

# Law

## About the Program

The UC Berkeley School of Law offers a broad, three-year curriculum leading to the Juris Doctor (JD) degree. Berkeley Law educates students not only for the practice of law but also for all the varied roles lawyers perform in modern society. The law school provides an intellectually challenging course of study that imparts the theoretical and practical skills necessary for effective, creative, and responsible legal counseling and advocacy. To this end, Berkeley Law's curriculum is continually evolving and offers hundreds of courses, including dozens in its top-ranked Intellectual Property, International Law, Social Justice, and Environmental Law programs.

The school is a member of the Association of American Law Schools and is accredited by the American Bar Association. Its graduates are qualified to become applicants for admission to practice in any state of the United States.

Berkeley Law does not require or even recommend a specific pre-law major. To prepare for law school, students should take courses that help them develop written and oral communication skills; increase analytical and problem-solving skills; obtain broad exposure to the humanities and social sciences in order to understand the social context within which legal problems arise; and acquire a general understanding of economics, because many legal problems relate to the economic functioning of society.

In selecting specific courses, consultation with an undergraduate advisor may be desirable. Berkeley Law seeks a student body with a broad set of interests, backgrounds, life experiences, and perspectives.

The school also offers programs, mainly for foreign-educated attorneys, that lead to the degree of Master of Laws (LLM) or the degree of Doctor of the Science of Law (JSD).

## General Requirements

1. A minimum of 21 units of Law coursework
2. All students must enroll in courses for two academic year semesters.
3. All program requirements and coursework must be completed within three years of starting the program.
4. All students must take a minimum of 10 units and a maximum of 16 units per semester.
  - a. Students may submit an Academic Rules Petition to take an overload of 17 units or an underload of 9 units per semester.
5. Students may earn up to four units of credit for non-law/non-classroom coursework subject to the following limitations:
  - a. A maximum of two units for participating in a maximum of one independent research and writing project (Law 299);
  - b. A maximum of two units for participation in a maximum of one group research and writing project (Law 298);
  - c. A maximum of two units for participation in a maximum of one individual research or research assistant project (Law 297);
  - d. A maximum of one unit for participation in one journal course (e.g. Law 295.1A, Law 295.1G, Law 295.1J, Law 295.1S etc.);

e. A maximum of two units for participation in one advocacy competition (e.g. Law 295.3A, Law 295.3J, etc.);

f. A maximum of four units for graduate-level academic coursework at another U.C. Berkeley program such as Haas Business School or Goldman School of Public Policy as approved by the Dean of Students;

g. A maximum of four units for participation in a Judicial Externship or Field Placement (e.g. Law 295.6A, Law 295.6J, Law 295.8B, etc.);

6. Students may not count teaching and pedagogy coursework (e.g. Law 300 or Law 375P) toward the degree.

## Required Coursework for Foreign-Trained LL.M. Students with a first degree earned outside the U.S. or Canada

1. Complete the 3-unit Fundamentals of U.S. Law class (fall semester)

a. Law 208.9 Fundamentals of U.S. Law

b. Course description available at <https://www.law.berkeley.edu/academics/llm/traditional-llm/courses/>

2. Complete the 2-unit Legal Research and Writing class (fall semester)

a. Law 206.4A Legal Research and Writing for LL.M. Students

b. Course description available at <https://www.law.berkeley.edu/academics/llm/traditional-llm/courses/>

## Required Coursework for U.S. or Canadian-trained Students with a J.D. in Common Law

1. LL.M. Capstone Writing Requirement - Complete a paper of a minimum 15 pages in length in any class or through an independent study (Law 299).

a. Student must submit an LL.M. Capstone Writing Requirement Fulfillment form to the Registrar's office prior to the spring semester Add/Drop Deadline.

b. LAW classes that satisfy this requirement include:

206.4A sec. 001 Legal Research and Writing for LL.M. Students

206.4A sec. 002 Legal Research and Writing for LL.M. Students

206.4A sec. 003 Legal Research and Writing for LL.M. Students

206.4A sec. 004 Legal Research and Writing for LL.M. Students

206.4A sec. 005 Legal Research and Writing for LL.M. Students

206.4A sec. 006 Legal Research and Writing for LL.M. Students

206.4A sec. 007 Legal Research and Writing for LL.M. Students

206C sec. 001 Note Publishing Workshop

- 207.5 sec. 003 Advanced Legal Writing
- 207.5 sec. 004 Advanced Legal Writing
- 207.5 sec. 005 Advanced Legal Writing
- 208.1 sec. 001 Advanced Legal Research- Pathfinder
- 208.8 sec. 001 Foundation Seminar in the Sociology of Law
- 208I sec. 001 International and Foreign Legal Research
- 209.45 sec. 001 Psychology of Diversity and Discrimination in American Law
- 209.5 sec. 001 Research Design
- 210 sec. 002 Legal Profession
- 210.2A sec. 001 Workshop in Law, Philosophy & Political Theory
- 210.2B sec. 001 Workshop in Law, Philosophy & Political Theory
- 212 sec. 001 Critical Theory and Social Science Method
- 212.3 sec. 001 Critical Race Theory
- 212.8 sec. 001 Anti-Blackness and the Law
- 214.2 sec. 001 Law & Classical Social Theory
- 214.4 sec. 001 Advanced Interdisciplinary Workshop on Law
- 215.4 sec. 001 Foundations of Moral Philosophy
- 215.41 sec. 001 Responsibility in Law and Morality
- 215.5 sec. 001 Foundations of Political Philosophy
- 217.11 sec. 001 Law and Political Economy
- 217.12 sec. 001 Law and Economics Foundation Seminar
- 219.4 sec. 001 Poetic Justice: Dostoevsky, Nabokov and Literature in the Shadow of the Law
- 219.4T sec. 001 Courts, Lawyers and Justice in Film
- 219.9 sec. 001 Law and the Greek Classics
- 220.5 sec. 001 Constitutional Theory
- 220A sec. 001 Marijuana Law and Policy
- 220A1 sec. 001 Education Law and Policy: Access, Discrimination, and Constitutional Litigation
- 221.6 sec. 001 Education Law and Policy: Equity, Excellence, and Regulatory Strategies
- 221.74 sec. 001 Movement Lawyering from the Inside Out
- 221.74 sec. 001 Movement Lawyering from the Inside Out for 1Ls
- 221.75 sec. 001 From Social Movement to Legal Change
- 221.8 sec. 001 Statutory Implementation: Agency Policymaking through Regulation
- 223.1 sec. 001 Election Law
- 223.2 sec. 001 Advanced Administrative Law
- 223.21 sec. 001 Advanced Administrative Law: Trump and Obama Policies in Court
- 223.8 sec. 001 California Constitutional Law
- 224.22 sec. 001 Mental Health and the Law
- 224.23 sec. 001 Public Health Law
- 224.3 sec. 001 Social Justice Issues in Entertainment and Media Law
- 225.3 sec. 001 Interpretation in Constitutional and Statutory Law
- 226.12 sec. 001 Media Law and the First Amendment
- 226.2 sec. 001 Foreign Relations Law
- 226.8 sec. 001 Strategic Constitutional Litigation in Property Rights and Economic Liberty
- 230.2 sec. 001 Police Interrogations and Investigations: A Comparative Perspective
- 231.51 sec. 001 People, Prisons and the Pandemic
- 232.11 sec. 001 When Technology Meets a Criminal Case
- 232.9 sec. 001 Crimmigration
- 234.1 sec. 001 The School-to-Prison Pipeline
- 234.2 sec. 001 Criminal Justice Reform
- 234.21 sec. 001 Dismantling Mass Incarceration
- 234.22 sec. 001 Dismantling the Carceral State
- 241.3 sec. 001 Consumer Litigation: The Course of a Case
- 243 sec. 001 Appellate Advocacy
- 243 sec. 002 Appellate Advocacy
- 243 sec. 003 Appellate Advocacy
- 244.61 sec. 001 Multidistrict Litigation: The New Reality of Class Actions and Mass Torts
- 244.8B sec. 001 Mediation Practicum
- 245 sec. 003 Negotiations

- 245 sec. 004 Negotiations
- 245 sec. 005 Negotiations
- 245.9 sec. 001 International Business Negotiations
- 246.3 sec. 001 Depositions
- 247.1 sec. 001 Regulation of Capital Markets and Financial Institutions
- 247.11 sec. 001 Consumer Financial Regulation
- 248.2 sec. 001 Bioethics: From Nuremberg to Modern Times
- 248.62 sec. 001 The Law and Economics of Complexity
- 249.4 sec. 001 Financial Management of Non-Profits
- 251.21 sec. 001 Business Strategy in the Global Political Economy
- 251.7 sec. 001 Business in Society
- 256 sec. 001 Transactional Drafting for LL.M. Students
- 256.2 sec. 001 Transactional Drafting
- 256.2 sec. 002 Transactional Drafting
- 256.3 sec. 001 Understanding and Drafting Business Documents
- 260.1 sec. 001 Tax Policy and Public Finance
- 261.17 sec. 001 International Organizations
- 261.21 sec. 001 Foreign Investment Arbitration Seminar
- 261.22 sec. 001 International Commercial Arbitration Seminar
- 261.73 sec. 001 Self Determination of Peoples in International Law
- 262.5 sec. 001 Comparative Constitutional Law
- 262.62 sec. 001 From Minority Rights to Human Rights -- 1878 to the Present
- 262.65 sec. 001 Human Rights and Social Justice Writing Workshop
- 262.68 sec. 001 Human Rights and War Crimes Investigations
- 263.1 sec. 001 Advanced Topics in Corporate Governance: A Comparative Analysis of the U.S and Asia
- 264.1 sec. 001 Ocean and Coastal Law
- 264.5 sec. 001 Comparative Equality and Anti-Discrimination Law
- 264.6 sec. 001 Health and Human Rights in Times of War and Peace
- 265.2 sec. 001 Asian Legal Systems
- 267.31 sec. 001 Civil Rights in American History
- 267.4 sec. 001 Law & History Foundation Seminar
- 271.5 sec. 001 Environmental Law Writing Seminar
- 271.51 sec. 001 Environmental Law Writing Seminar II
- 271.6 sec. 001 Science and Regulatory Policy
- 273.63 sec. 001 Public Lands and Natural Resources Law
- 275.32 sec. 001 Network Neutrality Seminar
- 275.65 sec. 001 Transnational Intellectual Property Law
- 275.66 sec. 001 Chinese IP Law
- 276 sec. 001 Technology for Lawyers
- 276.32 sec. 001 Topics in Privacy and Security Law
- 276.35 sec. 001 Social Media Law
- 276.67 sec. 001 Advanced IP: Theories of Innovation Policy and Culture
- 276.85 sec. 001 Intro to Information Privacy
- 277.3 sec. 001 Patent Litigation
- 277.7 sec. 001 Art and Cultural Property Law
- 278.33 sec. 001 Advanced Copyright Seminar
- 280A sec. 001 Law and Technology Writing Workshop
- 282.1 sec. 001 Domestic Violence Law Seminar
- 283 sec. 001 Representing Low Wage Workers
- 283.4 sec. 001 Advanced Civil Rights
- 285.4 sec. 001 Consumer Protection Law
- 285.62 sec. 001 Animal Law
- 285.85 Community Economic Development
- 286.32 Civil Liberties in a Pandemic
- 286.51 Federal Indian Law Writing Seminar
- 286.6 Race, Sexuality and the Law
- 286.81 Transgender Rights & The Law
- 287 Disability Rights
- 299 Independent Research and Writing

## **Additional Coursework Required for Thesis Track (<https://www.law.berkeley.edu/academics/llm/ll-m-thesis-track/courses/>) Students**

Thesis Track students must complete the coursework requirements described above in Section General Requirements and Required Coursework, as applicable, and must additionally:

1. Complete six units of Thesis Track Independent Study, completed in one of two ways:
  - a. two units of 325A in the fall semester, followed by 4 units of 325B in the spring semester; **OR**
  - b. six units of 325AB taken during the spring semester
2. Complete an original thesis in the form of a substantial research and writing project that is of publishable quality and roughly 50-60 double-spaced pages. The thesis paper is due by the last day of instruction in the spring semester.

## **General Requirements**

1. A minimum of 24 units of Law coursework
2. Three consecutive terms of enrollment: spring, summer, and fall in the same calendar year.
3. Eight units of mandatory coursework must be completed online in the spring and fall terms.
4. The student's remaining units must be completed in the intervening summer term.
5. During the summer term, students must take a minimum of 10 units and a maximum of 16 units.
  - a. Students may submit an Academic Rules Petition to take an overload of 17 units for the summer term.
6. All program requirements and coursework must be completed within three years of starting the program.

## **Required Coursework for Foreign-Trained LL.M. Students with a first degree earned outside the U.S. or Canada**

1. Complete the 3-unit Fundamentals of U.S. Law class (spring semester, online)
  - a. Law W208.9 Fundamentals of U.S. Law
2. Complete either 3-units of Intellectual Property or 3-units of Business Associations (spring semester, online)
  - a. Law W275.3 Intellectual Property Law
  - b. Law W250 Business Associations
3. Complete 2-units of Legal Research and Writing for LL.M.s (summer term)
  - a. Law 206.5S LLM Legal Research and Writing
4. Complete the 1-unit Capstone Project (fall semester, online)
  - a. Law W206.6 Capstone Writing Workshop

## **Required Coursework for U.S. or Canadian-trained Students with a J.D. in Common Law**

1. Complete 6 units of online courses during the spring semester
  - a. Law W208.9 Fundamentals of U.S. Law (3- units)
  - b. Law W275.3 Intellectual Property Law (3- units); or
  - c. Law W250 Business Associations (3- units); OR
2. Complete the 2-unit Legal Research and Writing class (summer term)
  - a. Law 206.5S LLM Legal Research and Writing;
  - b. Law 206.51S LRW: Advanced Scholarship;
3. Complete the 1-unit Capstone Project (fall semester, online)
  - a. Law W206.6 Capstone Writing Workshop

## **General Requirements**

1. A minimum of 24 units of Law coursework
2. Two consecutive summers of enrollment. Students will not receive credit for courses taken at the law school during the academic year.
3. Students must take a minimum of 10 units and a maximum of 16 units each summer.
  - a. Students may submit an Academic Rules Petition to take an overload of 17 units for the summer term.
4. All program requirements and coursework must be completed within three years of starting the program.

## **Required Coursework for Foreign-Trained LL.M. Students with a first degree earned outside the U.S. or Canada**

1. Complete the 3-unit Fundamentals of U.S. Law class during their first summer
  - a. Law 208.9S Fundamentals of U.S. Law
2. Complete the Capstone Writing Requirement by completing 2-units of Legal Research and Writing for LL.M.s during their first summer
  - a. Law 206.5S LLM Legal Research and Writing

## **Required Coursework for U.S. or Canadian-trained Students with a J.D. in Common Law**

1. Students who have earned a J.D. in Common Law from the U.S. or Canada may request a waiver of the requirement to take Fundamentals of U.S. Law.
  - a. Law 208.9 Fundamentals of U.S. Law (3- units)
2. Complete the Capstone Writing Requirement by completing 2-units of Legal Research and Writing for LL.M.s during their first summer

### a. Law 206.5S LLM Legal Research and Writing

Earning the Juris Doctor (J.D.) (<https://www.law.berkeley.edu/academics/jd/>) requires:

- 85 units
- Completion of first year courses ([www.law.berkeley.edu/academics/jd/first-year-curriculum/](http://www.law.berkeley.edu/academics/jd/first-year-curriculum/) (<https://www.law.berkeley.edu/academics/jd/first-year-curriculum/>))
- residence for 6 semesters
- completion of moot court (included in 1st year required courses)
- completion of Law 220.6, constitutional law
- completion of a course in professional responsibility
- completion of 6 units of experiential courses
- completion of the writing requirement

Students are limited to no more than 18 units of non-law/non-classroom units ([www.law.berkeley.edu/wp-content/uploads/2020/06/JD\\_Units\\_Restriction\\_Summary2020.pdf](http://www.law.berkeley.edu/wp-content/uploads/2020/06/JD_Units_Restriction_Summary2020.pdf) ([https://www.law.berkeley.edu/wp-content/uploads/2020/06/JD\\_Units\\_Restriction\\_Summary2020.pdf](https://www.law.berkeley.edu/wp-content/uploads/2020/06/JD_Units_Restriction_Summary2020.pdf)))

## 1. Completion of J.S.D. Legal Scholarship Seminar (1 unit, fall semester):

The seminar will provide students with a foundation for conducting in-depth legal research and support the students with developing their proposed dissertation project. It will explore the following: different types of research, how to plan a research project, research methodology, and review available organizational tools. Students will also gain a better understanding of what research resources are available on their chosen topics. Students will have opportunities to discuss their research projects and ideas with the group and participate in constructive discussion and feedback. At the end of the seminar, students will have made progress on developing an outline/prospectus on their proposed dissertation project. By Academic Rules Petition submitted within the first two weeks of classes and for good cause shown, a student may be permitted to substitute another similar seminar for this one.

## 2. Completion of the following required courses during the first year:

- One unit of J.S.D. Legal Scholarship Seminar (described above);
- At least 12 units per semester of independent study (299A in the fall and 299B in the spring) to be devoted to the student's own research.

Any additional coursework must be approved by the student's faculty adviser and the J.S.D. Program Faculty Director.

With prior approval from the J.S.D. Program Faculty Director, a student may be permitted to enroll in fewer than 12 units of independent study in a given semester in order to allow them to take a teaching pedagogy course in addition to one other course.

## 3. Submission of Fall and Spring Semester Progress Report and Course Approval forms:

During every semester of the J.S.D. program (including the first year), a student must complete and submit a "Progress Report and Course Approval" form to the ADP Office by the CalCentral Add/Drop deadline in Fall and Spring semesters. Each semester's form must detail:

1. The progress the student has made toward the goals set out in his/her last report (explaining deviations from these goals, if any)

2. Goals for the upcoming term, including a timetable for completion of those goals
3. Course enrollment for the semester.

The form must be signed by the student's faculty adviser. It must also be signed by the J.S.D. Faculty Director to approve any coursework beyond independent study. Timely submission of Progress Report and Course Approval forms is required to maintain a student's good standing in the J.S.D. program. Late submission puts a student's status at risk.

## 4. Formation of Committees:

By the Spring semester of the first year, in consultation with the student's faculty adviser, the student must identify 4 faculty members to serve on their Qualifying Exam (QE) committee and 3 faculty members to serve on their dissertation committee. Each committee must have a Chair, an Academic Senate Representative (ASR), and one or more additional member(s). The chair of the dissertation committee must be the student's primary faculty adviser; the chair of the oral exam committee must be a faculty member from the law school other than the student's primary adviser. All committee members must be members of the UC Berkeley Academic Senate (i.e., tenured or tenure-track faculty) unless an exception is granted by the Graduate Division.

## 5. Qualifying Examination:

The Qualifying Examination for J.S.D. candidacy should take place in the Spring semester or summer of the first year (and no later than Fall semester of the second year). The focus of the examination will be on the student's proposed dissertation project. Successful passage of the QE is required before advancement to candidacy. At least three weeks before the QE is to take place, students must apply to take the exam by submitting the Higher Degree Committees/Qualifying Exam eForm in CalCentral. It is the student's responsibility to arrange a date and time for the exam that works for all committee members.

## 6. Submission of Abstract/Prospectus:

Two weeks prior to taking the QE, the student must submit to the QE committee a substantial piece of writing outlining a proposed dissertation project, in either of the following forms:

1. A short abstract (one page), plus a table-of-contents-like outline of the dissertation as a whole, plus one chapter of minimum 20 pages, **OR**
2. A minimum 20-page prospectus of the dissertation, providing a detailed discussion of the questions to be addressed, relevant literature and arguments surrounding the topic, and proposed research strategy for addressing the topic.

Where the student plans to write multiple shorter papers instead of a single long paper, he or she should submit either:

1. A 20-page draft of one of the papers plus short paragraph abstracts of the other two; or
2. Multiple shorter prospectus-like summaries of each paper, of a minimum of six pages each.

## 7. Application for Candidacy:

A student will be eligible for J.S.D. candidacy once the student has passed the oral examination and successfully completed all required coursework. The student must submit the Higher Degree Committees/Advancement to Candidacy eForm by the end of the semester in which the student completes candidacy requirements. If a student will be

working with human subjects or animals, then the student must also complete training in human subjects research by taking and passing the online CITI Program, a basic course in the Protection of Human Research Subjects. Before beginning research, students must obtain approval for their research protocol from the Committee for Protection of Human Subjects.

## **8. Continuous Enrollment:**

Once advanced to candidacy, students must maintain their student registration by enrolling in 12 units of independent study per semester for the duration of the program. Upon advancing to candidacy, a J.S.D. candidate must focus primarily on the research and writing of the dissertation.

## **9. Duration of Program**

All program requirements including coursework and the dissertation are to be completed within three years. Extensions of time will be considered on a case-by-case basis; if granted, students must enroll only in independent study and may not take additional coursework. Extensions of time will not include an extension of the nonresident tuition waiver (if applicable) or any financial support from the law school, if previously awarded. After five years, candidacy will lapse and may not be reinstated except in extremely extenuating circumstances.

## **10. Filing of Dissertation**

An electronic copy of the dissertation must be filed with the Graduate Division no later than the last day of the semester in which the student intends to graduate. A copy of the Receipt of Filing must be submitted to the Registrar's Office within one week of filing. The dissertation must consist of original work in the form of a monograph or three shorter papers suitable for publication, and constitute a substantial contribution to learning in the field of research. Publishable papers and article-length essays are acceptable only if incorporated into a larger argument that binds together the dissertation as a whole. Inclusion of a student's already-published work in the dissertation requires advance approval by the Graduate Division (for details, see <http://grad.berkeley.edu/academic/progress/dissertation/>). All student dissertations will be archived at the University Library.