



PennState Law

| UNIVERSITY PARK, PA

MASTER OF LEGAL STUDIES PROGRAM

Fall 2021 – Spring 2022 Course Catalogue

Course Title: [Agricultural Law](#)

BUSLW 956

3 credits

Course Description:

This course will introduce students to the range of current and emerging issues that confront agricultural producers, agri-business firms, and other segments of that broader sector of the economy referred to as the "food industry." The course will address a variety of issues including the history and objectives of agricultural policy, land use planning for agricultural activities, resource use and allocation, industrialization in the agricultural sector, intergenerational transfers of farm businesses, international trade, and ethical issues that confront practitioners.

Course Title: AI and the Law

ULWR 997

3 credits

Course Description:

Artificial Intelligence (AI) is rapidly being integrated into our contemporary socioeconomic and political landscape. AI is transformative. It has transformed institutions and governance, including policymaking in all aspects of law, elections and administration of services, and cyberdefense and intelligence. It has also transformed all fields, including commerce, medicine, manufacturing, and education. This seminar examines law and policy challenges introduced by AI and other emerging technologies. First, to better understand the legal impact of AI, this seminar will survey a range of topics that intersect with AI and the law: algorithmic bias and decisionmaking; AI and ethics; autonomous vehicles and weapons; and robotics, autonomy, and personhood. Next, this seminar will explore the impact of AI on the law. These topics will include criminal and civil liability that may stem from the deployment of AI technologies, such as Fourth Amendment implications of cyber/data seizures and searches; Fifth Amendment implications of AI and self-incrimination; medical liability for AI diagnostics; the reach of civil rights and anti-discrimination law for AI-enabled discrimination. As the law of AI is still nascent, this course will explore developments in law and policy that attempt to bring AI under increased regulatory and legal oversight.

Course Title: [Asylum and Refugee Law](#)

INTR 961

2 credits

Course Description:

This class surveys the laws of political asylum and related protection for those fleeing danger in their home countries. It examines asylum and refugee law and policy in the United States, and sets forth the legal grounds for barring someone from asylum. It also explores the politics driving immigration policy, including asylum and refugee policy, and the federal agencies that implement those policies.

Course Title: [Bioethics and Law](#)

HLTLW

3 credits

Course Description:

This course surveys the law of bioethics. Most of the course will focus on the law of decision making in healthcare or medical settings. We will begin by examining the treatment relationship between patients and their healthcare providers, focusing on the fiduciary nature of the relationship and the doctrine of informed consent. Informed consent is also the foundation of human subjects research regulation, which is the next topic in the course. We will then explore the law of organ transplantation before moving into special types of healthcare decision making-reproductive and end-of-life decision making. We conclude the survey with the law of public health.

Course Title: [Business Planning for Mergers and Acquisitions I](#)

BUSLW 964

3 credits

Course Description:

This course first focuses on various topics that are important in M&A transactions involving both closely-held and publicly-held corporations, including directors duties, shareholder voting and dissenters' rights, basic issues under the Federal securities laws, fundamentals of Federal income taxation and accounting, use of modern valuation techniques, including DCF and CAPM, in M&A, and basic issues in antitrust and pre-merger notification. The course then turns to an analysis of various forms of negotiated acquisition, including acquisitions of stock and assets of closely-held corporations and acquisitions of publicly-held corporations in negotiated transactions. The course is based on the first half of Thompson, Business Planning for Mergers and Acquisitions: Corporate, Securities, Tax, Antitrust, International, and Related Aspects (2008).

Course Title: [Corporations](#)

BUSLW 963

3 credits

Course Description:

This course primarily addresses organization and operation of commercial organizations in the Anglo-American community. Preliminarily, sole proprietorships and partnerships are

considered, after which corporations-for-profit are emphasized with some attention to business trusts and non-profit corporations. In the corporate context, duties of promoters, directors, officers, and other insiders are considered. Availability in the U.S. of the derivative action is treated in terms of both unincorporated and corporate forms of organization. Also treated are the basics of securities regulation at the federal and state levels in the U.S. and the provincial level in Canada.

Course Title: [Critical Race and Feminist Legal Theory Seminar](#)

LWPER 951

3 credits

Course Description:

This course introduces students to Critical Race Theory and Feminist Legal Theory. The class will explore three major questions during the semester: What comprises Critical Race Theory and Feminist Legal Theory? Do these areas of study remain relevant? If so, what can legal scholars, educators, and practitioners draw from them to effect social justice through legal institutions? Students who successfully complete this course will: Identify, describe, and interpret the fundamental principles of critical race theory and feminist legal theory; Critically engage with scholarly literature; Use critical race theory and feminist legal theory as a lens for thinking critically about how to effect social justice through legal institutions; Demonstrate competency in academic legal writing; Demonstrate competency in public speaking, including the ability to engage in meaningful and respectful discussions around the topics of race and gender.

Course Title: [Cybercrime](#)

ULWR 997

3 credits

Course Description:

This seminar provides an overview of legal, technical, and law enforcement issues involving cybercrime. Contemporary events have led to a growing awareness of the interrelationship between information security and data privacy. Prominent cyberattacks and hacking incidences have led to high profile cases and rapid developments in the law. The internet, ecommerce, social media, and other developments in the digital age has expanded the vulnerability of online identities to theft and misappropriation. At the same time, the digital economy vastly increases law enforcement access to digital evidence. Examining cybercrime and digital law enforcement tools allows for an interrogation of the strength of constitutional protections afforded to users, the law that governs cybercrime detection, and developments in prosecutorial techniques that are dependent upon cybersurveillance. Cybercrime is especially challenging as an area of law and policy where criminal activities can be hidden and where geographic boundaries for an investigation are not readily understood. Consequently, this seminar will provide an opportunity for students to learn not only about cybercrimes and digital forensic evidence, but also, about the tensions in constitutional law that may be strained under these emerging technologies.

Course Title: Data and Democracy: Cybersurveillance and Security Seminar

LWPER 997

1 credit

Course Description:

Emerging technologies are placing unprecedented strain on democratic institutions. This seminar will interrogate how digital data and database-driven technologies developed for civil law or corporate purposes can be used for criminal law and national security purposes, and how this merger has led to the growing normalization of surveillance protocols that may not be subject to proper oversight. Increasingly, data and AI forms the basis of a new geopolitical battlefield of power in the realm of cyberconflicts, adding to the strain on constitutional democracies. Consequently, this short course seminar will address global issues surrounding the legal, ethical, and political implications of emerging big data cybersurveillance technologies. The course will entail a study of the development of privacy law in North America and the European Union; analysis of the threats posed by digital data tracking and databasing to individual privacy rights; as well as the benefits and challenges it brings in areas such as equality rights, medicine, and criminal law. Specifically, this course will examine how the expanding role of the Internet, big data, e-commerce, social media, wearables, algorithmic intelligence and data analytics, etc., in our daily lives has placed unprecedented strain on preexisting regulatory, statutory, and constitutional frameworks that have traditionally guided privacy protections under the law.

Course Title: Election Integrity and Election Administration Law

ULWR 997

3 credits

Course Description:

This course offers an introduction to foundational knowledge on election administration in the United States, including voter registration, ballot access, polling administration, voting machines, provisional ballots, recount processes, and the Electoral College. A core component of this course will focus on election integrity. Specifically, in the past two decades, election law has been transformed to focus on various aspects of election administration intended to ensure greater election integrity and security. To understand this transformation, it is critical to examine the interrelationships between federal election law, and state and local election laws and policies, particularly as they pertain to election administration and election integrity. Readings will include cases and reports surrounding voting and ballot integrity, and foreign interference to the right to vote. This course will give special attention to the cybersecurity aspects of election administration, including the vulnerabilities of election technology and how these technologies can be “hacked” to manipulate the results of an election. In discussing the potential weaknesses of election technology, this course will also consider solutions by discussing defenses to protect election integrity, and methods to detect and prevent election fraud.

Course Title: [Election Security Seminar](#)

ULWR 997

3 credits

Course Description:

Foreign interference of the 2016 and 2020 presidential elections, and the 2018 midterm elections, have exposed unprecedented vulnerabilities: shortcomings to national cybersecurity policy and the failure to develop effective cyber deterrents; underregulation of social media platforms and Internet governance; how best to safeguard voter data and consumer data; and what federal oversight of election administration and voting systems may be necessary while still respecting federalism principles and state sovereignty. Multiple intelligence reports have described the interference as an influence campaign that blended covert cyber operations, and overt propaganda and misinformation operations. This seminar will explore how best to address the legal and policy challenges posed by the foreign interference in U.S. elections and vulnerabilities to election security.

Course Title: [Employment Discrimination](#)

LABR 964

3 credits

Course Description:

This course will provide an overview of significant doctrinal issues in employment discrimination law, and will seek to develop students' skills through a rigorous examination of statutory law, regulations and court decisions. It will introduce students to the fundamental legal theories underlying the substantive coverage of the most significant federal equal employment opportunity laws, and legal issues regarding their application.

Course Title: [Energy Law and Policy](#)

ENVR 952

3 credits

Course Description:

This course is the introductory course in the regulation of energy in the United States. It also considers some of the international impact of U.S. energy policy. The course examines each significant form of energy (oil, natural gas, nuclear power, electricity, coal and renewables) in terms of the manner in which each form is regulated by various government institutions. To understand the various forms of regulation, we will also consider a substantial amount of economic, political and socio/psychological information. Each segment of the course will be presented in terms of specific problems that participating students will help analyze and solve. At each stage of the course, we will consider the current policies and attempt to develop regulatory goals and positions that will improve those policies. The syllabus for this course is designed to avoid significant overlap with the course in oil and gas law and the course in energy, international security and the global economy.

Course Title: [Food Law - Spring 2021](#)

ENVR 997

3 credits

Course Description:

The course will explore legal issues surrounding a number food-related issues not covered in traditional FDA or Ag Law courses, focusing on those affecting consumers and small producers. These include food access and security, taxation of sugar-sweetened beverages and related

measures, food fraud, the environmental and consumer-side effects of agricultural subsidies, and the regulation of small and local food production.

Course Title: Global Privacy, Cybersecurity, and Data Protection [Spring 2022]

ULWR 997

3 credits

Course Description:

This course surveys recent developments in global privacy and security trends, covering legal and policy frameworks in international data privacy and data protection. It focuses on current and proposed laws and regulations that govern information security and privacy domestically and abroad. Specifically, it will include a close investigation of how directives such as the General Data Protection Regulation (GDPR) in the European Union impact state and federal law, and internal corporate policies, in the United States. It will also examine how multinational corporations navigate global privacy laws and regulations in North and South America, Asia, the Middle East, and Africa.

Safeguarding sensitive personal and corporate information against inadvertent disclosure is at the forefront of national and international priorities of nation states and non-governmental organizations. The rapid expansion of pervasive methods for data collection, storage, and analysis have led to increasing vulnerabilities in cybersecurity breaches, and the misuse and the abuse of personal information. Global privacy policy developments have exploded in the past decade to prevent security threats to find legal and technical vehicles to better protect data. The development of responsible data privacy and security programs, laws, and best practices involves complex policy and societal questions concerning how best to implement effective security and privacy regulations; the personal, political and economic impact of data breaches on individuals, governments, research, and businesses; and how best to balance the legal interests of citizens, the state, and the private sector. Consequently, multiple reforms have been implemented in both the public and private sector to implement effective laws, regulations, and security and privacy programs under an evolving legal environment that must take into consideration technological, corporate, and global market and policy considerations.

Course Title: [Information Privacy Law](#)

LWPER 997

3 credits

Course Description:

This course offers an overview of information privacy. In a digital economy and an increasingly networked information society, it is increasingly complicated to understand the legal frameworks available that allow for users to maintain control over one's cyberself, dataself, and digital identity. As almost all aspects of our social, economic, and political lives are mediated through online technologies, the question of how to protect one's personal information is challenging and complex. Federal agencies, courts, and Congress, as well as state and local governments, have struggled to find statutory, regulatory, and interpretative tools to protect information privacy with the advance of emerging technologies. The survey course introduces information privacy jurisprudence in constitutional law, tort law, and through statutes and regulations. The course examines cybersurveillance, including social media surveillance, and

ubiquitous data tracking. The course further explores the information privacy impact of the Internet of Things, web and mobile data collection capacities, and real time situational awareness technologies that integrate live social media activity with other database screening capacities, such as facial recognition technologies. Finally, the course will look at future trends in information privacy protection.

Course Title: [Information Security Law](#)

LWPER 946

3 credits

Course Description:

This course describes the substantive law relevant to the field of information security or "infosec" law, commonly known to policymakers as "cybersecurity." It examines how courts, legislatures, and regulators confront the major legal issues that information security presents. The course includes three types of 'readings' - one set introduces you to a key aspect of the history and culture of information security; the second set introduces technical and policy standards; the third consists of statutes and caselaw. The early weeks in this class introduce you to the state of the law of information security and assist you in acquiring technical competence in the terms of art of the field. The later weeks in the course identify and frame current legal debates in Congress, state legislatures, regulatory agencies, and the business community on matters of information security.

Course Title: [International Law](#)

INTR 971

3 credits

Course Description:

This course introduces students to key concepts and doctrines of international law. It examines the sources of international law such as custom and treaty, the bases of international jurisdiction, issues of statehood, recognition and succession, nationality, international agreements, and U.S. participation in the international legal system. The course provides students with the basics needed for both public and private international law practice.

Course Title: [International Litigation and Arbitration](#)

INTR 966

3 credits

Course Description:

This course is intended to acquaint students with the impact of globalization upon the process of litigation. It focuses upon the adjudicatory resolution of disputes created by international contracts and global business transactions through the standard legal trial process and arbitration. Various basic topics are treated, including (1) the certification and training of international lawyers; (2) the liability exposure of multinational enterprises; (3) the State as an actor in global commerce; (4) problems of comparative jurisdiction, service of process and evidence-gathering, proof of foreign law, and the enforcement of foreign judgments; (5) the extraterritorial application of national law; and (6) attempts to establish a transborder law and

legal process. The course also provides a thorough introduction to international arbitration and investor-state arbitration.

Course Title: Introduction to Legal Research Methods

MLSLW 906

3 credits

Course Description:

This course is divided into two parts. First, it introduces legal research skills: the basic skills necessary for identifying, locating, and effectively utilizing legal resources. This will include understanding distinctions among legal resources: primary sources of case law and federal/state statutes; sources of secondary legal authority; and research reference tools, to including online legal research tools, commonly used in the practice of law. The course will also introduce citation rules, including an overview of the basic Bluebook citation method. The course will explore the process of legal analysis to better understand sources of legal authority, legal issues, assess credibility and accuracy of primary and secondary sources, and tools for legal analysis and legal reasoning through the application of multiple sources of law. This introductory course will emphasize how legal research can play a critical role legal problem solving and effective legal writing.

Course Title: Introduction to Private Law

MLSLW 905

3 credits

Course Description:

This course provides an introduction to private law and key concepts in business law. In the United States, there are many sources and classifications of law. This course is designed to integrate the various fields of private and business law. The first half of the course focuses on private law—including an introductory survey of the law of property, contract, and torts. The second half explores business law in corporate contexts. Business law will be taught through case law, the structure of business organizations, and corporate practice. This class will utilize multiple methods: a combination of casebook readings, contemporary and historic case studies, online quizzes and video, and other learning tools.

Course Title: Introduction to Public Law

MLSLW 904

3 credits

Course Description:

This course provides an introduction to the legal framework of American constitutional and administrative government. This course will cover the development of constitutional structural protections such as separation of powers principles (separated legislative, executive, and judicial functions) and federalism (division of power between federal and state governments), and a close examination of how those constitutional structures, separation of powers and federalism, function in the modern administrative state. Key inquiries will focus on how administrative decisionmaking impacts due procedural due process; and how the judiciary and

the political branches have responded to continuing questions of the constitutional legitimacy of the administrative state. Special emphasis in this course will be placed on statutory interpretation and judicial review of administrative actions by federal courts. The course will be divided into roughly four topical components: (1) Legislation and Statutory Interpretation; (2) Executive Power & Delegation of Legislative Power; (3) The Administrative State & The Regulatory Process; and (4) Judicial Review of Agency Rules.

Course Title: [Mediation of Environmental and Public Conflicts](#)

EXPR 972

3 credits

Course Description:

Conflicts between parties with different views of “the public good” are often difficult to resolve, especially in the environmental and natural resource arena. The judicial dispute resolution process is often not well-adapted to addressing conflicts among jurisdictions and meeting the interests of the public and private parties affected by the conflict. Mediation and other alternative dispute resolution techniques can be very useful tools in these cases. This experiential course uses case studies and simulations to explore techniques and strategies other than traditional litigation that lawyers can use to represent clients and resolve disputes in these settings. This course satisfies the experiential learning requirement.

Course Title: [National Security Law I \(Foundations\)](#)

LWPER 947

3 credits

Course Description:

This is the first of a two-course sequence. Students may take this course and later choose to not continue with National Security Law II (Leadership in Crisis Simulation); however, all students wishing to take the National Security Law II must take National Security Law I (Foundations) as a prerequisite. National Security Law I examines the laws, processes, and institutions relevant to protecting the nation’s security. The course first examines the critical relationships between the legislative, executive, and judicial branches in forming, overseeing, and executing national security policy and operations. The course then examines the federal government’s authority to use force abroad, including covert and special operations; offensive cyber operations; the government’s authority to collect intelligence and conduct surveillance, both within the U.S. and abroad; the public’s right to obtain national security information and the government’s right to keep secrets; U.S. homeland security law; and legal issues associated with the North American Treaty Organization and the law of the sea. The course also examines the practical challenges national security lawyers confront in practice. Persistent themes include the balance between security and liberty, the allocation of authority within and between governments, and the perceived tension between national security and international obligations. This course is appropriate for any student interested in better understanding some of the most important and even existential issues facing the nation today. The course is also essential for students with specific career interests in national security or public international law.

Course Title: [Negotiation and Dispute Resolution Design](#)

EXPR 936

3 credits

Course Description:

Identifying opportunities for negotiating and resolving conflicts before they are litigated in the courts is the focus of this course. The course explores both negotiation theory and practice, as well how to design systems and processes for managing disputes. This experiential learning course will address and explore real world issues that may come up for attorneys in practice, including in person and online. This course satisfies the experiential learning requirement.

Course Title: [Oil and Gas Law](#)

ENVR 965

3 credits

Course Description:

This course will address the basic concepts in oil and gas law within the United States as well as the specific legal issues associated with the development of the Marcellus Shale formation. This specific topics to be covered include the ownership or oil and gas, oil and gas leasing, oil and gas conservation laws, oil and gas interests, and government regulation of development.

Course Title: [PILOT Lab Class](#)

LWPER 945

2 credits

Course Description:

This course introduces you to current “hot-button” issues in technology policy and law through the eyes of policymakers, asking you to advance their conversations. The early weeks of the course introduce you to the substantive legal, technical, and policy background around these issues. The later weeks shift toward problem solving and building concrete, public-facing projects, working in interdisciplinary teams. The projects in this class are tailored to meet the current research needs of particular federal and state lawmakers and agencies based on their legislative and regulatory agendas for the year. Possible policy coverage and project areas include connected health; consumer/ investor protection in security and privacy; disinformation, governance, and tech literacy; internet availability and net neutrality; sustainability and ethics in computing design; the Internet of Things and the right to repair; machine learning/ AI suitability; tech competition; computing history; and tech workforce development. Successful projects will be shared with the policymakers whose work they advance.

Course Title: [Property, Poverty and Development](#)

LWPER 997

3 credits

Course Description:

The goal of the seminar is to examine the relationship between property and poverty with a particular focus on the work of Hernando de Soto. More generally, we will consider what happens to property rights and entitlements during periods of social change, and the

implications of these changes for whether a country and its citizens remain poor. Case studies will be taken from across the developing world, with a particular focus on Latin America and the Caribbean. Special attention will be paid to the role of formal legal institutions in maintaining or transforming existing economic interests and social arrangements.

Course Title: [Public Health Law](#)

HLTLW 997

3 credits

Course Description:

This course will consider the role of federal, state, and international law in protecting the public from illness, death, and disability.

Course Title: [Renewable Energy Law & Energy Justice](#)

EXPR 997

3 credits

Course Description:

This seminar will explore the range of legal issues that arise in the development of small scale (distributed), community scale, and utility scale renewable energy, focusing primarily on solar and wind energy development. The course will identify policy methods for mandating, incentivizing, and financing renewable energy development and associated infrastructure. We will also address land use issues such as local zoning for renewables, state preemption of local control, transmission line siting, and public and private legal tools for resolving landowner conflicts in the renewable energy sphere. The final portion of the course will tour the social, cultural, and environmental legal issues associated with renewable energy development, focusing on wildlife laws, environmental review statutes, and community negotiation tools.

Within each of these topics, the course will focus on the equity issues that arise in renewable energy development, meaning the extent to which individuals and groups experience different benefits and costs of renewable energy development. The course will analyze the extent to which energy law fails to address these equity issues and will identify improved legal tools that are emerging. Students will write papers and prepare presentations that propose solutions to an actual renewable energy policy issue.

Course Title: Technology Policy and Ethics

LWPER 997

3 credits

Course Description:

This course will explore the intersection of technology, ethics, law, and policy. This course introduces theories of ethics that underlie law and policy as it applies to emerging technologies. It will examine a wide range of ethical issues and questions that have been presented with the integration of data surveillance, algorithmic decisionmaking, and AI into our digital economy and information society. A key question will be how law and policy are addressing the core ethical challenges that have been presented. It will also discuss how law and policy fail to address matters that are uniquely ethical in nature and may not fall squarely within the legal

realm. The normative analyses required in developing strategies and recommended approaches to technology and ethics will be discussed and interrogated. Finally, this course will strive to identify the critical and ethical frameworks, social values, and democratic norms that should serve as a guide to policy makers within both the private and public sectors.

Course Title: [The Constitutional Law of Religion](#)

CONLW 957

3 credits

Course Description:

This course examines current constitutional doctrine concerning religion under the First Amendment to the Constitution. The focus will be on the essential cases and principles of the Free Exercise and Establishment Clauses of the First Amendment. These cases and principles are organized along three thematic lines: (1) the regulation of religious activity (free exercise and neutrality, governmental interests, legislative accommodation), (2) the funding of religious activity (establishment and neutrality, governmental support of religious institutions), and (3) the treatment of religion in government's culture shaping activities (public schools, school curriculum, religious speech). The course ends with a discussion of the definition of "religion" for purposes of federal constitutional law.

Course Title: [The U.S. Law of Arbitration](#)

BUSLW 962

3 credits

Course Description:

This course provides an introduction to the domestic law and practice of arbitration. It assesses the statutory and decisional law basis for arbitration, especially the provisions of the Federal Arbitration Act. It investigates the central doctrinal issues in the field: the enforceability of unilaterally-imposed arbitration agreements, the arbitrability of statutory rights — in particular, civil rights matters, and the use of contract to establish the law of arbitration between the arbitrating parties. Emphasis is placed upon practical problems that have emerged in the practice of arbitration law: the selection of arbitrators, the use of discovery and evidence-gathering in arbitral proceedings, and the content of arbitration agreements. The course also addresses the new uses of arbitration in consumer, health, and employment fields.

Course Title: [Water Law & Policy](#)

ENVR 967

3 credits

Course Description:

This course provides an overview of U.S.-focused law and policy related to water. This includes the allocation of water supplies under the riparian and prior appropriation doctrines, as well as the federal reserved rights doctrine, the Endangered Species Act, and cases testing the public interest. In addition, the course examines water quality concerns under the Clean Water Act, with a specific focus on the Chesapeake Bay. Finally, the course covers special topics related to water law and policy, including flooding, drought, and climate change; drinking water,

wastewater, and infrastructure; energy and the development of Marcellus Shale; and trans-boundary/ international water issues.