To: All 2L and 3L JD students and all LLM students

Re: Mini-seminar series, Fall 2017

Once again, we will be offering upper-class mini-seminars both this fall and winter. As detailed below, they will meet with different frequencies and focus on different areas of substantive interest. Some of them will meet exclusively in the fall, some exclusively in the winter, and some will straddle both the fall and winter terms. There will be refreshments provided at all mini-seminars. All of the mini-seminars listed below will count for one academic credit and will be graded on a mandatory pass/fail basis. For mini-seminars which meet at professors’ homes, addresses will be provided to students admitted to the mini-seminars. The mini-seminar offerings that will meet in the fall or will start in the fall and continue into the winter are as follows:

**FALL 2017 MINI-SEMINARS**

**LAW 885 / 001 – Social Movements in the Internet Age**

- **Instructor:** Samuel Bagenstos
- **Offered:** Fall 2017
- **Credit:** 1
- **Enrollment Cap:** 12

**Meeting Information**

- **Dates:** Thursday 9/28 and Mondays: 10/9, 10/23, 10/30, 11/6 and 11/13
- **Time:** 6:00-8:00 PM
- **Location:** Professor Bagenstos’ home (about one mile from the Law School)

**Description**

Social movements play a crucial role in legal change. And today’s technology has had a massive effect on the development and course of social movements in the United States and around the world—sometimes to the benefit of those movements (by, for example, facilitating organization) and sometimes to their detriment (by, for example, promoting fragmentation). By discussing recent sociological work, we will examine the way that technology advances and impedes social-movement mobilization.

**LAW 885 / 002 – Legal Organizations and Their Funding Models**

- **Instructor:** Maureen Carroll
- **Offered:** Fall 2017
- **Credit:** 1
- **Enrollment Cap:** 12

**Meeting Information**

- **Dates:** Mondays: 9/25, 10/9, 10/23, 11/6, 11/20 and 12/4
- **Time:** 7:00-9:00 PM
- **Location:** Professor Carroll’s home (about one mile from the Law School)
What are the different mechanisms through which law firms and other legal organizations receive their funding, and what are the costs and benefits associated with each? This mini-seminar will address those questions with a particular focus on ethical risks, case selection, and the attorney-client relationship. We will discuss hourly billing, contingent percentage fees, fee-shifting statutes, class counsel fees, pro bono/low bono, and third-party litigation funding.

LAW 885 / 003 – Hard Feelings

Instructor: Scott Hershovitz
Offered: Fall 2017
Credit: 1
Enrollment Cap: 10

Meeting Information

Dates: Tuesdays and Wednesdays: 10/10, 10/18, 10/24, 11/1, 11/7 and 11/14
Time: 6:30-8:30 PM
Location: Professor Hershovitz's home (about one mile from the Law School)

Description

Who (if anyone) should we hate? resent? hold in contempt? And when (if ever) should we act on those attitudes, either on our own or through the legal system? These are some of the questions that we'll explore in this mini-seminar. We'll read some classic work in philosophy about forgiveness, resentment, and punishment. And we'll look at newer work, including Aaron James’s book *Assholes: A Theory*. We'll also think about how not to be an object of hard feelings, as well as what to do when you are.

LAW 885 / 004 – Promoting Social Justice Through Intergroup Dialogue

Instructor: Suellyn Scarneccia
Offered: Fall 2017
Credit: 1
Enrollment Cap: 10

Meeting Information

Dates: Tuesdays: 9/26, 10/10, 10/24, 11/7, 11/28 and 12/5
Time: 6:30-8:30 PM
Location: Michigan Union

Description

Learn to promote social justice by facilitating intergroup dialogue among your fellow law students. Using the University of Michigan’s nationally recognized model for intergroup dialogue, we will learn to bring small groups of law students together to improve
understanding across different social or political identity groups and to learn communication skills essential to successful lawyers. You will:

✓ learn and practice facilitation skills aimed at creating sustained and productive dialogue (not debate);
✓ explore individual social/political identities and their impact on students’ law school experience and professional identity;
✓ place individual experiences in the context of social and systemic forces that can promote and maintain inequality, including the legal system and profession; and,
✓ advance social justice through the development of related individual and group action plans.

Students must be willing to co-facilitate law student intergroup dialogues during the Winter 2018 term. The availability of the opportunity to serve as a co-facilitator will depend on law student demand for the intergroup dialogue course planned for Winter term. If you are asked to co-facilitate a dialogue during the Winter term, the time commitment will include 6 two-hour dialogue sessions, plus a one-hour planning meeting before each session. Students who co-facilitate will earn two course credits for their Winter term work, in addition to one credit for the Fall mini-seminar. Feel free to email Professor Scarnecchia (suellyns@umich.edu) if you have questions.

FULL YEAR 2017-18 MINI-SEMINARS

LAW 885 / 005 – Social Justice Lawyering

Instructors: Alicia Alvarez and Samir Hanna
Offered: Full Year 2017-18
Credit: 1
Enrollment Cap: 10

Meeting Information

Dates: Thursdays: 9/28, 10/19, 11/16, 1/25, 2/15 and 3/22
Time: 7:30-9:30 PM
Location: The homes of Professor Alvarez and Professor Hanna in Detroit.

Students will need to secure their own transportation. Students are encouraged to explore carpooling, cab services (Uber, Lyft, etc.), or short-term car rentals such as Maven. For students concerned about transportation, after registration contact Alicia Lixey (lixey@umich.edu) for a list of enrolled students interested in carpooling.

Description

This mini seminar will explore themes and issues in social justice lawyering. This mini seminar will explore the goals, rewards and challenges of social justice lawyering; the ethical, moral, and theoretical issues of a legal practice committed to bringing about broader social change; and career choices and the various paths for pursuing this type of work. The readings will deal with lawyers and group work; collective efforts and coalitions to bring about broader social change; strategies lawyers and advocates use when engaging in social change; and identity and privilege in social justice lawyering.
LAW 885 / 006 – Exploring Education Law Through Fiction & Film

Instructor: Debra Chopp
Offered: Full Year 2017-18
Credit: 1
Enrollment Cap: 10

Meeting Information

Time: 8:00-10:00 PM
Location: Professor Chopp’s home (about two miles from the Law School)

Description
In this mini-seminar, we will read books and watch movies that deal with interesting topics in education law. For example, we’ll discuss disability and special education after reading Sharon Draper’s book, “Out of My Mind,” poverty & race while watching the movie “Freedom Writers,” and charter schools while watching “Waiting for Superman.” Other topics will likely include bullying, desegregation, and school discipline.

LAW 885 / 007 – The Anatomy of a Supreme Court Case

Instructor: Richard Friedman
Offered: Full Year 2017-18
Credit: 1
Enrollment Cap: 12

Meeting Information

Dates: First session on Sunday 10/8, second on Sunday 10/22, then four of the following Sundays: 11/5, 11/19, 1/21, 2/18, 3/11 and 4/8
Time: 7:00-9:00 PM
Location: Professor Friedman’s home (about 1.5 miles from the Law School).

Description
An informal dinner will be served each time. Moot argument(s) may be at the Law School.

This course is meant to give students a perspective on the various stages of Supreme Court litigation: (1) the case selection process—in particular, what makes a case “cert-worthy” (that is, a good candidate for Supreme Court review) and how to write or oppose a certiorari petition; (2) how to write a brief that is geared to the Supreme Court’s unique role; and (3) oral argument. The course will use as its principal focal points cases to be argued this term. We will have at least one live moot—that is, a moot by a lawyer who will soon argue the case before the Supreme Court. And we will have at least one session devoted to a post-mortem of an actual argument.
LAW 885 / 008 – Business Development for Law Firm Associates

Instructor: Robert Hirshon
Offered: Full Year 2017-18
Credit: 1
Enrollment Cap: 10

Meeting Information
Dates: Tuesdays: 10/3, 11/7, 12/5, 2/6, 3/6 and 4/3
Time: 6:30-8:30 PM
Location: Professor Hirshon’s home (about one mile from the Law School)

Description
Ever wonder why some brilliant associates do not “make partner,” while others do? Or why some non-equity partners are never promoted to an equity partner? Increasingly it’s all about your “book” or “expected book” of business. This seminar will discuss the importance of demonstrating an aptitude for developing business in your law firm. We will discuss some of the following subjects: building client relationships, active listening, creating message triangles (elevator speeches), courting prospective clients, and meeting with clients and managing client expectations. I will also invite senior members of the Michigan Bar to discuss their approaches to business development and what they are telling associates in their firms. Additionally I will assist each student in developing an individual marketing plan (IMP) which seminar participants can use in their firms as summer or first year associates.

LAW 885 / 009 – Possible Futures for Capitalism

Instructor: Gabriel Rauterberg
Offered: Full Year 2017-18
Credit: 1
Enrollment Cap: 10

Meeting Information
Dates: Six or seven of the following Mondays: 9/25, 10/30, 11/27, 1/22, 1/29, 2/12, 2/19, 3/12 and 3/19
Time: 6:30-8:30 PM (dinner will be provided)
Location: Professor Rauterberg’s home (about one mile from the Law School)

Description
Despite several centuries in which to acclimatize to it, many societies remain deeply uneasy with capitalism as their principal mode of economic organization. This class will be dedicated to a sympathetic critique of aspects of capitalism and a thoughtful consideration of what the viable alternatives (or reforms) might be. We will read from a number of sources, including philosopher Joseph Heath’s Morality, Competition and the Firm, and think about deficiencies in how capitalism is currently organized and how we could improve upon it. Possible topics for analysis will include: the price mechanism; the
corporation, the design of other enterprises for organizing productive activity, and the appropriate objective of corporate managers; competitive labor markets; other models for organizing economic activity; the government’s role in providing goods within the economy; and the size and role of the welfare state.

REGISTRATION INFORMATION:

1. Interested students will use the Law School’s Class Bidding system to bid for mini-seminars. Class Bidding will open on the first day of classes to accept mini-seminar bids. To access Class Bidding, go to https://www.law.umich.edu/classbidding.

2. Students may list up to nine (9) mini-seminars in order of preference. There are almost always fewer seats in mini-seminars than there are students who seek to fill them. Therefore, if you are enrolled in a mini-seminar, you are expected to attend each session. Please do not sign up if you cannot make this commitment. Failure to attend even one mini-seminar session may result in your not receiving credit. If you drop a mini-seminar after you have been enrolled, you may be precluded from enrolling in mini-seminars in future terms.

3. Seats for mini-seminars are assigned randomly, except that students who have previously been enrolled in an upper-class mini-seminar are not considered for seats until after students who have never been enrolled in an upper-class mini-seminar. Proximity to graduation is not taken into account. That means a first-term 2L and a first-term LLM have the same chance of getting into a mini-seminar as a second-term 3L.

4. Unlike in the usual Class Bidding registration process for regular fall and winter term classes, during mini-seminar registration we place a higher priority on making sure that each mini-seminar gets filled than on making sure students get the mini-seminars they want most. Therefore, although your preferences will be taken into account, it is quite possible that you will be assigned a mini-seminar that is low on your list of choices. So, please list only those mini-seminars that you are absolutely certain you are willing to take.

5. No “prof picks” (please do not contact the professor about getting in).

6. Students who matriculated prior to May 2015 who have been given permission to exceed the maximum credit load and who are currently already carrying 16 credits this semester are not eligible to enroll for a mini-seminar, since the rules of our accrediting agency (the ABA) prohibit such a student from enrolling in more than 16 credits in a single semester.

7. Similarly, students who matriculated in May 2015 or thereafter who have been given permission to exceed the maximum credit load and who are currently already carrying 17 credits this semester are not eligible to enroll for a mini-seminar, since the rules of our accrediting agency (the ABA) prohibit such a student from enrolling in more than 17 credits in a single semester.

8. Students who will be graduating this December (mostly sixth-term summer starters) are only eligible to enroll for fall term mini-seminars 885/001, 885/002, and 885/003.
Timing and Deadlines

Mini-seminar registration begins Tuesday, September 5. **You must submit your requests in Class Bidding by Friday, September 8 at 5:00 PM.** Assignment results will be available in Class Bidding on Tuesday, September 12. An announcement will be made on MLaw Live when results are ready to view in Class Bidding. Class permissions will be entered into Wolverine Access for students to enroll themselves in their assigned mini-seminar. Selected students will receive an automated “Class Permission” email prompting them to enroll. **Students must enroll in Wolverine Access before the drop/add period ends on Wednesday, September 13 or forfeit their mini-seminar assignment.**

Coming Attractions

In the winter term, the following professors will be offering upper-class mini-seminars. Registration for these mini-seminars will not take place until January. If the professors have given us a description, we have included it, along with the title, below:

**WINTER 2018 (UPPER CLASS) MINI-SEMINARS**

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<thead>
<tr>
<th>#Employment Law: Employment Law and Social Media</th>
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<tbody>
<tr>
<td><strong>Instructor:</strong> Margaret Hannon</td>
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<td><strong>Offered:</strong> Winter 2018</td>
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<td><strong>Description</strong></td>
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<td>This mini-seminar will focus on social media in the context of employment law. Our discussion topics will include (1) when and how social media can be used in pre-hiring background checks; (2) whether employers should monitor employees' social media posts and what policies employers should have for use of social media by employees; (3) under what circumstances social media activity can be used as grounds for employee termination or discipline; (4) when an employer may be liable for employees' social media posts; (5) how to determine whether social media content authored by an employee belongs to the employee or the employer; and (6) when and how social media can ethically be used by attorneys in the course of employment-related litigation. In the course of our discussion, we will consider the perspective of both the employee and employer.</td>
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<th>Clones, Climate, and Computers: Science Fiction and the Law</th>
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<tr>
<td><strong>Instructor:</strong> Nicholson Price</td>
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<tr>
<td><strong>Offered:</strong> Winter 2018</td>
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<td><strong>Description</strong></td>
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<td>Forthcoming</td>
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The Israel-Palestine Conflict: Does International Law Matter at All?

Instructor: Steven Ratner
Offered: Winter 2018

Description

A lasting settlement to the seventy-year long conflict between Israel, on the one hand, and the Palestinians and Arab states, on the other, seems as elusive as ever. Lawyers have played a key role in public debate and negotiations over this issue, as the legal aspects are extraordinarily important to understanding the claims and grievances of the parties and the possibilities of a final peace. In this mini-seminar, we will explore see whether international law helps our understanding of this conflict by examining six issues: Zionism and the creation of the State of Israel; the Six Day War and the status of the Occupied Palestinian Territories; the Israeli regime of occupation of the West Bank and Gaza (including the Separation Barrier); the recent wars in Gaza; the right of return for Palestinians; and the status of Jerusalem. No background in the conflict or international law is required.

Documentary Work, Youth, and the Law

Instructor: Frank Vandervort
Offered: Winter 2018

Description

Documentary has been defined as “the ‘artistic representation of actuality.’” Documentary work may take any of numerous forms (including non-fiction writing, film, photography, painting or poetry). In this mini-seminar, we will sample several of these genres as applied to children and youth in the legal system. Looking from the perspectives of artists such as writers, filmmakers, and photographers we can learn how other perceptive persons view the legal system’s impact on young people.

For each seminar session, we will view a film, read a book or article, or engage with documentary works of photography or poetry. We will critically evaluate each documentary work’s approach to its subject matter—is it balanced and objective? What is the documentarian’s point of view? Can the documentary work properly be called propaganda? How do we as readers or viewers shape the message the documentarian seeks to convey? Finally, we will consider how the work’s artistic rendering, enhance or detract from the message the documentary work seeks to convey.

A sampling of the documentary works we will explore include: Murder on a Sunday Morning, which won an Oscar for documentary film, and depicts the trial of a 15-year-old charged with murder. The film follows the defense team as they investigate the case, move through the pre-trial phase of the proceeding and then at trial. We will read The Unprotected, in which award winning journalist Alex Kotlowitz tells the story of two boys—ages 7 and 8—who were tricked into falsely confessing to sexually assaulting and murdering a young girl and charged with these crimes before DNA evidence demonstrated that a neighborhood sex offender was actually responsible. Finally, we will read A Question of Freedom, in which Dwayne Betts tells of what it is like to be an adolescent tried, convicted and incarcerated for armed robbery, and tells the story of his redemption while in prison.