

JD Certificate in International Law and Practice Certificate Courses

Certificate Courses Offered in Fall*	Certificate Courses Offered in Spring*
*Course offerings may vary based on faculty availability and student interest	
<i>Required Course/s</i>	<i>Required Course/s</i>
International Trade Law	International Business Transactions
	International Law and Practice
<i>Elective Courses</i>	<i>Elective Courses</i>
Global Compliance	Black Traditions in International Law
Human Trafficking – Advancing Protections for Children Practicum	Comparative Freedom of Speech
Human Trafficking Seminar	European Union Law
Humanitarian Law and Conflict	Global Access to Medicine: A Patent Perspective
Immigration Law and Policy	Humanitarian Law in Practice
International Children’s Rights	Immigration Practicum: Advancing International Human Rights Protections
International Commercial Arbitration & CISG	Information Technology and Human Rights
International Environmental Law	International Arbitration Public and Private Seminar
Introduction to the English Legal Profession	International Commercial Arbitration
“Othering” in the Law of Nations	International Human Rights
Refugee Law and Policy: Welcoming the Stranger	International Law Colloquium
	International Research
	International Tax
	London Comparative Advocacy Program
	Terrorism Prosecutions: Civil Rights & Executive Power in Theory and Practice
	The Use of Force in International and Domestic Law

REQUIRED COURSES

International Business Transactions

Professor: Margaret Moses

Last offered: Spring, 2023

Course Description:

An introduction to the legal aspects of international business. The course emphasizes what lawyers need to know to represent clients doing business in the 21st century. It covers international treaties like the Convention on International Sales of Goods (CISG), international letters of credit, international commercial terms, conflicts of laws, international trade policy, the Foreign Corrupt Practices Act, international corruption, international arbitration, and import and export issues and how to draft international agreements. Students will actually draft an international distribution agreement and will also deal with drafting issues for international agency agreements, international licensing agreements and international franchise agreements. A focus will be on advising clients who are doing international business, to help them engage in best practices and avoid pitfalls.

International Law and Practice

Professor: James Gathii

Last offered: Spring, 2023

Course Description:

This course introduces the structure of the international legal system, examining the sources of international law; the roles of states, individuals and other actors; methods of dispute resolution; and the status of international law in the U.S. The course examines topics of substantive law, including the use of force. Finally, the course examines how international law affects, and can be used in, domestic practice.

International Trade Law

Professor: James Gathii

Last offered: Fall, 2022

Course Description:

The primary goal of this course is to learn the fundamental or basic principles of the international trading system contained in the General Agreement on Tariffs and Trade (GATT) and the treaties of the World Trade Organization (WTO). Students will learn how rules of the GATT/WTO legal system are made and how they are used in domestic legal systems such as the United States. There are five additional learning goals in this course. First, students will gain factual knowledge about how the WTO is run and how disputes are resolved among WTO member countries. Second, students will learn to analyze and critically evaluate how GATT/WTO legal rules are applied in specific cases with a view to gaining and improving their problem-solving skills in international trade law. Third, students will gain a broader understanding of how law works in an increasingly global and heterogeneous world and how the proliferation of mega-regional trade agreements and trade wars and COVID-19 have affected the global trading regime. Fourth, the course will promote student interest in learning more about international law on their own, including where to find the resources they need for further study. Finally, the paper requirement in the course will develop writing and argument skills.

ELECTIVE COURSES

Black Traditions in International Law

Professor: James Gathii

Last offered: Spring, 2023

Course Description:

International Law has neglected the experiences and perspectives of African Americans, in particular, and of black peoples more generally. Yet, international law was central to justifying black subjugation through slavery, colonialism, and their aftermaths today. The purpose of this course is to uncover those hidden histories. In doing so, Black Traditions in International Law will express and foreground the goals, histories and thoughts of black struggle that are not represented in journals, books and other materials of international law that we use to teach international law today. The premise of the proposed course is that Black traditions have long offered visions of global order that challenge the color blindness embedded in accounts of international law. Black traditions counter visions of international law that order the world in accordance with predominantly European and white conceptions of hierarchy and order. They challenge distortions black and non-white peoples as inferior and therefore fair game for subjugation and dehumanization through practices such as slavery and colonialism and the continuing legacies of these practices to date. Learning Outcomes:

- (a) To demonstrate the centrality of international law both as a site that legally justified black disempowerment but also as a resource for black empowerment including through efforts by African Americans today through United Nations processes such as those established under the United Nations Convention on the Elimination of Racial Discrimination;
- (b) To demonstrate how racial differences have been mobilized to create and sustain inequality in a wide variety of places through rules of international law and why this is very important for understanding how domestic law intersects with race.
- (c) To unearth the various ways it is obscured or how it becomes invisible in international law and what international lawyers are doing about it.

Comparative Freedom of Speech

Professor: Allen Shoenberger

Last offered: Spring, 2023

Course Description:

This course will explore the first amendment provisions dealing with free speech, freedom of association and religion with particular emphasis on free speech and association in a time of terror. We will also study the European counterpart protections with significant stress on civil and criminal defamation.

European Union Law

Professor: TBD

Last offered: Spring, 2022

Course Description:

This seminar will provide a survey of the key Treaty provisions and legislation of the European Union (EU) and the key institutions of the EU that enforce these provisions. The course will focus on the so-called four freedoms of EU law: the free movement of goods, services, people, and investments. The course will also discuss the progress of the EU towards its long-term goal of the completion of a single European market and discuss selected areas of the substantive law of the EU, including competition law (antitrust). Students will prepare a paper on a mutually agreeable topic and submit an outline, first draft, and final version as well as present their topic in class toward the end of the seminar.

Global Access to Medicine: A Patent Perspective

Professor: Cynthia Ho

Last offered: Spring, 2023

Course Description:

This course considers how patents impact access to medicine in today's global economy. While there are many issues that impact access to medicine, patents are the highlight here because patents are often poorly understood yet have an enormous impact on access to medicine. After all, the existence of a lifesaving or sustaining drug is essentially of no utility if it is priced beyond reach. This class aims to broaden students' consideration of different views of patents in the context of exploring a growing web of international agreements that require nations to adopt specific types of patent laws that have implications for the cost of drugs. No prior knowledge of patents or international law is required, although students will learn some aspects of each by the conclusion of the course. Student grades will be based on class participation, as well as a final project and presentation; there will be no final exam.

Global Compliance

Professor: Art Weiss

Last offered: Fall, 2023

Course Description:

This course will offer students the opportunity to study significant areas of law from foreign jurisdictions that impact doing business abroad or foreign companies doing business in the U.S. A selection of areas of law that will be covered include the UK Bribery Act, European Union privacy regulation, technology transfer laws (including U.S. import-export controls), national security issues associated with doing business in certain companies and developing laws of emerging markets in Asia.

Human Trafficking -- Advancing Protections for Children

Professor: Katherine Kaufka-Walts

Last offered: Fall, 2023

Course Description:

The sexual exploitation and trafficking of minors has reached a crisis point, both in the United States and abroad. The United States Congress has responded to this ever-increasing threat by passing extensive legislative enactments aimed at deterring this pernicious activity, providing severe and often controversial punishment for those who engage in it. While federal and state prosecutions in this area are at an all-time high, law enforcement and prosecutors continue to miss critical opportunities because they fail to fully understand the nature of the threat and lack a solid grasp on the integrated arsenal of statutory tools at their disposal. Similarly, members of the judiciary, as well as victim advocates and pretrial service officers, may appreciate the laws on the proverbial books, but often lack familiarity with the sophisticated means employed by organized criminal groups and the role of public corruption involved in the large-scale exploitation of children. They also misunderstand the rationalization through which individuals engaged in the exploitation of children tend to self-justify their conduct and have never confronted the statistical realities challenging the belief in meaningful rehabilitation of sex offenders.

Put simply, although the complex and inter-related legislative anti-exploitation and anti-trafficking framework is now the firmly established law of the land, its theoretical and practical nuances are widely misunderstood, and indeed are all too frequently not understood at all, by the very professionals entrusted with the difficult task of protecting humanity's most vulnerable.

Human Trafficking Seminar

Professor: Virginia Kendall

Last offered: Fall, 2023

Course Description:

This seminar will start with the statutory analysis rendered more comprehensible through the vehicle of real-world examples from the experience of Judge Kendall who will explain the history and present-day reality of the federal response to child exploitation. The seminar will analyze the various laws that govern the roles of the stakeholders: prosecutors, defense attorneys, judges, immigration officials, pretrial services officers, and victim advocates. The seminar will further explore all of the victim issues that make these cases complex and challenging. Students will explore victims' needs, rights, and opportunities for redress including restitution and expungement of criminal records. Students will hear firsthand from federal agents who have prosecuted human trafficking cases, will see and hear the evidence presented to federal juries, will hear from a victim of the crime, and will learn from those victim advocates who seek to redress the harms inflicted upon victims.

Humanitarian Law and Conflict

Professor: Paul Kapfer

Last offered: Fall, 2023

Course Description:

This seminar examines the international rules regulating armed conflicts and other armed violence. Topics include the rights and responsibilities of states and individuals under international law, armed conflict identification and classification, the law of the sea, and rules regulating the conduct of fighters and other aspects of armed hostilities, and international human rights law. The course is designed to prepare students for competitions and/or future practice in these areas of law, such as in a government/military or non-governmental organization setting.

Humanitarian Law in Practice

Professor: Paul Kapfer

Last offered: Spring, 2023

Course Description:

This seminar meets for four hours each week during the first half of the spring semester. It is a scenario-driven course that further deepens a student's knowledge, understanding, and practical application of international humanitarian and human rights law. Students are required to prepare group presentations on assigned legal topics (Thursdays) and then participate in scenario-based, role-playing exercises that require practical application of the law (Saturdays). The final grade is determined by contributions to and performance during student group presentations on assigned international humanitarian and human rights law topics and role-playing practical exercises.

Immigration Law and Policy

Professor: Katie Vannucci

Last offered: Fall, 2023

Course Description:

This course is a survey of U.S. immigration law with an emphasis on immigration policy and current developments. This class is intended to provide a foundation on which to understand immigration law as it currently exists. Topics include the history and legal foundations of U.S. immigration law and will cover family and employment-based immigration benefits, criminal immigration provisions, grounds of inadmissibility, detention/removal, refugee and asylum law, and U.S. citizenship.

Immigration Practicum: Advancing International Human Rights Protections

Professor: Sarah Diaz/ Claudia Gonzalez

Last offered: Spring, 2022

Course Description:

Immigration law is one of the most complex, dynamic, and rewarding areas of practice. Yet, it is often viewed as a specialized field that rarely is connected to other public interest areas of law, including child and family law, poverty law, housing, education, health, and criminal justice. The goal of this course is to teach the current realities of immigration law as experienced in practice, and to show how it intersects other fields of public interest law in the pursuit of social justice. This unique course has a classroom component and a field-work component.

The class meets formally two hours per week in the evening to cover substantive immigration law issues, current topics/changes in immigration practice, and to develop practical skills tailored to the practice of immigration law practice and advocacy, with an emphasis on issues affecting families and children. Topics include family-based petitions, persons fleeing persecution, unaccompanied children, forced family separation, providing trauma informed services, intersection of family law and immigration law, and deportation defense. The course includes in-class simulations and role-plays.

Information Technology and Human Rights

Professor: Caroline Kaeb

Last offered: Spring, 2023

Course Description:

The course examines timely human rights issues pertaining to digital technologies (especially ICT) in the areas of data privacy, content regulation, and other on- and offline fundamental rights issues in a US, transatlantic and international context. The goal is to provide students with tools to advise corporate clients on how to navigate these cutting-edge legal challenges. There is an increasing number of highly topical and timely human rights issues pertaining to digital technologies and ICT confronting companies and their legal counsel, that this course will cover. Challenges around these emerging issues dominate the headlines almost on a daily basis and include biases in artificial intelligence, privacy issues in cross-border data transfers and innovative technologies (i.e. IoT, digital identity), disinformation and election integrity, government access to personal data (on public policy grounds, including public health, national security, etc.), hate speech and other harmful online content, cyberattacks, and internet shutdowns. The course also features an optional practicum component (for an additional credit hour) providing interested students with the opportunity to become engaged in a real-life project on the topic with an ICT company, relevant international body, think tank, multi-stakeholder initiative or any other entity intersecting in a systemic and impactful way with human rights issues in IT, domestically or internationally.

International Arbitration Public & Private Seminar

Professor: Margaret Moses

Last offered: Spring, 2022

Course Description:

This course will familiarize you with what has emerged as the primary means of resolving cross-border and multi-jurisdictional commercial disputes in today's global economy, international arbitration. You will first learn about international commercial arbitration, which is carried out between private companies having disputes over international commercial contracts. You will then focus on international investment arbitration, which is a dispute mechanism provided for by treaty that permits an investor to have recourse to international arbitration when a dispute arises, rather than to the courts of the host country. Throughout the course, you will explore the similarities and differences between international arbitration and the procedures used in common law (i.e., the U.S. and U.K.) and civil law (i.e., most of Europe, Asia and Latin America) systems. You will develop an appreciation for the cross-cultural nature of international transactions and disputes and attain a certain facility with key international arbitration rules, multi-lateral treaties, and arbitration provisions. Through review of relevant court decisions, you will develop an appreciation for the interplay between the arbitral authority and the national courts. You will learn when and why to enter into arbitration agreements as well as how to initiate proceedings and select arbitrators, present evidence and contest and enforce awards. This seminar will be interactive with some mock exercises, including negotiating, drafting, and oral advocacy in addition to class discussion.

International Children's Rights

Professor: Diane Geraghty

Last Offered: Fall, 2023

Course Description:

International Commercial Arbitration

Professor: J. Heffernan, R. Young, S. Ellwein, S. Kost, B. Brewster & K. Smith

Last Offered: Spring, 2023

Course Description:

The course uses as a focus the Willem C. Vis International Moot Arbitration Competition. Sponsored by Pace Law School, the Vis Moot is based on a problem governed by the U.N. Convention on Contracts for the International Sale of Goods (CISG). In the spring, an oral competition is held in two different venues, Vienna and Hong Kong. Recently, Loyola has been able to send a different team of students to each of the venues. The course includes about three weeks of study of the CISG, as well as approximately three weeks of study of international commercial arbitration, including basic laws and rules, how to draft an arbitration clause, how to choose an arbitrator, and how to participate in an arbitration as an advocate and as an arbitrator. While the first half of the semester is spent learning about the CISG and arbitration, the second half is spent putting that knowledge into practice. When the problem on which the Moot Competition is based comes online in October, students work collaboratively to draft Claimants' and Respondents' memoranda. The Claimant's memorandum is due in early December, and the Respondent's memorandum is due in late January. Students also present an oral argument before arbitrators from Chicago law firms, at the offices of the respective law firms. At the end of the semester, a second oral argument is held at the law school, after which students are chosen who will have the opportunity to compete in Vienna and Hong Kong during the spring semester, for an additional two hours of credit.

Through the emphasis on both brief writing and oral arguments, students make significant progress in their skills as advocates, as well as their understanding of dispute resolution in an international context. Their accomplishments have been well recognized in both competitions. More information about the Vis Moot is on the Pace Law School Website: www.cisg.law.pace.edu/vis.html.

Eligibility: If a student is part of a moot court team that will be arguing in the fall semester, he or she is not eligible to take this course, since this is a skills-based course requiring substantial out of class effort in both brief writing and oral argument. If a student is part of a moot court team that will be arguing in the spring semester, he or she is eligible to take the course in the fall but will not be eligible to compete to be an oralist in the Vienna or Hong Kong competition. Corboy Fellows are not permitted to take this course.

Important: Permission of the professor is required. In order to apply, please submit a resume and a statement of interest to Professor Moses, mmoses1@luc.edu explaining a little about your background, and why you are interested in taking this course.

International Commercial Arbitration and the CISG

Professor: Margaret Moses

Last Offered: Fall, 2023

Course Description:

The course uses as a focus the Willem C. Vis International Moot Arbitration Competition. Sponsored by Pace Law School, the Vis Moot is based on a problem governed by the U.N. Convention on Contracts for the International Sale of Goods (CISG). In the spring, an oral competition is held in two different venues, Vienna and Hong Kong. Recently, Loyola has been able to send a different team of students to each of the venues. The course includes about three weeks of study of the CISG, as well as approximately three weeks of study of international commercial arbitration, including basic laws and rules, how to draft an arbitration clause, how to choose an arbitrator, and how to participate in an arbitration as an advocate and as an arbitrator.

While the first half of the semester is spent learning about the CISG and arbitration, the second half is spent putting that knowledge into practice. When the problem on which the Moot Competition is based comes online in October, students work collaboratively to draft Claimants' and Respondents' memoranda. The Claimant's memorandum is due in early December, and the Respondent's memorandum is due in late January. Students also present two oral arguments: one at the law school before a panel of moot alumni, and one before arbitrators from Chicago law firms, at the offices of the respective law firms. At the end of the semester, eight students are chosen who will have the opportunity to compete in Vienna and Hong Kong during the spring semester, for an additional two hours of credit.

Through the emphasis on both brief writing and oral arguments, students make significant progress in their skills as advocates, as well as their understanding of dispute resolution in an international context. Their accomplishments have been well recognized in both competitions. More information about the Vis Moot is on the Pace Law School Website: www.cisg.law.pace.edu/vis.html.

International Environmental Law

Professor: Carmen Gonzalez

Last Offered: Fall, 2023

Course Description:

International Environmental Law introduces some of the legal and policy responses to global environmental degradation. The course begins with an introduction to the international legal framework within which international environmental law has developed and provides an overview of the major environmental problems confronting the international community. The course then examines a variety of global environmental problems and the legal regimes that have developed to address these problems. The emphasis throughout the course is on the relationship among environmental protection, economic development, and social development (the three pillars of sustainable development) and on the conflicting goals and priorities of affluent, middle-income, and poor countries. The North-South divide will serve as the key analytical framework through which the course will examine global environmental governance – with particular emphasis on environmental justice and on the perspectives and concerns of historically marginalized communities.

International Human Rights

Professor: Katherine Kaufka-Walts

Last offered: Spring, 2023

Course Description:

This course offers an introduction to the theory and practice of international human rights law. Through course readings and rigorous discussion, students will learn about international and domestic laws and institutions responsible for the creation and operation of the human rights regime. The course will examine sources of international human rights laws including treaties, customary international law, and domestic law. The course will evaluate international mechanisms involved in human rights protection including the United Nations, regional mechanisms (such as the Inter-American, European and African systems) and various national courts and hybrid tribunals tasked with enforcing international human rights law. In addition to legal theory, the course will help students understand the practice of human rights law with an eye toward understanding the place of the United States in the support of and adherence to human rights norms.

International Law Colloquium

Professor: James Gathii

Last offered: Spring, 2022

Course Description:

This seminar will examine select topics in contemporary international law practice and scholarship. Approximately every other week, the course will feature presentations of papers or works in progress by a leading international law scholar or practitioner. Students will submit short written comments of each paper in advance of its presentation. These comments will be sent to the speaker and the two-hour session will be devoted to discussion of the paper and these comments.

International Research

Professor: Stephen Rushin

Last offered: Spring, 2023

International Tax Law

Professor: Sam Brunson

Last offered: Spring, 2022

Course Description:

This course focuses on U.S. income tax issues with respect to the foreign activities of U.S. taxpayers and U.S. activities of foreign taxpayers. Particular emphasis is placed on the corporate taxpayer. Foreign tax systems are not addressed specifically except to highlight differences from the U.S. system. Specific topics include the foreign tax credit, sourcing rules, the "effectively connected" doctrine, the concept of trade or business in the U.S. Code section 482 allocations, subpart F income, and tax treaties.

Prerequisite: Federal Income Tax or Permission Required

Introduction to the English Legal Profession

Professor: James Faught

Last offered: Fall, 2023

Course Description:

This lecture series is a mandatory preparatory course for students who have been selected to participate in the annual London Comparative Advocacy Program. It explores a variety of issues pertaining to the English history and its legal professions. Topics include the history of the common law, the development of the English legal profession, English civil and criminal procedure, the modern legal professions and the history of London. (Permission is required.) This is a Perspective Elective course.

London Comparative Advocacy Program

Professor: James Faught

Last offered: Spring, 2023

Course Description:

Each year, students are selected to travel to London for about two weeks between semesters. In London, students engage in a number of activities focusing on the British legal professions, the system of advocacy in the U.K., and legal history. For students who hope to be selected for the program, completion of Evidence is recommended.

“Othering” in the Law of Nations

Professor: John Dehn

Last offered: Fall, 2023

Course Description:

This course examines the origins and development of Western political and jurisprudential thought that influenced the development of both international and domestic (“municipal”) law and legal systems. Its main purpose is to reveal, examine, and critique the thinking that led to “othering” in the law of nations, now known as international law. “Othering” in this context includes not only social, political and legal hierarchy or subjugation within a political-legal system, but also social, political, and legal exclusion of “others” from that system. This “othering” resulted in centuries of legal inequality in both international and U.S. law that influenced many things, such as: acceptable reasons and procedures for resorting to

armed force; human chattel slavery; summary punishment of those deemed “uncivilized,” and the subjugation of indigenous people, including dispossessing them of their native lands. Despite a fundamental shift toward “formal” legal equality in both international law and developed municipal legal systems, such as in the United States, there is still de facto legal and cultural inequality that arguably has roots in the actual legal inequality of earlier eras. This course unpacks these issues to provide insights into current manifestations of “othering” in international and American law and culture, and to inform possible solutions

Refugee Law and Policy: Welcoming the Stranger

Professor: Sarah Diaz

Last offered: Fall, 2023

Course Description:

Refugee law is one of the most dynamic and rewarding areas of law. Nonetheless, in observing the administration of refugee law, we bear witness to some of the United States' most egregious human rights abuses and the abandonment, in some cases, of the rule of law. The goal of this course is to teach students the history of the norm of non-refoulement, in doing so to understand how political, religious, racial and other minority groups are intended to be protected (from persecution, from torture, and from and from death). Students will learn the history of the Refugee Convention—for whom the document was written, and, consequently, who is left out of protection (considering for example the treatment of victims of private-sphere persecution or climate refugees). Students will learn the role of xenophobia, racism, and subjugation of the “other” in this case the “alien”-other in administering the rule of asylum law. The class will contain a comparative analysis of refugee law under various international and domestic systems. Finally, students will learn about the treatment of child asylum seekers in the United States—namely, the treatment of children as adults in miniature and the “othering” that facilitates this deviant practice.

Terrorism Prosecutions: Civil Rights & Executive Power in Theory and Practice

Professor: Joseph Ferguson/ Thomas Durkin

Last offered: Spring, 2023

Course Description:

This class will examine how terrorism cases are investigated, prosecuted, defended and punished. It will address how suspected terrorists are targeted and captured, including surveillance methods and interrogation techniques, as well as the questions of whether these measures are effective and potentially undermine well-established and deeply in-grained constitutional liberties and culture. It will cover classified evidence in the adversarial process—including how it is gathered, how it impacts charging decisions and trial strategies, and how courts manage it in adversarial proceedings. In addition to drawing out these issues as they operate in civilian courts, the course will also examine judicial alternatives, including the use of military tribunals or national security adjudicative systems in other constitutional democracies, as well as extra-judicial and judicially pre-emptive measures such as preventative detention, designations and the freezing of assets. Overarching issues that will animate our exploration will be the need for emergency rules and powers, the role(s) of the courts and counsel, and how well the U.S. legal system faces the challenge of balancing rule of law and civil liberty principles with the national security concerns in countering terrorism, both internationally and domestically.

This is a non-exam course. Grades will be based on (i) short written impression statements on assigned weekly readings which will be used as prompts for class discussion; (ii) classroom participation; and (iii) a 15–20-page paper on a topic of choice in the field. The class will include participation by guest speakers, including scholars and practitioners in the field. This is a Skills course.

The Use of Force in International and Domestic Law

Professor: John Dehn

Last offered: Spring, 2023

Course Description

This course introduces students to constraints on the use of force in international and U.S. domestic law. International law topics include: (1) a brief introduction to international law and legal theory; (2) the United Nations Charter and limits on the use of force between states; (3) the difference between armed conflict and law enforcement matters; (4) rules regulating the conduct of fighters during an armed conflict; (5) human rights law; and (6) the law of the sea. Domestic law topics include: (1) the general relationship between international law and the U.S. legal system; (2) the allocation of authority to use and limit the use of force under the U.S. Constitution; (3) domestic law regulating the conduct of armed hostilities; and (4) domestic statutes regulating the use of the armed forces for domestic law enforcement and other emergencies. The final grade is determined by a take-home final exam, class preparation and participation, and contributions to in-class group work.