

GEORGETOWN UNIVERSITY LAW CENTER
CURRICULUM GUIDE FOR LL.M. IN NATIONAL SECURITY LAW STUDENTS

This *Curriculum Guide for LL.M. in National Security Law Students* is designed to help students select offerings listed under “National Security Law LL.M. Courses” (referred to collectively in this *Guide* as “National Security” courses). Designed primarily to assist candidates for the LL.M. in National Security Law, the *Guide* also may prove useful to other students in selecting courses in this area. The *Guide* complements but does not supersede course registration materials provided on line. The *Guide* consists of three parts. Part I provides introductory information. Part II lists the courses which meet the LL.M. requirements. Part III suggests additional courses that do not count towards the LL.M. program but may prove useful.

The LL.M. in National Security Law degree is open both to US-educated students and to students who have their first degree in law from outside the United States. The degree requirements for domestic and international students are slightly different, so please consult the requirements that are relevant to you.

Part I: Introductory Information

Academic Counseling

To schedule an appointment to discuss courses in this area of law, please contact Tina Drake Zimmerman at 202-662-9660 or via email at draket@law.georgetown.edu.

LL.M. Requirements:

To obtain the LL.M. in National Security Law degree, graduate students who received their J.D. from a law school in the United States (“domestic students”) must complete a total of 24 academic credits, including at least 18 National Security Law specialization credits. As part of the degree program students must:

1. Successfully complete 24 academic credits, including 18 academic credits (“specialization credits”) in courses listed under National Security Law in the course schedule (listed below in Part II).
2. As part of the 18 specialization credits, students must successfully complete the Proseminar in National Security Law and at least one three-credit paper course that meets the WR writing requirement and is approved by the Director of the National Security Law Program.
3. Successfully complete the basic course *International Law I* during their first year at the Law Center if they have not already taken a similar course in their prior law degree. The course *International Agreements* or the course *Foreign Relations Law Colloquium* will also fulfill this requirement.

Contact Tina Drake Zimmerman if you have taken a prior course that you think will satisfy this requirement.

4. Earn a cumulative minimum grade point average of “B-” in the courses that are counted toward the LL.M. in National Security Law specialization requirements.

To obtain the LL.M. in National Security Law degree, graduate students who received their first law degree from a law school outside the United States (“international students”) must complete a total of 20 academic credits, including at least 14 specialization credits. As part of these 14 “specialization credits,” students must take:

5. Successfully complete 20 academic credits, including 12 academic credits (“specialization credits”) in courses listed under National Security Law in the course schedule (listed below in Part II).
6. As part of the 12 specialization credits, students must successfully complete the Proseminar in National Security Law and at least one three-credit paper course that meets the WR writing requirement and is approved by the Director of the National Security Law Program.
7. Successfully complete the basic course *International Law I* during their first year at the Law Center if they have not already taken a similar course in their prior law degree. The course *International Agreements* or the course *Foreign Relations Law Colloquium* will also fulfill this requirement. Contact Tina Drake Zimmerman if you have taken a prior course that you think will satisfy this requirement.
8. Earn a cumulative minimum grade point average of “B-” in the courses that are counted toward the LL.M. in National Security Law specialization requirements.

Required Courses:

International Law I (3 credits) or **International Agreements** (2 credits) or **Foreign Relations Law** (2 credits). LL.M. students who received their J.D. from a law school in the United States are required to have taken *International Law I* or its equivalent before matriculating in Georgetown’s Program or within the first year of the program. Students who received their basic law degree from a law school outside the United States must also satisfy this prerequisite, but these students are more likely to have already taken a basic course in public international law. If you have already taken a course on this topic, please email Tina Drake Zimmerman at draket@law.georgetown.edu so that she can note that you have met the requirement. If you have work experience or other training that you feel is the equivalent of taking this course, you may also seek a waiver of the requirement by emailing Tina Drake Zimmerman.

- *International Law I* deals with public international law, sometimes called “the law of nations.” It is a prerequisite for many courses in this area because issues of sovereignty, treaties, executive agreements, and other sources of international law arise so frequently. Other topics include the role of non-governmental organizations and the role of international law within the U.S. legal system.

Due to the limited availability of seats in the evening sections of *International Law I*, part-time students may take the course later in their studies.

- Professor Dalton's fall course *International Agreements* covers treaties and executive agreements in depth, and also provides a sound basis for studying the relevant agreements in other courses.
- Professor Feldman's course *Foreign Relations Law* covers treaties and executive agreements, the act of state doctrine, separation of powers issues in foreign affairs, war powers, and customary international law.

Researching Your Course Selections

Students will normally begin their course selection process with the Course Schedule. When you see a course that you are interested in, note the meeting time, any prerequisites or recommended courses, and whether the course requires an exam or a paper. You should pay attention to how many seminars you have. You should then review the description of the course, using the online curriculum guide (http://www.law.georgetown.edu/curriculum/tab_courses.cfm). Next, you may wish to click on the name(s) of the faculty teaching the course to get an idea of their background. The Law Center's adjunct faculty are extremely accomplished and each brings a unique perspective to his or her subject. It may be that the faculty have had work experience in an organization in which you are interested.

Past exams can also give you an idea of what the faculty expected past students to get out of the course. Those can be viewed here: <http://141.161.38.45/screens/exams.html>. A GO card number is required to log in, which you may not receive until orientation. Students will have several opportunities to alter their schedule during the add/drop week in early September and again in early January for the spring.

Finally, some students find it helpful to consult student evaluations of faculty and courses that have been offered in previous years. The evaluations are available online at <http://www.law.georgetown.edu/curriculum/evaluations/>. A university NetID is required to log in and view these evaluations, and NetIDs were mailed to admitted students in the first half of June. These numerical evaluations rank faculty and courses on a number of criteria that take the form of statements like, "The instructor taught the course well." Responses can range from 5 (the most favorable evaluation) to 1 (the least favorable evaluation). The tabulations indicate the number and percentage of enrolled students who provided responses to each question and provide an average score for each course. Hard copies of these evaluations are also available for your review at the circulation desk of the Edward Bennett Williams Law Library or in the Graduate Programs Office.

Course Prerequisites

In General. Some National Security courses list one or more courses as prerequisites. International Law I is the most common prerequisite. If you have taken the listed course at Georgetown or an equivalent course at another law school, then you have met the prerequisite and you do not have to request a waiver. If you have trouble registering, please contact the Registrar's Office ASAP at lawreg@law.georgetown.edu and ask for their help in registering. If you have not taken the prerequisite course or courses but believe you nonetheless possess the requisite knowledge, you may need to request a waiver from the professor.

In some cases you will need to request a waiver even if you have already taken the prerequisite at another school. Our registration system is not aware of courses you took at other institutions and will not

always recognize that you have a prerequisite. This generally occurs with J.D. courses that are not cross-listed with the LL.M. programs. J.D. courses are designated solely with a LAWJ prefix and do not have a matching section with a LAWG prefix. When registering over the summer, you may tentatively select such a course. Please note, however, that you will need to get the professor's written approval to waive the prerequisite and submit it to the Office of the Registrar before the end of the first week of classes. Waivers may be sought and obtained via e-mail. You may contact a professor by going to the "Faculty and Administration" section of www.law.georgetown.edu or by contacting our office at (202) 662-9036. If you are trying to reach an adjunct faculty, it is often faster to call our office as they sometimes do not put their contact information on our website.

Papers, Seminars and Writing Requirements

National Security Law LL.M. students are required to write a paper meeting the WR writing requirement for the LL.M. degree. Students are also strongly encouraged to take other writing courses that will hone their legal writing skills. Clear and persuasive legal writing is the most important single ingredient for success in practice. Further, getting a paper published or winning a writing competition can be very helpful to your career. Registering for Graduate Independent Research is a good vehicles for this.

The Law Library website has produced a helpful guide to researching National Security Law issues at: http://www.ll.georgetown.edu/guides/national_security.cfm. You may find it helpful to refer to this guide when looking for a paper topic or for sources. There are also additional International Law guides on related subjects (e.g., War Crimes and the International Criminal Court here: <http://www.ll.georgetown.edu/research/index.cfm>).

Part II: Courses Which Count Towards the LL.M. in National Security Law

To see the Fall and Spring semester courses which count towards the LL.M., go to the online curriculum guide under the "Schedules" tab, select the Fall or Spring schedule, and select LL.M. National Security Law from the drop down menu. Here is the link: http://www.law.georgetown.edu/curriculum/tab_schedules.cfm

NATIONAL SECURITY LAW LL.M.

The following courses count towards the required number of specialization credits for students pursuing a LL.M. in National Security Law.

Fall Semester 2011	Spring Semester 2012
<p><u>Biosecurity and the Law</u> <u>Constitutional Aspects of Foreign Affairs Seminar</u> <u>Domestic Preparedness Law and Policy</u> <u>Foreign Relations Law</u> <u>Global Revolutions, Social Change, and NGOs</u> <u>Good and Evil Seminar: The Role of Law in Shaping Character and Behavior</u> <u>Graduate Independent Research</u> <u>Intelligence Reform and the Modern Intelligence Community</u> <u>International Agreements</u> <u>International Courts and Tribunals: An Introduction</u> <u>International Human Rights Law</u> <u>Intersection of National Security and Race in a Post-9/11 America</u> <u>Law and Measures Against International Terrorism</u> <u>Law of War Seminar</u> <u>Managing National Security</u> <u>Maritime Law</u> <u>National Security Law</u> <u>Proseminar in National Security Law</u> <u>Refugee Law and Policy</u> <u>Rule of Law and the Administration of Justice</u> <u>UN Human Rights System Seminar</u> <u>War Crimes Prosecutions</u> <u>War Crimes, Terrorism, & International Criminal Procedure</u></p>	<p><u>Contemporary Peacekeeping: Legality, Legitimacy & Accountability</u> <u>Covert Action and Clandestine Special and Cyber Operations</u> <u>Current Issues in National Security and Civil Liberties Seminar</u> <u>Foreign Relations Law Colloquium</u> <u>Global Cybercrime Law</u> <u>Graduate Independent Research</u> <u>Habeas Corpus and Guantanamo Seminar</u> <u>Human Rights and US National Security Seminar</u> <u>Immigration Law and Policy</u> <u>Immunity Under International Law</u> <u>International Efforts to Combat Corruption Seminar</u> <u>International Law I</u> <u>International Law II: Trade and Business</u> <u>International Law and Covert Activities</u> <u>International Law, Human Rights & Fighting Impunity: Fighting War Crimes and Economic Crimes</u> <u>Law of War Seminar</u> <u>National Security & the Law of the Sea</u> <u>National Security Investigations and Litigation</u> <u>National Security Law & the Private Sector</u> <u>Nuclear Non-Proliferation Law: Preventing Nuclear Terrorism</u> <u>Offshore Financial Centers: Use and Abuse</u> <u>Refugees and Humanitarian Emergencies: Advanced Research Seminar</u> <u>Strategic Intelligence and Public Policy Seminar</u> <u>U.S. and International Customs Law</u> <u>U.S. Foreign Relations and National Security Law</u> <u>War and Peace Seminar: New Thinking about the Causes of War and War Avoidance</u></p>

Part III: Additional Courses of Interest

The titles of the courses which count towards the National Security Law LL.M. tend to give a good idea of their relevance to a particular course of study. Further information can be gleaned from the course descriptions. Additional questions as to whether a particular course fits well in one's course of study or other goals can be addressed to Tina Drake Zimmerman at draket@law.georgetown.edu.

However, many courses which do not count towards the LL.M. can be vital additions to your course of study. These courses may not focus exclusively on National Security issues, but they are areas of law that are related. I thought it useful to highlight some other courses that you might not otherwise think of taking. Please visit the online curriculum guide for the course descriptions of any of the below courses which interest you.

Administrative Law

(3 credits, several sections, LAWJ 025-##)

This can be an important course to understand the decision making process of federal agencies and may be useful if you are considering either working for an agency or within the lobbying sector in the future.

Anti-Corruption Laws and Enforcement Mechanisms - An International Approach

(2 credits, LAWG 834-08)

Professor Fredericks' course deals with the U.S. ethics rules for government officials and then compares them to other government's standards, which is useful if you ever need to deal with foreign government officials in your practice. Another two courses which deal with the U.S. ethics rules would be *Legal Politics* and *Government Ethics Law: Scandal & Reform*.

Art and Cultural Property Law Seminar: Indiana Jones and the Elgin Marbles

(2 credits, LAW 047-05)

Past offerings of this course examined the issues that arose in the second Iraq war when the military sought to avoid targeting thousands of cultural and historical sites and to prevent looting of cultural sites such as the Iraqi museum.

Crisis Communications Law

(2 credits, LAWG 981-08)

This course will examine the role of a private-sector lawyer during client crises; anticipating crises and exploring the anatomy of crises; how to investigate facts, develop messages, and communicate messages in a crisis; the nature of media today and how the news cycle works inside media outlets; the art and science of rapid response; and the legal and ethical issues raised by lawyers dealing with the media. Members of the media will occasionally join the class as guests. Professor O'Connor is an attorney, a Georgetown alum, and a former journalist. She spent 24 years in journalism, including time spent as CNN's bureau chief in Moscow and a white house correspondent during the Clinton years.

Environmental Law

(3 credits, LAWJ 146-07)

Environmental issues can come up in the operational context in both a planning and compliance, and which laws or executive orders, DoD Directives, and Regulations and Instructions of the Armed Services apply in an extraterritorial context. This course will cover the domestic regulation at the state and federal level, including NEPA, the National Environmental Policy Act. While the course will not be taught from a military or national security perspective, this background can be useful in understanding the "NEPA-like"

rules created in Exec. Order No. 12114 which govern the military.¹ NEPA could apply to the extent that actions taken outside the U.S. have an environmental impact in the U.S. Attorneys who advise defense contractors would likewise be interested in the domestic laws and regulations regarding environmental concerns.

Global Health Law

(4 credits, LAWG 493-08)

This seminar focuses on the legal tools in place to respond to Global Health issues, which can include controlling the spread of pandemics or intentionally released biological agents. Students can choose to write a paper with National Security implications in this developing area. Past students have noted ties between these issues, failed states, and the root conditions which drive membership for terrorist organizations.

Government Contracts

(2 credits, LAWG 202-07)

A useful course for those interested in defense contracting. This course analyzes the basic considerations in contracting with the federal government, including the sovereign's power to contract, the applicable statutes, regulations and executive orders, and sovereign immunity.

Government Ethics Law: Scandal & Reform

(2 credits, LAWG 376-05)

Covers the regulation of executive branch political appointees, members of congress, judges, and related staff. Those employed in the public sector may appreciate this class. Contrast this course with that of Professor Barbara Fredericks, entitled *Anti-Corruption Laws and Enforcement Mechanisms - An International Approach*. Professor Fredericks' course deals with the U.S. rules and then compares them to other government's standards, which is useful if you plan on dealing with foreign government officials in your practice. *Legal Politics* also covers the domestic U.S. side of this topic, as it focuses on lobbying rules and advising elected officials.

Immigration Law and Policy

(3 credits, LAWG 037-08)

Unlike the other courses listed here, this course does count towards the specialization credits of the LL.M.. However, I thought it worthwhile to highlight that immigration law is an important area of study. Many domestic security issues turn on citizenship and many security efforts focus on our country's borders. Many of the legal issues that arise when dealing with non-state actors hinge on issues which are explored in the context of the U.S. laws on citizenship and immigration

Intellectual Property in World Trade

(3 credits, LAWG 226-08)

Intellectual property issues are important for those interested in defense contracting or export controls. This course addresses the core international agreements governing intellectual property; norms and norm-making in the international intellectual property rights system; dispute settlement and the enforcement of rights; and tensions arising between intellectual property rights and distinct legal and cultural values.

¹ For further information, see Operational Law Handbook, pages 224-29 (Maj. Derek I. Grimes *et al.* Eds. 2006) at [https://www.jagcnet.army.mil/JAGCNETInternet/Homepages/AC/FiscalLaw.nsf/\(JAGCNetDocID\)/8BB6FE506E7256E48525712C0050FFE9/\\$FILE/2006%20Operational%20Law%20Handbook.pdf](https://www.jagcnet.army.mil/JAGCNETInternet/Homepages/AC/FiscalLaw.nsf/(JAGCNetDocID)/8BB6FE506E7256E48525712C0050FFE9/$FILE/2006%20Operational%20Law%20Handbook.pdf)

International Banking in the United States

(1 credit, LAWG 914-08)

The course will examine the supervision and enforcement scheme that the U.S. government applies to foreign banks and assess the evolving regulatory standards that apply to them, including capital standards under the new international Basel Capital Accord and regulatory requirements imposed by the USA PATRIOT Act of 2001.

International Trade Law & Regulation (2 or 3 credits, LAWG 966-10); or *International Trade* (3 credits, LAWG 244-08); or *International Trade* (3 credits, LAWG 244-08)

Focusing on private international law, trade, and some customs issues, one of these courses may be of use to those considering a career in defense contracting. The modern regulation of international trade arose in the last days of World War II as a measure to, in part, help prevent international economic obstructions that were seen as causes of war. One of these courses would be a useful addition to *U.S. and International Customs Law*, which is part of the National Security LL.M. program.

Investment and Trade Laws of the Middle East

(2 credits, LAWG 792-08)

This course may be relevant to those interested in defense contracting. Professor Mattar's course covers many of the legal aspects of doing business in the Middle East, including contract and labor law. What is different about doing business under this legal system? Consider that under Sharia (Islamic law), charging interest is forbidden. Provisions providing for interest are, of course, quite common in the West, but this is considered usury under Sharia. Islamic law is one of the three major legal systems in the world, with the other two being the common law and civil law systems.

Legal Politics

(2 credits, LAWG 938-08)

This course looks at the role of the lawyer as a political advisor to elected U.S. and foreign government leaders. The course also examines lobbying laws. Related courses are *Government Ethics Law: Scandal & Reform* and *Anti-Corruption Laws and Enforcement Mechanisms - An International Approach*.

Patent Law

(3 credits, LAWJ 332-01)

Intellectual property issues are important for those interested in defense contracting or export controls. Topics examined include eligible subject matter for patenting, conditions for patentability, patent specification and claim requirements, infringement, defenses and remedies.