to use technology to help make the very human encounters we have with our clients satisfying and productive.

Through weekly team meetings, you will receive the support and individualized feedback you need to achieve our learning goals while delivering the highest quality client service. Team meetings provide you an opportunity to collaborate closely with us, your clinic colleagues and your clients. These meetings are a place where the concepts and skills we teach in the seminar and out of class exercises are applied through the important work you perform for your clients under our supervision.

Clinic students work shoulder-to-shoulder, both in person and in online environments, with lawyers from a wide range of public-interest organizations and members of the judiciary. Sample projects include:

- Helping civil legal aid and legal services attorneys meet the massive challenges of implementing NYC's new "right to counsel" initiative for low-income New Yorkers in eviction proceedings
- Created an online portal to help millions of low and middle-income workers secure billions in Earned Income Tax Credits
- Worked with a consortium of public benefits lawyers and paralegals to build online resources that provide a real-time snapshot of systemic problems and access to immediate relief
- In conjunction with New York's Chief Judge, developed the Collateral Consequences Calculator that shows the immigration consequences of conviction for all sections of NY's Penal Law
- Using technology to disrupt the school-to-prison pipeline in charter schools
- Developing tools for legal services attorneys helping homeowners facing foreclosure and communities seeking to stem the blight of "Zombie" housing

Students emerge from the Clinic with a combination of contemporary legal and technical skills that give them a considerable professional edge as they enter the practice of law.

### **Important Information**

The Clinic will be limited to 8 students and will be open to JD and LL.M candidates. There are no prerequisites to take the Clinic. We actively seek both students who feel they have no particular technological expertise, as well as students who are looking for opportunities to put their understanding of technology to good use.

Professor Johnson will be available for online office hours to those interested in learning more about the Lawyering in the Digital Age Clinic on:

- Monday, March 30 from 12-1pm, Join  
URL: <https://columbiauniversity.zoom.us/j/706668093>
- Wednesday, April 1 from 12-1pm, Join  
URL: <https://columbiauniversity.zoom.us/j/734922084>

If you have any questions at other times, please contact him by email, [cjohnson@law.columbia.edu](mailto:cjohnson@law.columbia.edu)

# Mediation Clinic (L9239)

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## Instructors

Alexandra Carter, *Clinical Professor of Law*

## Experiential Credits

7 credits (4 graded; 3 pass-fail)

## Course Description

Conflict is as old as humanity itself. And yet for too many in our modern litigation system, it means staggering bills, broken relationships and problems that cannot be solved by legal remedies. In 2019, Chief Judge Janet DiFiore announced that New York State will move to a presumptive mediation model for civil cases, meaning that for many New Yorkers who file a case, mediation will now be their “first stop,” before the judge. New York, and this country, need skilled and thoughtful mediators now more than ever.

The Mediation Clinic will immerse students in mediation theory, skills, and techniques while allowing the students to mediate live cases with actual clients. In addition, students may have the opportunity to work directly with ambassadors at the United Nations, foreign governmental officials, other transnational organizations, and U.S. government agencies on mediation practice and systems design.

This clinic has several goals: 1) to give students the opportunity to improve their ability to represent clients by helping them learn, in the context of mediation, skills that are important to effective problem solving and wise lawyering; 2) to give those students who may make mediation part of their professional lives a good start in terms of both skills and ethics; 3) to help students see the benefits and limitations of mediation and other dispute resolution techniques so that they can responsibly counsel clients about their choices; 4) to help students understand how feelings, background values and personal style affect performance in a professional role; and 5) to provide quality assistance to parties whose disputes the clinic mediates.

The Mediation Clinic has six components: mediation skills training; mediation of cases; observation of neutrals at work; individual meetings with the professor; class analysis of ethical, systemic, and jurisprudential issues involved in the ADR movement; and a final paper or project.

## Mediation Training:

At the beginning of the semester you will be involved in intensive skills training in order to prepare you, as soon as possible, to begin work on actual cases. Training dates and times are: TBA **You will need to be free during those times in order to participate in the clinic.** During this period, through readings, demonstrations and role plays, you will be given an introduction to the theory and the craft of mediation.

## The Seminar

The weekly classroom component will help students contextualize their experiences with their mediation parties and the justice system. By addressing topics like confidentiality and mediation ethics, the role of law in a mediated outcome, mediation systems design policy, diversity and difference, representation in mediation and differences in complex cases, students will situate their experiences of individual party intervention in the broader discussions of state, federal and transnational law and policy. We engage in learning through case rounds, role playing and

simulations, as well as intensive reading and discussion that draws on themes from students' weekly written journals.

### **Fieldwork**

While the locations of mediations and types of cases are subject to change between now and the beginning of the semester, we expect that students will continue to mediate at Harlem Small Claims Court, Equal Employment Opportunity Commission, Southern District of New York, New York City Civil Court Personal Appearance Part in Manhattan/Brooklyn and New York Peace Institute in Brooklyn. At Personal Appearance Part and Harlem Small Claims Court, students conduct mediations of cases diverted from the civil courts. SDNY cases are referred by the Mediation Office. EEOC cases are referred by federal sector Administrative Law Judges.

Typical community cases include disputes between neighbors or family members. From time to time the clinic may also mediate cases referred to the clinic from Columbia College, other divisions of the University, or the University's EEO Office.

You will mediate at least one day a week. The days and times for these mediations are subject to change, but will most likely be on Tuesday or Thursday mornings from 9:00am to 1:00pm (plus some additional travel time to and from campus). You will also mediate at Small Claims Court on alternate Thursdays beginning at 6:30 p.m. and have class on Tuesday from 3:10pm to 6pm with time reserved for double length classes on Tuesday evenings. You need to keep at least one of those mornings and both of those evenings from other commitments. SDNY cases are scheduled in consultation with the parties and attorneys.

### **Important Information**

The course will be limited to 10 students and will be open to JD and LL.M candidates. There are no prerequisites to take this course other than a desire to serve people by empowering them to find solutions to the challenges they face.

# **Fall 2021 Externships**

# Arts and Entertainment Law Externship (L9265)

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## **Instructors**

Teri Silvers and Karen Sandler, *Lecturers-in-Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

This course provides students with practical experience in intellectual property, entertainment and nonprofit law as they assist staff attorneys at Volunteer Lawyers for the Arts (VLA) in their representation of artists and nonprofit arts organizations. Through class discussions and journals, students reflect on the wide variety of clients and issues they encounter in their fieldwork and engage in critical thinking about the role that law and lawyers can play in the arts and entertainment world.

## **The Seminar**

Students attend weekly two-hour seminars designed to reinforce and expand on their work at VLA through discussion of cases, agreements, reflections from student journals and analysis of the concepts from various readings. In the seminars, the professors cover topics such as copyright, trademark, not-for-profit law, music rights, and intellectual property licensing, as well as some of the practical skills students need to work effectively at VLA, such as client interviewing, client counseling and contract negotiation. In a few of the seminars, guest speakers will discuss their pertinent work experience and relevant cases during a portion of a class.

## **Fieldwork**

Students spend 11 hours each week working for VLA (1 East 53rd Street). The work is split over two days, and must fall between VLA's working hours of 10-6 pm. VLA's clients are low-income artists and nonprofit arts organizations. These clients typically seek assistance reviewing, negotiating and/or drafting contracts; resolving disputes; protecting copyrights and/or trademarks; and becoming a nonprofit tax-exempt arts organization. During their 10 hours at VLA, students will handle calls on VLA's Art Law Line and participate in regularly scheduled client consultations. They will also spend at least 5 hours each week on substantive research projects, assigned by VLA staff attorneys on questions and issues arising from client representation and VLA educational and advocacy programs.

## **Important Information**

The course will be limited to 8 students and will be open to J.D. and LL.M candidates. Students in the course are required to have taken, or be concurrently enrolled in, either Copyright Law, or, with permission of the instructors, the Seminar in Law and the Theatre, Seminar in Law and the Visual Arts, or Authors, Artists and Performers.

# Bronx Defenders on Holistic Defense Externship (L6792)

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## **Instructors**

Shannon Cumberbatch, Natasha Chokhani, and Gregory Herrera,  
*Lecturers-in-Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

This externship immerses students in the cutting edge of defense work on the frontier of civil rights in the South Bronx - the poorest congressional district in the country. A person of color living in the Bronx is more likely to be stopped and frisked by the police, arrested, evicted, enter a homeless shelter, be on welfare, or have their children removed than a resident of any other county in New York State. The Bronx Defenders has pioneered Holistic Defense, an innovative approach to indigent defense, in order to help clients deal with the enmeshed penalties of criminal justice involvement. Course content and fieldwork will train students as future holistic lawyers offering seamless access to services that meet clients' full range of legal and social support needs.

## **The Seminar**

The weekly classroom component will help the students contextualize their experiences with their clients and the justice system. By addressing topics like racial and class disparity in the justice system, policing policy, and the social history of the South Bronx, students will be able to locate their experiences of individual client representation in the broader discussions of normative social, political, and economic policy. Role playing, simulations, as well as background reading and real- world case studies, will help inform students, and lead them toward a mastery of both the theoretical underpinnings of holistic advocacy and the practical aspects of actual client representation.

## **Fieldwork**

The Bronx Defenders' award-winning collaborative approach uses interdisciplinary teams of criminal defense, family defense and civil action lawyers; social workers, and investigators to address both the underlying issues that lead to criminal justice involvement and the devastating collateral consequences of arrests and convictions. Students will be paired with a mentor at the office and will have the opportunity to participate firsthand in interdisciplinary team-based representation.

## **Important Information**

The course will be limited to 8-12 students and will be open to JD and LL.M candidates. There are no prerequisites to take this course other than a passion for service in low-income communities.

# Civil Litigation – Employment Externship (L6796)

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## **Instructors**

Karen Cacace and Jessica Clarke, *Lecturers-in-Law*

## **Experiential Credits**

5 credits (2 for the seminar; 3 for fieldwork)  
**Full-year course**

## **Course Description**

The Civil Litigation-Employment Law Externship at the Labor Bureau in the New York State Office of the Attorney General is a year-long intensive study of federal, state and city employment laws. The first semester will focus on learning the relevant laws, which will include minimum wage and overtime laws, anti-discrimination laws, family and medical leave laws, and anti-trafficking laws. The second semester will focus on litigation skills, including interviewing clients, drafting complaints, presenting at an initial conference, drafting discovery requests, and taking and defending depositions. Students are encouraged to take the full-year course but may take just one semester.

## **The Seminar**

Each week in the seminar portion of the course students will explore either a substantive area of employment law or a litigation skill. The seminars will be focused primarily on class discussions about the specific seminar topic. The seminars will also include individual practical exercises, including client interviewing, drafting a complaint and presenting a case at a mock initial conference. Students will be required to submit a 10-page paper evaluating their experience in the externship.

## **Fieldwork**

The fieldwork will require students to work at the Attorney General's offices 15 hours per week. Karen Cacace, Labor Bureau Chief, and Jessica Clarke, Civil Rights Bureau Chief, will teach the seminar and supervise the students' fieldwork. The fieldwork will provide students with the opportunity to assist the attorneys in the Labor Bureau with investigations into employers who have violated the employment laws, including by interviewing workers, assisting with subpoena hearings for employer witnesses, document discovery, and with litigation filed in federal and state court.

## **Important Information**

The course will be limited to 6-8 students and will be open to JD and LL.M candidates. Foreign language skills, especially Spanish, are useful. There are no prerequisites to take this course.

# Constitutional Rights in Life and Death Penalty Cases Externship (L6791)

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## **Instructors**

George Kendall, Corrine Irish, and Jenay Nurse,  
*Lecturers-in-Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

This externship will focus upon federal constitutional rights, and the legal doctrines and on-the-ground factors that influence how they are enforced in capital and life imprisonment cases. Students will be assigned to work within the unique public service practice groups of commercial law firms - the Squire Patton Boggs Public Service Initiative (PSI) - where they will work on behalf of indigent clients challenging death sentences or life imprisonment. Students may also have the opportunity to assist with litigation and advocacy related to broader criminal justice reform efforts. Students' work will vary depending on case needs but typically involves one or more of the following: providing legal, policy, record-based and sometimes media/social media research; conducting fact investigation; or assisting with trial/hearing prep. The class will ordinarily meet at Squire's midtown offices in Rockefeller Center on Friday from 1:00pm-2:50pm. Occasionally, the class may meet at Columbia Law School (for example when a guest speaker's presentation would be of interest to a large portion of the law school community).

## **The Seminar**

The weekly seminar will utilize court decisions, legislative activity, related research, and PSI case materials to explore how the enforcement of constitutional rights operates both in theory and in practice. The focus will be on understanding the constitutional rights implicated in capital and serious criminal prosecutions and understanding how post-conviction doctrines facilitate or fail to facilitate their enforcement. The seminar will also seek to develop the skills of students through in-class exercises that engage students in the advocacy required of practicing attorneys and policymakers in this field.

## **Fieldwork**

Our litigation practice focuses primarily on capital and life imprisonment cases in the Southeast. Fieldwork will be devoted to indigent PSI clients, or to counsel of record or amici supporting indigent petitioners before the Supreme Court. Students will be assigned to an attorney's case team in groups of two or three.

## **Important Information**

The course will be limited to 8-9 students and will be open to JD and LL.M candidates. It is recommended that students take Evidence, Criminal Procedure and/or Federal Courts prior to, or concurrently with, this course.

# **Criminal Appeals Externship (L6663)**

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## **Instructors**

Mark Zeno and Ben Schatz,  
*Lecturers-in-Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

The Criminal Appeals externship offers students a first-hand opportunity to learn about criminal law and appellate advocacy while gaining practical experience drafting a brief on behalf of an indigent defendant in a New York State appellate court proceeding. Each student selected for the externship will help represent a criminal defendant appealing his or her felony conviction to the New York Supreme Court, Appellate Division, First Department.

## **The Seminar**

The weekly two-hour classroom seminar will focus on key points of appellate practice and New York criminal law. Early seminar sessions will address the appellate process, the preservation doctrine, scope of review, harmless error, legal insufficiency, proof beyond a reasonable doubt and weight of the evidence. Later sessions will address more practical skills, such as how to digest an appellate record, how to spot and weigh issues, how to write a statement of facts and how to craft an effective legal argument. Seminar sessions will also explore the ethics of appellate advocacy, cover oral argument techniques and discuss effective client communications. The course is eligible for minor writing credit (separate registration).

## **Fieldwork**

The field component will be at CAL, a public defender organization based in lower Manhattan that handles state court appeals for indigent defendants convicted of felonies in Manhattan and the Bronx. Each student will be assigned his or her own "real" case through CAL and, under the supervision of one of the instructors, will draft an appellate brief for the client. Students will be expected to read, digest and annotate their case's full appellate record (including motion papers and hearing, trial and sentence transcripts), research and select issues, write initial and final drafts of the opening appellate brief and correspond with the client. After the course ends, the instructors will submit the briefs to CAL for peer review and then file them with the court. At the discretion of the instructors, students in the Spring term may also draft a reply brief and/or orally argue their cases before a five-judge panel of the First Department. Each student will be expected to devote at least 11 hours per week to their briefs during the Fall term.

## **Important Information**

The course will be limited to 6 students and will be open to JD candidates only. Students who are good writers and who have academic experience or demonstrable experience in criminal law and evidence are welcome to apply. Preference will be given to third-year students.

# **Criminal Prosecution (Manhattan/Brooklyn DA) Externship (L6239)**

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## **Instructors**

Fran Weiner and Courtney Hogg, *Lecturers-in-Law*

## **Experiential Credits**

5 credits (2 for the seminar; 3 for fieldwork)

## **Course Description**

This externship is designed to immerse students in a local prosecutor's office and to help them build concrete lawyering skills. In this externship the students will learn to evaluate cases, interview police and civilian witnesses, gather discovery as well as present police and civilian testimony. The students will also learn about the unique role of the prosecutor in the criminal justice system. Their hands-on work with multiple cases will highlight the importance of exercising discretion and meeting all ethical obligations.

This externship combines two fundamental learning components: fieldwork in either the New York County District Attorney's Office (DANY) or the Kings County District Attorney's Office (KCDA) and a weekly seminar which will supplement the fieldwork. The seminar will examine the fieldwork through weekly case rounds in which the students will share observations, analyze issues and solve problems. The seminar will be comprised of lectures, readings, court observations, discussions and simulations so that each student can further develop their lawyering skills. The field placements will be at the Kings County District Attorney's Office, 350 Jay Street in Brooklyn, or at the New York County District Attorney's Office at One Hogan Place in Manhattan.

## **Important Information**

The course will be limited to 6-8 students and will be open to JD and LL.M candidates. Preference may be given to students who have or will be taking Evidence.

# **Domestic Violence Prosecution Externship (L6607)**

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## **Instructors**

Scott Kessler and Jennifer Camillo, *Lecturers-in-Law*)

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

In this externship, students act as assistant district attorneys and as the lead prosecutor of misdemeanor domestic violence cases from case inception through trial. Students chosen for the program will work in the new Family Justice Center, a unique facility where the efforts of civil services providers for domestic violence victims are coordinated with those of law enforcement officials. Students will have their own designated work spaces at the District Attorney's Office located at the Family Justice Center and carry a caseload of about 15-20 cases. The seminar will prepare students for their field work and explore topics related to domestic violence prosecution. Completion of this course will satisfy the prerequisite requirement for the L9172 Advanced Trial Practice course.

## **The Seminar**

The seminar will introduce students to all aspects of the prosecution function: from investigation and charging decisions, through arraignment, plea bargaining, discovery, motions, trial and appeal. Seminar topics include trial practice and strategies employed in cases where the victim refuses to cooperate. In light of the high rate with which victims cease their cooperation with prosecutors, students are equipped with the methods they need to develop a case without the victim's cooperation.

## **Fieldwork**

The Domestic Violence Bureau offers a fieldwork opportunity, in which students are able to prosecute misdemeanor crimes on behalf of the State. Operating under an Appellate Division special practice order, each student will be responsible for about 15 to 20 active domestic violence criminal cases. Students will get the opportunity to argue pre-trial motions and take their cases to trial in a first-chair capacity. Students also will subpoena relevant evidence, draft complaints, prepare discovery materials and negotiate pleas with defense counsel. They also will interview victims and meet with police, defense counsel and judges, fighting for the right solution to cases that are fraught with consequences for the victims, defendants and families. Students will spend at least 12 hours per week working at the Bureau and appearing on their cases in Queens Criminal Court. Each student is assigned to a supervising ADA, with whom they will build a relationship over the course of a semester.

## **Important Information**

The course will be limited to 25 students and will be open to JD students who are U.S. citizens. There are no prerequisites for this course.

# Environmental Practice Externship

## (\*NEW\*)

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### **Instructor**

Jennifer Danis, *Senior Fellow, Sabin Center for Climate Change Law*

### **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

### **Course Description**

Environmental law is a broad practice area that includes equity and justice, protection and regulation of human health, natural resource protection and conservation, energy, wildlife protection, forests and fisheries, public lands, land use and the intersection of these areas. This practice is governed by a variety of legal frameworks that operate on international, federal, state and local levels. The Environmental Externship is designed to introduce students to the practice.

### **The Seminar**

Students will also participate in a weekly 2-hour seminar that will address a combination of lawyering skills and environmental practice specific skills. The class is designed to support and contextualize students' field placements while also addressing their professional development. The seminar will introduce students to important areas and current topics in environmental law; examine how concepts and principles from other areas of law, such as administrative law and energy law, intersect with environmental law; and provide a sense of what is required to succeed in environmental law practice. The seminar will be primarily experiential and will include simulations, and opportunities for group and individual reflection. Group discussions of fieldwork will be managed to respect confidentiality of placements.

### **Fieldwork**

Each student will be assigned to a field placement based on availability, student input and supervisor review. The placements will be with environmental organizations, non-profit law practices and government agencies. For Fall 2021 some placements may be remote. Students will be expected to dedicate an average of 11 hours each week to their fieldwork.

### **Important Information**

The course will be open to JD and LL.M candidates. There are no prerequisites for the course, but some suggested courses include: Environmental Law, Administrative Law and or Legislation and Regulation.

# Federal Appellate Court Externship (L6664)

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## **Instructors**

The Honorable Robert D. Sack, The Honorable Barrington Parker, and Adriel Cepeda Derieux,  
*Lecturers-in-Law*

## **Experiential Credits**

4 credits (1 for the seminar; 3 for fieldwork)

## **Course Description**

Judge Robert Sack and Judge Barrington Parker, both of the United States Court of Appeals for the Second Circuit will teach the Federal Appellate Court Externship. The class combines intensive work in the chambers of a Second Circuit Judge with roughly eight class sessions.

## **The Seminar**

The class sessions are taught in a variety of styles. Several lectures address fundamental topics of appellate review and federal jurisdiction. During other sessions, distinguished guest speakers will discuss various aspects of appellate practice. Finally, one class session is devoted to a moot court exercise at which students argue an appeal before a panel of Second Circuit judges.

## **The Fieldwork**

Work with the Judge will involve legal research, analysis and writing on the cases to which (s)he is assigned.

## **Important Information**

The course will be limited to 8 students and is limited to candidates for the J.D. degree.

Based upon applications submitted during the Externship application period, students will be selected for interviews by representatives of the participating judges. To be accepted for this class, you must be invited for an interview and then be selected by a participating judge for work in his or her chambers. Students cannot volunteer to work in a Second Circuit judge's chambers and then apply for the course. Students may not take a clinic or another externship and this course simultaneously.

# **Federal Court Clerk: EDNY Externship (L6652)**

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## **Instructors**

The Honorable Rachel P. Kovner and Jeremy Liss, *Lecturers-in-Law*

## **Experiential Credits**

4 credits (1 for the seminar; 3 for fieldwork)

## **Course Description**

The Federal Court Clerk Externship for the Eastern District of New York provides an in-depth examination of the functioning of the federal trial courts. Students will have the opportunity to work with a federal judge, draft opinions, and observe trials, oral arguments, and hearings. The course will be taught by Judge Rachel P. Kovner of the U.S. District Court, Eastern District of New York. Students who satisfy the course requirements will receive 1 academic credit and 3 clinical credits.

## **The Seminar**

During the semester, students will meet weekly at the U.S. District Court, Eastern District (located in Brooklyn Heights) to discuss a number of externship related topics, including: judicial decision-making in various contexts (i.e., settlements, motions, sentencings), judicial ethics, the externship experience, and effective advocacy in civil and criminal litigation. Two of the classes will consist of panel discussions on criminal and civil law with experienced litigators and judges. Students will also participate in practical criminal and civil advocacy exercises as part of the classroom component. The class sessions are mandatory, so students should take that into consideration when applying. Please note that travel time to Brooklyn Heights, where the U.S. District Court is located, and where class will be held, is approximately 45 minutes by subway from Morningside Heights.

## **Fieldwork**

Students will be placed with a federal judge (either a District or Magistrate judge) in the Eastern District of New York. They will spend 15 hours per week working on judicial matters, with at least one day per week (or two half days) at the courthouse in Brooklyn. Working with their assigned judges, students will have the opportunity to conduct research, prepare written memoranda, draft judicial opinions, and observe judges and advocates engaged in trials, oral arguments, and hearings in civil and criminal cases.

## **Important Information**

Enrollment is open to 2Ls, 3Ls, and LL.M.s. There are no prerequisites to take this course. Once an applicant has accepted an interview and has been selected to work with a particular judge, the applicant can no longer withdraw his/her candidacy.

# **Federal Court Clerk: SDNY Externship (L6661)**

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## **Instructors**

Paul Radvany, *Adjunct Associate Professor*,  
and Tiffany Moller, *Lecturer-in-Law*

## **Experiential Credits**

4 credits (1 for the seminar; 3 for fieldwork)

## **Course Description**

The Federal Court Clerk Externship for the Southern District of New York provides an in-depth examination of the functioning of the federal trial courts. Students will have the opportunity to work with a federal judge, draft opinions, and observe trials, oral arguments and hearings. The course will be taught by Paul Radvany who has extensive federal court litigation experience.

Students who satisfy the course requirements will receive one academic credit and three clinical credits and generally qualify for one minor writing credit.

## **The Seminar**

Students will meet seven times over the course of the semester to discuss such topics as: writing judicial opinions; judicial ethics, the externship experience; habeas corpus; and effective courtroom lawyering. Two of the classes consist of panel discussions on criminal and civil law with experienced litigators and judges.

## **Fieldwork**

Students will be placed with a federal judge in the Southern District of New York. They will usually spend 15 hours per week working on judicial matters, with at least one day per week (or two half days) at the courthouse.

## **Important Information**

Enrollment is open to 2Ls, 3Ls, and LL.M.s. There are no prerequisites to take this course. Once an applicant has accepted an interview and has been selected to work with a particular judge, the applicant can no longer withdraw his/her candidacy.

# **Federal Prosecution: U.S. Attorney's Office for the District of New Jersey Externship (L6605)**

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## **Instructors**

Joshua Haber, Lauren Repole  
and Angelica Sinopole, *Lecturers-in-Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

The United States Attorney's Office for the District of New Jersey (USAO-DNJ) is the eighth- largest U.S. Attorney's Office in the country. Before each semester begins, the Executive Assistant U.S. Attorney will canvass the Criminal Division supervisors to find large and complex investigations, or cases that are getting ready for trial, at the USAO-DNJ. Each extern will be assigned to one of these large investigations. The extern will work extremely closely with the AUSAs who are assigned to that investigation.

## **The Seminar**

The central goal of the seminars will be to provide students with a practical, nuts-and-bolts view of federal criminal practice at a United States Attorney's Office. Each week's lesson plan will cover one aspect of federal criminal practice, and will be tied to the substantive work that the externs are doing. Instructors will be using the real-world experience that students are gaining in their substantive assignments to work through various parts of the federal criminal process.

## **Fieldwork**

Students will be expected to work at the USAO-DNJ for approximately 12-16 hours per week and to be full members of the prosecution team for their investigations. The extern will sit outside the offices of the AUSAs, and will be expected to do real, substantive work – the exact same type of work that an AUSA does. They will be provided with all of the relevant background materials (prosecution memo, charging document, order of proof, etc.) and will meet with the entire prosecution team (AUSAs, federal law enforcement agents, paralegals, and supervisor) on their first day to get up to speed on the investigation. Among other things, the externs will be expected to: draft process (search warrant affidavits, pen registers, complaints); review evidence; create buckets of hot documents; create orders of proof; draft direct examinations; and prepare materials for cross examinations, among other things.

## **Important Information**

The course will be limited to students who are U.S. citizens and must have lived in the United States for 3 out of the last 5 years. There are no prerequisites to take this course.

# Federal Prosecution: U.S. Attorney's Office for the SDNY Externship (L6603)

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## **Instructors**

Michael Gerber and Gina Castellano, *Lecturers-in-Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

The Federal Prosecution Externship at the U.S. Attorney's Office for the Southern District of New York offers students the opportunity to learn about investigating and prosecuting federal criminal cases in United States District Court. Students will be placed in the Criminal Division of the U.S. Attorney's Office for the Southern District of New York, where they will work with Assistant United States Attorneys representing the federal government in a wide range of criminal prosecutions, including ones involving firearms, narcotics, fraud, immigration, child exploitation, public corruption, terrorism and violent crimes. The externship will also consist of a weekly seminar taught by Assistant U.S. Attorneys Michael Gerber and Gina Castellano.

## **The Seminar**

The seminar will meet on Mondays at 5:30 p.m. at the U.S. Attorney's Office located at One Saint Andrew's Plaza in downtown Manhattan. It will provide an overview of the criminal justice system, from the investigation and decision to charge a case through trial and sentencing. It will also analyze the ethical issues that arise at every stage of a criminal prosecution. The seminar will consist not only of a discussion of practice and case law but will have a practical component in which students will learn through simulations and practice exercises.

## **Fieldwork**

Students will be expected to work for at least 11 hours per week. Each student will be assigned to work with one or more Assistant U.S. Attorneys and should anticipate assisting with all aspects of the prosecution of cases, including court proceedings, meetings with agents and victims and attending proffer sessions with cooperating witnesses. Students should also expect to perform research and writing on legal issues as part of the work at the U.S. Attorney's Office and report on their weekly activities to the instructors.

## **Important Information**

The course will be limited to 10 students and will be open to JD students who are U.S. citizens. Preference will be given to 3Ls who have taken upper-level criminal law or procedure classes.

# Harlem Economic Justice Externship

## (\*NEW\*)

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### **Instructors**

TBD

### **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

### **Course Description**

Students in the Economic Justice and Empowerment Externship will help economically disadvantaged New Yorkers with consumer debt, federal and state income tax disputes, and small business needs. Students will work with Legal Aid through the Harlem Office to offer legal services that empower and provide financial stability to clients and offer an experience that enhances the law students' abilities as future lawyers and increases their understanding of the economic challenges faced by low-income New Yorkers and their families, while allowing space for students to reflect on the systems—societal, economic, legal, etc.—that impact clients' daily lives. Students will gain hands-on experience in lawyering while simultaneously helping some of the most disadvantaged civil litigants obtain critical legal assistance in State courts, U.S. Tax Court, in administrative forums, and through transactional practice.

Externship students can expect to: become culturally humble, effective advocates who demonstrates ethical and professional responsibility; develop analytical skills and objective judgment, including identifying, investigating, and developing relevant facts, researching relevant law, analyzing law as it relates to facts, and identifying and assessing potential solutions; prioritizing and balancing multiple cases and tasks and exercising strategic judgment; and learn to analyze the impact of current legal and social responses to financial abuses and identifying areas for reform.

### **Important Information**

The course will be open to JD and LL.M candidates. There are no prerequisites for the course.

# Immigration Defense Externship (L6604)

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## **Instructor**

Katherine Buckel and Mia Unger, *Lecturers-in- Law*

## **Experiential Credits**

5 credits (2 for the seminar; 3 for fieldwork)

## **Course Description**

The Immigration Defense Externship provides students with the unique opportunity to work on removal cases pending before the Executive Office for Immigration Review, an agency which includes the New York Immigration Court and the Board of Immigration Appeals. Students will participate in case strategy and prepare cases for trial, including preparing affidavits, direct examination, and cross-examination. Depending on their supervising attorneys' caseloads, students may also have the opportunity to appear before the Immigration Court. Taught by practicing attorneys of The Legal Aid Society, the Immigration Defense Externship is designed to introduce students to U.S. immigration laws and policies through a combination of lecture, discussion, simulation, and hands-on representation of immigrants facing deportation from the United States. The focus of the Externship is the interaction between federal immigration laws and federal and state criminal laws.

## **The Seminar**

The weekly seminars will complement the students' fieldwork with a practice-oriented examination of the interaction between immigration law and criminal law. The seminars will also include trial preparation and strategy development, including developing a theory of the case. The seminars will also explore the government's policies in this area and their impact on immigrant communities through class discussion and presentations by guest speakers from the Immigration Court and the Department of Homeland Security, as well as criminal defense attorneys. In the seminars, students will also have the opportunity to discuss their fieldwork, including the ethical challenges arising from client interviewing and representation.

## **Fieldwork**

In the fieldwork placements, students will be expected to devote at least 14 hours per week. Students will undertake various tasks, which may include interviewing clients, participating in trial preparation and litigation strategy meetings, researching complex legal issues, drafting memoranda of law and appearing before the Immigration Court. Through a comprehensive client-centered approach, students will work with one or more attorneys, and at times with social workers and/or paralegals, to assess, research and prepare each client's case.

## **Important Information**

Enrollment is limited. Skills in languages other than English, especially Spanish, preferred. Exposure to immigration and criminal law preferred.

# **In-House Counsel Externship (L8101)**

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## **Instructors**

Sonya Cheney and Mark Nielsen, *Lecturers-in-Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

The In-House Counsel Externship will provide students with an understanding of roles in-house lawyers play while offering them an opportunity to experience that work firsthand at placements in for-profit and non-profit corporations.

## **The Seminar**

This 2-hour externship seminar will explore areas of the law that are integral to in-house corporate practice – including corporate governance, securities and SEC reporting, M&A, internal investigations, employment law, Foreign Corrupt Practices Act (FCPA), cyber security, contracts, and litigation – from the perspective of the attorney whose job is simultaneously both lawyer and client. The seminar component will also explore the ethical considerations of in-house attorneys including conflicts of interest and confidentiality. In-house attorneys are in a unique position at the intersection of law and business; we will discuss how the in-house attorney must be fluent in both – able to explain legal rules and processes to business people, and to ensure that the legal team understands business considerations and context. The seminar component will integrate students' in-house experiences into our weekly discussions and facilitate students' reflection on those in-house placements. The seminar component will also include a number of simulations and feature guest speakers who will be able to share their varied experiences as in-house counsel.

## **Fieldwork**

In the fieldwork placements, students will be expected to devote at least 11 hours per week. Students will be able to identify their own placements or discuss with Susan Kraham for placements. More information will be provided once you are formally accepted into the externship.

## **Important Information**

The course will be open to JD and LL.M candidates. There are no prerequisites to take this course.

# **Knight First Amendment Institute Externship (L6299)**

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## **Instructors**

Caroline DeCell, Lecturer-in-Law

## **Experiential Credits**

5 credits (2 for the seminar; 3 for fieldwork)

## **Course Description**

The externship will center on the Knight Institute's strategic litigation efforts to define and defend First Amendment freedoms in the digital age. Students will work in collaboration with, and under the close supervision of, experienced First Amendment lawyers. They will focus on the Knight Institute's current litigation docket, including cases relating to public officials' use of social media, the rights of digital journalists and researchers to investigate social media and other online platforms, government surveillance of individuals' online speech, and restraints on speech by government employees and whistleblowers.

## **The Seminar**

The weekly classroom component of the externship will consist of a one-hour litigation meeting and a one-hour seminar, both held at the Knight Institute's offices in the Interchurch building, located at 475 Riverside Drive. During the weekly litigation meetings, students will engage with Knight Institute attorneys in analyzing the merits and strategic value of new cases under consideration. The weekly seminar class will provide a theoretical and doctrinal foundation for the students' work at the Knight Institute. Students will be required to submit response papers relating to the readings for each class and be expected to participate thoughtfully and respectfully in class discussions.

## **Fieldwork**

The externship will afford students an opportunity to work closely with Knight Institute attorneys in developing cutting-edge First Amendment challenges. Students are required to work at least 14 hours per week at the Knight Institute. Students will draft substantive research memoranda to be assigned by Knight Institute attorneys. In addition, they will participate in team meetings; conduct spot legal research; review government records and policies; and/or draft blog posts or other public communications.

## **Important Information**

The course will be limited to 6 students and will be open to JD and LL.M candidates. There are no prerequisites to take this course.

# **Law, Power and Social Change Externship (L6601)**

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## **Instructors**

Andrew Friedman and Dmitri Holtzman,  
*Lecturers-in-Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

This externship will expose students to the varied and important roles that lawyers play in policy experimentation and innovation in states and cities across the country. Course content and fieldwork will focus on how lawyers can support community-conceived policy initiatives at the city and state level - from analyzing constraints on local authority to drafting policy proposals to engaging in the political fight to win passage. Substantive issues covered in the seminar, and the fieldwork assignments, will include workers' rights, immigrants' rights and immigration reform, civil rights and racial justice issues, health care access, and more.

The externship will comprise (a) a weekly, 2-hour seminar, focused on core legal issues and academic literature bearing on state and local policymaking and effective policy advocacy and (b) 11 hours per week of fieldwork in ongoing policy initiatives with the Center for Popular Democracy (CPD).

## **The Seminar**

The weekly seminars will be focused on core legal issues and academic literature bearing on state and local policymaking and effective policy advocacy

## **Fieldwork**

Students are expected to do 11 hours per week of fieldwork in ongoing policy initiatives with the Center for Popular Democracy (CPD).

## **Important Information**

The course will be open to JD and LL.M candidates. There are no prerequisites to take this course.

# Neighborhood Defender Service of Harlem Community Defense Externship (L6656)

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## **Instructors**

Matthew Knecht and Alice Fontier, *Lecturers-in-Law*

## **Experiential Credits**

8 credits (4 in the Fall and 4 in the Spring)  
**Full-year course**

## **Course Description**

**For the first time, in F2021, NDS's Community Defense Externship will consist of two tracks: criminal defense and police misconduct.** Externs on the criminal defense track will be paired with an attorney for the year and will participate in all aspects of criminal defense representation, including in court experience. Police misconduct externs will provide representation to clients seeking police accountability through filing notices of claim, engaging with the Civilian Complaint Review Board, and pursuing civil rights litigation and engage in policy and related efforts to reform policing in New York. The seminar will explore policing and the criminal legal system, while also teaching practical skills to provide holistic, client-centered representation.

## **The Seminar**

The weekly seminars will provide an in-depth examination of indigent defense generally, and holistic representation as practiced at NDS, specifically. The seminar will also focus heavily on the nuts and bolts of representing the accused in New York County courts.

## **Fieldwork**

The field placement will be at the Neighborhood Defender Service of Harlem (NDS). Each student will be expected to work at least 11 hours per week at the NDS office at 317 Lenox Avenue or in the field. Students will be responsible for all aspects of at least one misdemeanor case, beginning with the client interview and arraignment at New York County Criminal Court. Fieldwork may include, but is not limited to, attendance in court, visiting clients in their homes and/or visiting clients in jails. Students will also be matched one-to-one with NDS Staff Attorneys and will spend the year assisting their attorneys in all aspects of their cases, including writing and researching motions, investigations, social service and mitigation work, plea bargaining, and preparing for pre-trial hearings, trials, and sentencing.

## **Important Information**

The course will be limited to 10 students and will be open to JD and LL.M candidates. There are no prerequisites for this course, but preference will be given to students who have taken Evidence and Criminal Procedure. Students who wish to take a Trial Practice course are encouraged to take Advanced Trial Practice after this externship or concurrently with it in the spring semester. Students should plan to avoid permanent scheduling commitments on Fridays, as to ensure adequate time for fieldwork. Occasional Friday commitments are permissible.

# **N.Y. Attorney General's Office Financial Enforcement and Economic Justice Externship (L9502)**

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## **Instructors**

Bryan Bloom and Amy McFarlane, *Lecturers-in-Law*

## **Experiential Credits**

5 credits (2 for the seminar; 3 for fieldwork)

## **Course Description**

State attorneys general have increasingly taken on the mantle of promoting economic justice through cutting-edge impact litigation and other creative legal strategies. New York has been at the forefront of this effort, and the Attorney General's Economic Justice Division has used its broad enforcement powers on behalf of the People of the State of New York in a wide variety of areas, including challenging monopolization schemes and cartels used to raise prescription drug prices, protecting vulnerable consumers from unscrupulous investment advisors, among others. This course affords students the opportunity to learn and experience economic justice lawyering from the perspective of state government.

In this externship, students will have the opportunity to learn and experience antitrust enforcement from the perspective of state government, and to develop skills in legal research, writing, investigative techniques, and litigation. Students will work with assistant attorney generals (AAGs) in the Antitrust Bureau of the NYS Attorney General's Office, which uses its broad enforcement powers on behalf of the People of the State of NY in a variety of areas including challenging monopolization schemes, cartels, and mergers.

## **The Seminar**

The seminar will meet for two hours each week and will be led by Bryan Bloom and Amy McFarlane, Assistant Attorney Generals in the Antitrust Bureau. Students will study the work of the Antitrust Bureau in detail, discuss case studies drawn from recent enforcement work, gain familiarity with various legal issue areas, reflect on fieldwork, and develop skills in legal writing, investigatory techniques, and litigation.

## **Fieldwork**

For the fieldwork portion, students are expected to work 15 hours per week. Students will work directly with their assigned Assistant Attorneys General in the Antitrust Bureau, and site supervisors will assist students with getting assignments in their areas of interest and balancing workload.

## **Important Information**

The course will be limited to 6 students and will be open to J.D. and LL.M candidates. There are no prerequisites for this course. Students who are in this externship are not eligible to take the NY OAG Antitrust Enforcement Externship in the Spring semester.

# N.Y. Attorney General's Office Social and Environmental Justice Externship (L6651)

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## **Instructors**

Monica Wagner and TBD, *Lecturers- in-Law*

## **Experiential Credits**

5 credits (2 for the seminar; 3 for fieldwork)

## **Course Description**

Lawyers in the New York Attorney General's Social Division represent the people of New York on a wide range of social and environmental justice matters, ranging from enforcing civil rights, labor, and other laws that protect vulnerable communities, including people of color, immigrants, workers, LGBTQ people, tenants, and health care consumers, and other vulnerable communities to challenging repeals and delays of federal environmental programs and other federal programs that protect New Yorkers to ensuring that charitable donations are used for their intended purpose. The goal of the seminar and fieldwork is to teach students about the authority and work of the New York Attorney General while giving them hands-on experience in public interest investigation and litigation.

## **The Seminar**

In the weekly two-hour seminar, students will explore how a case is built and engage in simulations of what AAGs do, including a deposition of a carwash operator suspected of not complying with labor laws, oral argument on whether a cigarette advertisement is targeted to juveniles, and preparation of an expert hydrogeologist to testify about hazardous waste.

Students also prepare short reflection papers on their fieldwork, using them as a platform to discuss concerns that new lawyers face, such as time management, conflicting assignments, and communications with supervisors. The seminar includes class presentations and simulations, periodic short reflection papers on fieldwork, and a final paper about the student's fieldwork.

## **Fieldwork**

Students will work alongside the Assistant Attorneys General ("AAGs") in the bureaus for 15 hours per week, working on ongoing investigations and cases. Students are placed in one of seven bureaus (more detail is available at [www.ag.ny.gov](http://www.ag.ny.gov)):

- Civil Rights Bureau
- Environmental Protection Bureau
- Labor Bureau
- Health Care Bureau
- Charities Bureau
- Consumer Frauds and Protection Bureau
- Real Estate Finance Bureau

## **Important Information**

The course will be limited to 10 students to facilitate active engagement and discussion. Eligibility is limited to students in the J.D. program.

# **Practicing the Law of Music Externship (L9399)**

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## **Instructor**

Ben Gross, *Lecturer in Law*

## **Experiential Credits**

4 credits (2 for the seminar; 2 for fieldwork)

## **Course Description**

Founded in 2009, Genius is the world's most popular destination for song lyrics and music knowledge—reaching more than 100 million fans every month. Genius is a leading brand in music online, producing popular video series like Verified, Deconstructed, Genius News, and Open Mic. Genius's mission is to celebrate “more than the music”—the lyrics, the stories behind the songs, and the connections that drive culture forward.

Students participating in this externship will provide pro bono educational and legal services to artists navigating their early careers in the music industry. This externship is an extension of Genius's BEAT program. Launched in August 2020, Genius BEAT—Business Education for Aspiring Talent—offers aspiring artists free educational seminars covering core topics in the music business. Through the externship, these artists will have access to personalized legal advice and representation in connection with their music careers. As part of Genius's ongoing commitment to Black communities, the externship and Genius BEAT will both specifically seek to serve young Black artists, especially those living and working in New York City.

The goal of the externship is to give CLS students an opportunity to gain real experience while serving a population that is historically underserved and exploited.

## **The Seminar**

The weekly seminar will cover core topics in the music business, including music publishing, label agreements, negotiation, management arrangements, appearances, sponsorship, and more. Students will: learn how music rights interface with the actual music industry, take a deep dive into a real-life label agreement (Kanye's!), participate in simulated negotiations, and more.

## **Fieldwork**

Students will team up with a supervising attorney to represent and advise local artists. Students will help their clients: protect their work, structure collaborations, evaluate manager/label/publisher agreements, and more. Students will also work with Genius' artist relations & legal team to build out materials for future Genius BEAT seminars.

## **Important Information**

The course will be limited to 6 students and is open to JD and LL.M. candidates. There are no prerequisites to take this course.

# **Racial Justice: NAACP Legal Defense Fund Externship (L6611)**

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## **Instructors**

Rachel Kleinman and Natasha Merle,  
*Lecturers-in-Law*

## **Experiential Credits**

5 credits (2 for the seminar; 3 for fieldwork)

## **Course Description**

The Racial Justice Externship (RJE) will engage students in legal practice at the NAACP Legal Defense and Educational Fund, Inc. (LDF), the nation's premier civil rights law organization, and in a critical examination of strategies employed to achieve racial equity and justice in two of our principal areas: economic justice and voting rights and democratic governance. LDF Students will be assigned to work on a case or matter in one of these two areas and will have an opportunity to contribute to the development and execution of comprehensive legal strategies, that may include impact litigation, policy/advocacy, strategic communications, public education and organizing. Additionally, because it is a presidential election year, all students will participate in national voter protection work organized by LDF.

## **The Seminar**

The weekly seminars will introduce students to multiple phases of litigation and advocacy surrounding systemic race claims, specifically in the areas of political participation and economic justice. This includes investigations of race discrimination issues, drafting of pleadings and other substantive filings, legal research and memo writing and participation in active discovery. In addition, students will develop a historical knowledge regarding the country's foundation and the impact of this foundation on modern legal frameworks and on movements for racial justice.

## **Fieldwork**

Fieldwork will be performed on LDF cases or matters under the supervision of an LDF attorney or externship professor. Students are required to commit 10-15 hours per week to fieldwork and to participate in weekly meetings with their LDF Team. In addition, as part of their fieldwork, students will be provided appropriate case/matter-related public speaking opportunities and given the opportunity to travel on their cases/matters, as needed and as consistent with their academic obligations.

## **Important Information**

The course will be limited to 8 students and will be open to JD and LL.M candidates. Students in the course are required to have taken or concurrently take Constitutional Law.

# **Fall 2021 Policy Lab**

# Structural Change in Public Education Policy Lab (L8016)

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## Instructors

James S. Liebman, *Simon H. Rifkind Professor of Law*, Elizabeth Chu, *Senior Director*, and Kimberly Austin, *Deputy Director, Lecturers-in-Law*

## Experiential Credits

13 credits, including 8 ABA credits

## Introduction

The Center for Public Research and Leadership (“CPRL”) is a partnership of top professional schools that prepares a diverse pool of law, business, education, policy, and data sciences students from multiple professional schools with the knowledge, skills, and mindsets needed to lead, counsel, and foster deep structural change, end racial disparities, and enhance equity in public school and other public systems. CPRL does this by providing affordable, high quality legal and policy research and consulting services to public school systems and nonprofit organizations committed to improving the lives of children of color, from low-income households, or otherwise traditionally underserved. CPRL projects aim to empower a broad network of elementary, secondary, and post-secondary educators, leaders, families, and students with ideas, tools, practices, and advocacy promoting transformative change through accelerated learning from their own efforts and experience.

CPRL’s program is responsive to a massive restructuring of public-service delivery currently underway in the United States and suddenly made more urgent by dislocations in the wake of the COVID-19 pandemic. Driven by the demands and ideas of the affected and communities, and staffed by broadly interdisciplinary teams of accomplished and motivated professionals, the most successful of these new federal, state and local reforms are replacing outmoded public bureaucracies with “learning organizations” committed to using public problem-solving techniques to enhance their will and capacity to improve the lives of members of the nation’s most underserved populations. Nowhere are these changes more important and promising, yet also challenging and controversial, than in the governance, management, and democratic operation of the nation’s public schools. CPRL enables its students and the clients they serve to address these challenges through a learning stance that yields creative, novel, and ambitious solutions to complex public problems.

Students in this full semester, 13-credit Policy Lab work with talented and committed upper-level graduate students from Columbia, Dartmouth, Michigan, NYU, Penn, Princeton, Stanford, Vanderbilt, University of California at Berkeley, and elsewhere. Through seminar sessions, skills training, and project work, CPRL immerses students in the theory and practice of managing, governing, and equitably transforming the public systems and social-sector organizations that deliver public education.

## Course Description

Participants in this Policy Lab will engage in:

1. **A comprehensive seminar** in the design, governance, regulation, democratic operation, and equitable transformation of PK-12 school systems and allied public- and social-sector organizations.

2. **Skills training** in a range of twenty-first century problem-solving competencies, including working in diverse teams to address multi-dimensional problems; cultural and racial literacy; design and systems thinking; collaborative inquiry; quantitative and qualitative analysis and measurement; organizational macro- and micro-design; project and product management; client-centered and policy-focused information gathering; and the presentation of professional advice to government and social-sector clients.
3. **A high-priority, professionally guided consulting project** on which an interdisciplinary team of graduate students provides research, design, strategic planning, and/or implementation support on matters that combine legal, regulatory, management, policy, governance, and/or technological issues crucial to the mission of the client organization—typically, a state department of education, school district, charter management organization, social-services agency, advocacy organization, philanthropy, or other non-profit serving children.

The seminar and skills components of the clinic are front-loaded in the semester to prepare students and give them, their teams, and their team leaders ample time to conduct client-focused project work, including by interfacing with clients throughout the US and Brazil. When projects involve site visits and travel, expenses are covered by CPRL. Team assignments are based on student preferences and skills as well as client needs. CPRL has every hope of operating on an in-person basis starting in Fall 2021 subject to NYU guidance.

The course is taught by an accomplished team of professionals, including Columbia Law professor and former senior official at the New York City Department of Education James S. Liebman, CPRL Executive Director Dr. Elizabeth Chu, CPRL Deputy Directory of Quality and Improvement, Dr. Kimberly Austin, and a series of guest speakers. Consulting projects are guided by a team of experienced, full-time directors who bring extensive experience in PK-12 law, education, management consulting and other professional endeavors. These directors assure that the project work is both challenging and achievable by the student teams, and they provide students with intensive one-on-one feedback and personalized professional development and mentorship.

Please visit our [website](#) for examples of past projects.

### **Important Information**

The course is offered to JD and LL.M candidates in the Fall and Spring semesters.

A limited number of two types of scholarships are available for exceptional students to apply to their semester's tuition in return for a legally enforceable commitment to work full time for three of their first five years after graduation in a public or nonprofit job supporting the PK-12 education sector. Check CPRL's website for more information on scholarships.

Students may contact [cpri@law.columbia.edu](mailto:cpri@law.columbia.edu) with any questions or to be connected with current students and alumni.

# **Fall 2021 Simulations**

# Moot Court Student Editor: Workshop in Briefcraft (L6674)

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## **Instructor**

Ilene Strauss, *Director of Legal Writing and Moot Court Programs, Lecturer in Law*

## **Experiential Credits**

5 credits (2 experiential credits in fall; 3 non-experiential in spring);  
Major or Minor writing credit available

Moot Court Student Editors serve an integral role in the first-year Legal Practice Workshop and moot court programs. Over the course of an academic year, Editors have the unique opportunity to:

- Work collaboratively with a team to create a moot court problem centering around legal issues of interest to them;
- Exercise their creative minds by creating rich fact patterns and constructing legal arguments for each side;
- Refine their skills as a writer, researcher, and editor as they draft a full appellate record and accompanying bench memorandum;
- Serve as a teacher and mentor for first-year students; and
- Watch their problems come to life as first-year students brief and argue them before panels of practicing attorneys

***In the fall***, Editors enroll in Workshop in Briefcraft. Through that class, students sharpen their writing, editing, and oral advocacy skills and receive intensive instruction in developing effective moot court problems. Working closely within a team, Editors develop a multi-issue moot court problem, draft a full appellate record, and write a bench memorandum. Editors also learn the mentoring, and editing skills necessary to guide first-year students through the brief-writing and oral argument processes. Editors receive two experiential credits for successfully completing the work connected to this course.

***In the spring***, Editors enter the 1L classroom, where they serve as teaching assistants in LPW and help teach the moot court problem they created in the fall. Editors receive three credits for:

- Serving as a Teaching Fellow for one section of LPW;
- Editing drafts of 1L students' moot court briefs;
- Attending weekly group Editor meetings; and
- Preparing 1L students for Foundation Moot Court arguments

## ***A Note About Timing and Process:***

The Editor application will open in Lawnet in mid-May. Being an Editor is challenging and time-intensive, but it can be—and regularly is—done in conjunction with work on a journal and/or other experiential courses (e.g., clinics and externships). If you have any questions about the program, please contact your Student Editor or Ilene Strauss, Director of Legal Writing and Moot Court Programs at [istraul@law.columbia.edu](mailto:istraul@law.columbia.edu).

# Negotiation Workshop (L6674)

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## **Instructor**

Various

## **Experiential Credits**

3 credits

One semester

*This is a general description of the course. Different sections are taught by different instructors and may vary according to the instructor.*

## **Course Description**

The Negotiation Workshop provides students with an experiential, simulation-based introduction to the theory and practice of negotiation. The course will consider such topics as integrative and distributive bargaining; barriers to agreement and ways to overcome them; negotiation skills such as rapport-building, active listening, information gathering, and persuasion; the determinants of bargaining power; lawyer-client relationships; negotiation ethics; and the roles of culture, diversity, and identity in negotiation.

## **The Seminar**

This class meets weekly in a three-hour seminar format. Students will be expected to prepare for and undertake real-time roleplay exercises, to participate actively in class discussion, and to keep and submit a weekly journal in which they record and analyze their negotiation experiences. In some weeks, there will be additional simulation exercises assigned to be completed outside of class. For a final project, students will undertake a final project comprising a 90-minute one-on-one negotiation and a 12 to 15-page written analysis of that negotiation.

## **Important Information**

The course will be limited to 18 students per section and will be open to JD and LL.M candidates. There are no prerequisites to take this course, but because of the experiential and team-based nature of the coursework, class attendance is required.

The course has a special registration procedure designed to balance enrollment across sections. Students wishing to enroll should pre-register for combined Section 1, which includes all students in the course. Once they have selected Section 1, they then have the opportunity to register their preferences among the individual sections taught by particular professors. Your preferences will be included as part of the course lottery and the Registration Services system will register you (or put you on the wait list) for a particular section in the same way it would for other lottery classes. Registered students must attend the first session in order to remain in the class, unless they receive advance permission from their instructor to be absent.

# Advanced Negotiation Workshop (L8116)

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## **Instructor**

Various

## **Experiential Credits**

3 credits

One semester

*This is a general description of the course. Different sections are taught by different instructors and may vary according to the instructor.*

## **Course Description**

This class is an advanced experiential offering designed for students who have successfully completed the basic Negotiation Workshop seminar (L8115) or its equivalent, and who wish to further develop their skills and expertise as negotiators. Topics to be covered will include mindfulness, emotional self-management, dealing with difficult people and hardball negotiation tactics, advanced techniques of persuasion, the tension between preparation and improvisation and negotiating through digital media such as email. The first few weeks of the course will be devoted to reviewing fundamental negotiation principles and core communication skills. Students will be asked to develop individual strategies for self-improvement and will track their own progress as the course unfolds. Students will be expected to attend all classes, to prepare for and engage in role-plays and in-class exercises, and to prepare weekly journals in which they analyze their negotiation experiences. The final exam will be administered on a take-home basis and will ask students to either analyze and assess a video or transcript of a complex negotiation or answer questions that address their understanding of the themes and lessons of the course. Assigned materials will include academic texts and articles, selections from publications of the Harvard Project on Negotiation, contemporary news articles and videos, and fictional portrayals of negotiations from television and cinema. Credits earned in the class will count toward the graduation requirement in experiential coursework (see JD Rule 1.1.5).

## **Important Information**

The course will be limited to 12 students. Students who have not taken the Negotiation Workshop seminar at the law school (L8115), but who have successfully completed an equivalent course at another school or institution OR have significant work-related negotiation experience, are warmly invited to email the instructor for permission to take the class. All registered students must attend the first class unless they receive written permission from the instructor to be absent. Wait-listed students are strongly encouraged to attend the first class if they wish to be considered for admission.

# Trial Practice (L9175)

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## **Instructor**

Various

## **Experiential Credits**

2-3 credits

One semester

*This is a general description of the course. Different sections are taught by different instructors and may vary according to the instructor.*

## **Course Description**

This class is intended to be a comprehensive trial practice course. Accordingly, the focus will be on developing trial strategies and actually practicing trial techniques. It will teach basic trial skills, including opening statements and closing arguments, introduction of evidence, objections, oral arguments relating to the admissibility of evidence and direct and cross examination. It will also offer presentation skills. As the class' emphasis is on students performing trial exercises, the class will require advance reading and preparation for in-class presentations including preparing opening statements, closing arguments and direct and cross examination outlines. Thus, the goal is to give each of you as much time as possible on your feet, in a simulated courtroom setting, actually performing various trial skills.

The course concludes with a final trial simulation exercise. The course grade will be based upon class participation, preparation and upon performance in the final trial simulation. During this course, each student will, step by step, conduct a trial. The organization of the course follows the actual conduct of a trial, from jury selection through opening statements, direct examinations, cross-examinations and summations. It also includes instruction on, and critique of, each of those skills. In addition, the class will cover the introduction of exhibits, impeachment and objections. The course begins with a discussion of a publicized jury trial, and the lessons litigators can learn from the jurors' views of the lawyers conducting the trial. The class will then be divided up into groups. Over the course of the semester, each group will perform simulated trial exercises during each class.

## **Important Information**

Enrollment is limited to 12-14 students. The course will be open to second- and third-year students. Evidence is a co-requisite or pre-requisite for the course. Students who do not attend the first class without first notifying the instructor will not be eligible for registration in the course, or for admission into the course from the wait list.

## **Other Fall 2021 Simulation Courses**

(Please refer to the online Curriculum Guide for more information)

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- Negotiating M & A Transactions (L6227)
- Advising Complex Corporations (L8123)
- Environmental Issues Business Transactions (L8362)
- Exploring the Role of the General Counsel (L8407)
- Deals Litigation (L8183)
- Drafting and Negotiating Commercial Real Estate Documents (L6923)
- Drafting and Negotiating Cross Border M&A Transactions (L9251)