Project Excellence Courses for Fall 2018

Through the program known as Project Excellence, Barrett students in good standing (at least 18 honors credits and 3.25 cumulative GPA) have the extraordinary opportunity to take selected classes in ASU’s Sandra Day O’Connor College of Law, located at the Downtown Phoenix Campus. Pre-law students and other students interested in law should consider taking one of these classes.

You should be aware that if you participate in Project Excellence, you will be taking an actual law school course; in most cases law students will form the large majority of each class. But past Project Excellence participants report that the professors in the law school are extremely free with advice and assistance for Honors students.

Project Excellence Grading Policy
PE students are required to take graduate law courses on the same grading basis as the matriculated law students. This policy means that PE students cannot take a course on a Pass/Not Pass basis where this option does not exist for law students. However, when grading PE students, faculty will grade PE students separately from the law students, and the law school curve. All HON 494 Project Excellence classes for the Fall 2018 semester must be taken for a letter grade.

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<tr>
<th>Class#</th>
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<th>CAMPUS</th>
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<td>HON 494</td>
<td>Business Organizations (LAW 644)</td>
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<td>HON 494</td>
<td>Law, Science &amp; Technology (LAW 703)</td>
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Registration Instructions:

Space is very limited for these classes department consent is required to enroll. Barrett juniors and seniors in good standing (at least 18 honors credits and 3.25 cumulative GPA) interested in enrolling in a particular Project Excellence course should email Miranda Schultz at Miranda.Schultz@asu.edu. Exceptions may be made for Barrett Upper Division admits who have less than 18 honors credits.

In your email:

Please include your name and 10-digit ASU ID number. Please list up to 3 choices of classes with your priorities in order 1-3. Example:

1. **International Environmental Law #93449**
2. **Energy Law and Policy, #93443**
3. **Business Organizations, #93438**

Once we have confirmed your eligibility to enroll in the class and given you an override, you'll be sent a confirmation email and may register online.

If you later decide that you can no longer take the Project Excellence class it is important that you email Miranda.Schultz@asu.edu to notify us that the space is open. We will be running a waitlist for available seats and trying to place as many students as possible into these classes.

Finally, there will be a required Project Excellence orientation session before classes start. By signing up for a class, you are also agreeing to attend the required orientation. Dates and times for the orientation session(s) are not established at this point, but you will be contacted over the break with that information. For students who have previously completed a Project Excellence course the orientation is optional, but strongly encouraged.

Fall 18 Project Excellence Course Descriptions:

**HON 494 – Business Organizations**

This course introduces the student to the law of agency and examines the different forms of the most common business organizations in America today (sole proprietorships, partnerships (including limited partnerships and limited liability partnerships), limited liability companies (LLCs), and corporations). Regardless of an attorney’s specific area of practice, a basic understanding of the organization and management of business enterprises and of the law of agency is routinely needed across a broad and diverse range of legal specializations. We study the fiduciary relationships between the investors, owners and managers of a business. We study the laws applicable to businesses and the legal standard of conduct expected of companies and their owners and managers. While we study agency law, partnerships and LLCs, the major focus of the course is on the most popular form of business organization: the corporation, both public and close. We study how corporations are used to raise and manage capital, allocate risk, and divide ownership and management prerogatives. We focus on the responsibilities of boards of directors, the rights of shareholders, the issuance of stock, and corporate governance. The course analyzes basic business and legal decisions faced by business people. We also examine broader policy questions such as how business needs shape laws and regulations in the United States and, conversely,
how laws and regulations promote and impede business. Readings from the Casebook are supplemented by readings from a book of Supplemental Materials. A Statutory Supplement is also required. No background in business, accounting, or finance is required.

ATTENDANCE POLICY: Attendance and participation is expected. Points will be given for participation up to the maximum permitted under the law school grading policy. Students will be called upon to participate. Substantial information will be delivered in class lectures that is not in the written course materials.

HON 494 - Law, Science & Technology

Nearly every field in the practice of law now involves some interaction between law and science and technology -- whether it be litigation, administrative law, environmental law, constitutional law, telecommunications law, health law, corporate law, employment law, contract law, property law and many others. Lawyers who are knowledgeable and comfortable in dealing with the scientific and technological aspects underlying many legal issues are in great demand at law firms, companies, government agencies and other providers of legal services. This survey course is intended to provide the student with an introduction to the various ways in which the legal system interacts with science and technology, and the skills and knowledge necessary to address such issues. The course will examine the interactions and conflicts between law and science using a series of illustrative case studies addressing current issues such as the internet, cloning, air pollution, the Daubert standard for admission of scientific evidence, tobacco research, the Microsoft antitrust case, electric vehicles, digital copyright, genetically modified foods, nanotechnology, anti-terrorism technology, global warming and privacy. No special background or expertise in science or technology is required to benefit from this course. Students can elect to take a take-home exam or write a research paper (20-30 pp.) for the course. This course qualifies as a “core course” for the LS&E Certificate program.

HON 494 - Biotechnology

This course will examine the legal, regulatory, scientific, policy and ethical aspects of biotechnology, focusing on genetically engineered plants, animals, foods, drugs, vaccines, and other products. Among the issues to be covered include an overview of the scientific methods for genetically engineering plants and animals, the risks and benefits of genetically modified (GM) crops and animals, the regulation of GM foods and other products, labeling of biotechnology products, regulatory issues relating to biopharmaceuticals, liability issues, intellectual property issues, antitrust and business law issues, contamination issues, the role of the public in GM decision, state and local regulation, international regulation, international trade, bioprospecting/biopiracy, and bioterrorism.

HON 494 - Blockchain & Cryptocurrencies

Blockchain and cryptocurrencies are rapidly evolving technologies that are already disrupting the practice and substance of law. The first blockchain, Bitcoin, has become an international sensation as it value skyrockets and plummets. But Bitcoin and other cryptocurrencies are just one small corner of blockchain applications – it is also being applied to supply chain management, financial and banking functions, stocks and bonds, property and land deed ownership, wills and estates, health data, and eventually even government functions such as taxation and voting. It is also changing the practice of law, as some new law firms exist wholly on the blockchain, employing a radically different business model for law. This course will familiarize students with the technology behind blockchain, and explore the legal and policy applications and implications of blockchains and cryptocurrencies.
HON 494 - Federal Indian Law

American Indian Nations own 27% of the land within Arizona. This course provides a survey of the political and legal relationship of Native Nations to the United States government. The course provides a historical examination of the treaties and other instruments used to negotiate a political relationship between these separate governments and delves into a comprehensive examination of the legal relationship that developed between American Indian, Alaska Native, and Native Hawaiian peoples and the United States government. The emphasis of this course is on understanding the foundation of the contemporary relationship between Native Nations, the United States government, and the various state governments. Thus, particular attention is devoted to jurisdictional issues, including the framework for determining civil regulatory authority, and civil and criminal adjudicatory authority in Indian Country. The course requires a final exam, or a student may choose to write a paper in lieu of the exam. The professor must approve the topic selected.

HON 494 - Energy Law and Policy

This course examines laws relating to the ownership, conservation, and use of natural resources, with particular emphasis on energy-related resources such as coal, petroleum, natural gas, hydroelectric power, sunlight, and wind. The course explores and analyzes laws that allocate interests in energy resources and regulate energy production and delivery strategies so as to promote economic efficiency and mitigate adverse impacts on the natural environment.

HON 494 - Research & International Law

This course will teach students how to research international and foreign law. As a course project, students will prepare a bibliography on an international law topic of their choice.

HON 494 - Jurisprudence

Jurisprudence (philosophy of law) is usually divided into two areas of inquiry: analytical jurisprudence (the analysis of legal concepts--e.g., law, responsibility, liberty, rights, etc.) and normative jurisprudence (the evaluation of legal doctrines and practices), the emphasis of this course will be on normative jurisprudence. Such issues as the following might be explored: Is there a moral obligation to obey the law? How, if at all, can criminal punishment be justified? What is the proper balance between emotion and reason in law? What relevance, if any, do forgiveness and mercy have in the law? How might one defend the idea of fundamental (or even natural) human rights? What relevance, if any, should personal virtues (or vices) have in the law? For example, should repentant offenders receive less punishment than unrepentant offenders? Is humility a virtue and, if so, should it be encouraged in lawyers and judges? Problems of transitional justice: When a repressive dictatorship is replaced by a rights respecting democracy, should the bad actors in the previous regime (such as police torturers and murderers) be punished? Readings will be from both classical and contemporary philosophers and from works of imaginative literature.

This course is by invitation only by Professor Murphy. Students must contact Professor Murphy for an interview.

HON 494 - Private Property Rights
This course will focus upon one of the most controversial topics in the law and a subject which has received considerable attention from the United States Supreme Court in recent years: the conflict between private property rights and the right of the government to acquire private property for public use or to regulate the use of private property in a manner which substantially limits its economic potential. The course will include a detailed review of the most important United States Supreme Court decisions (e.g., Penn Central, Nollan, Lucas, Dolan, Palazzolo, Tahoe and Lingle) which, in the context of so-called "regulatory takings" disputes, explore the circumstances in which government action may go "too far" and constitute a taking of private property without just compensation. The eminent domain process will also be discussed, including the United States Supreme Court's decision in Kelo v. City of New London.

In addition, a unique section of the course will utilize the land acquisition litigation arising from the planning and construction of the Bank One Ballpark/Chase Field project (Phoenix, Arizona) as a case study. Pleadings from the appellate proceedings will supplement course materials and will focus on the purposes for which private property may be condemned. The course instructor was one of the trial and appellate attorney for the Maricopa County Stadium District.

The course will also examine the nature and history of title insurance and the role of title insurance in protecting private property rights. Unlike other courses which focus solely on a limited area of substantive law or, alternatively, on procedural or evidentiary considerations, this innovative course explores all aspects of "takings" law from philosophies underpinning (and contradicting with) takings jurisprudence to the evolution of the substantive law through the tactics and strategies often employed at trial and in land use planning decisions.

The format will be principally lecture, with lively group discussion anticipated. The course is recommended for future trial attorneys (government and private), for prospective real estate and land use lawyers, and for others with an academic interest in understanding the law and history behind the headlines.

**HON 494 - FDA Regulation**

This course will examine the regulation of drugs, medical devices, and biologics (e.g., vaccines) by the Food and Drug Administration. These categories of products are the primary products of the emerging biotechnology and genomics industry, as well as the traditional pharmaceutical industry, and therefore is critical for students who are interested in representing life science companies or medical research institutions.

**HON 494 - Research Ethics & Law**

This seminar is designed to give students a broad understanding of research ethics, regulation and law. In this course we explore a selection of topics in research involving human subjects. We begin with a brief introduction to the basics of normative ethics, including theories of justice and human rights and the foundations of the law covering research ethics, and then explore specific ethical and legal issues associated with biomedical research.

Paper: Forty (40) percent of the student’s grade will be based on a research paper on a topic of the student’s choice with instructor approval. Students may elect to write their paper on or related to the topic of their in-class presentation (see below). Students should write a paper of 8-10 double-spaced pages. Final papers are due on December 3. All students should notify the instructors of their topic before October 5.

Class Presentation: Each student will select a case study to present in class. This presentation will count for twenty (20) percent of the grade. The presentation will include: (i) identifying at least one week prior to the presentation one or more readings (<20 pages) on the case for the other
students; (ii) a presentation on the case study; and (iii) identifying 3-5 key questions the case presents and leading a class discussion on those questions.

Midterm: A multiple-choice/short answer take-home midterm will count for thirty (30) percent of the grade. The midterm will be provided on October 15, and will be due by October 22.

Class Participation and Attendance: The remaining ten (10) percent of the grade will be based on class participation, other interactive discussions via Blackboard, and attendance.

**HON 494 - International Environmental**

The course provides a general introduction to international environmental law. It examines the processes by which international environmental standards have developed, are implemented and enforced, and surveys a variety of international environmental issues, including both transboundary problems such as acid rain, as well as global problems such as climate change and loss of biodiversity. The course also examines the intersection of international environmental law with other areas of international law, including international trade law and human rights law.