

PRELIMINARY COURSE SYLLABUS — June 1, 2009
Computers and the Law (2 Credits) IT-803
The John Marshall Law School-Chicago
Summer Semester 2009

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OBJECTIVE: This seminar seeks to bridge the gap between common and statutory law concepts and problems introduced by the digital computer. Students have an opportunity in this seminar to examine various disciplines in the law from the perspective of modern day computer technology-oriented problems. Subjects include an introduction to computer systems, hardware and software; legal aspects of sale or lease of computer goods and services; issues of contract and tort liability relative to marketing and use of computers; special problems in commercial, intellectual property and information law arising from computer use.

CLASS DATES: The course is “bootcamp” style. We have 5 meetings over the course of seven days. Meetings are from 10:00am – 4:00pm. We will have a 1 hour break for lunch. Meeting dates are: Monday 6/22, Tuesday 6/23, Wednesday 6/24, Thursday 6/25, Friday 6/26. I will provide you the room number by email as soon as I receive it from the school.

ATTENDANCE: In accordance with ABA requirements for accredited law schools as adhered to by The John Marshall Law School, students may not be absent from more than 25% of class time if they are to receive a passing grade. That means with our intense, one-week schedule, if you miss more than one day of class John Marshall’s rules do not allow you to pass the course. If you are unable to attend class, for whatever reason, please let me know (preferably in advance) so that we can make special arrangements as may be necessary and appropriate. Failure to abide by this policy may result in the withholding of course credit or a failing grade, subject to the determination of the Professor and school administration.

GRADING: Students will be graded both on their classroom discussion participation, work on in-class team research projects and presentations, and their

completion of one written exercise. Active contributions are key to the learning process of this course. 40% of your grade will be determined by your classroom discussion participation, 20% based on your in-class team research projects and presentations, and the remaining 40% based on your final written paper. Student work will be evaluated for a demonstration of effort, resourcefulness, creativity, professionalism and presentation. The course is not curved and J.D., LL.M., and M.S. students' relative experience and expertise will be taken into account in the grading.

An appropriate rule of thumb when completing any assignment, whether an in-class presentation or your final written assignment, is to think about whether the work product that you are handing in is something you would feel comfortable giving to the managing partner of a law firm for review. If you would not turn it in to your supervisor at work, please do not give it to me. In addition, I prefer depth over breadth. In the past, the worst papers simply summarize the current state of the law or technology. The best present the current state and then creatively assess what the future is likely to hold and/or what it *should* hold.

**READING
ASSIGNMENTS:**

The syllabus below contains the general outline of the course. This outline may change as the course proceeds.

There will be readings of cases and other supplemental materials for each class. Links to that material and a copy of this document will be emailed to you. If you have not received the assignments via email by noon on June 14, please contact me directly by email or phone to confirm I have your address right.

You are also required to subscribe to and read Professor Michael Geist's BNA Internet Law eNewsletter. It is free and sent daily during the week. It covers many recent news on many of the topics we will be discussing in class. Sign up to receive it at: <http://ecommercecenter.bna.com/>. I encourage you to sign up as soon as possible and read the newsletter and the articles it links to in the weeks leading up to the course, as well as during the course itself.

In the past there have been two primary books that were a part of the course. Because of the "bootcamp" format I am not requiring these books. However, I believe they are still useful and would recommend them:

"[The Cuckoo's Egg](#)," Clifford Stoll, ISBN: 0743411463

"[Crypto](#)," Steven Levy, ISBN: 0140244328

Both are available in paperback editions via online and offline booksellers (e.g., Barnes & Nobel or amazon.com). Students in the past have found them all relatively light, enjoyable reading that will introduce some of the

technical and legal concepts we will discuss in the course.

**IN-CLASS
RESEARCH:**

Class time will be divided between two different elements: discussion of the topic of the day and in-class research assignments and presentations. The later is designed to help you apply some of the skills and knowledge we will have discussed in class to a particular, practical example.

Typically, you will work with one or more other students to complete the in-class research assignment. Teams will rotate throughout the week, so you will not work with the same person for every research project.

Teams will present findings of their research to the class at the end of each in-class research project. Presentations will be relatively informal, however they will factor into your final grade. The best presentations will be enthusiastic, on-topic, thorough, and creative.

While not mandatory, it will be helpful for you to bring a laptop to class and ensure that it is setup to connect to the John Marshall wireless network. Students without laptops may use the computer labs for any research that requires Internet access. If you have questions about getting your laptop setup, please see the JMLS IT department for help prior to the beginning of the course. While laptops will be used for the in-class research projects, students are strongly discouraged from keeping their laptops “up” during discussions. Doing so will negatively impact your class participation grade. If you have a medical need that requires your use of a laptop during our discussions, please let me know in advance so I can make accommodations.

**WRITING
ASSIGNMENT:**

As your final exercise in the class you will complete a writing assignment. I will provide details on the writing assignment at the beginning of our final class meeting. While there will be flexibility in the final writing assignment, I expect that the best papers will be between 8 – 12 pages and cover an analysis of one or more of the topics discussed in class.

In order to provide you sufficient time to think about what you want to write and craft a polished essay, writing assignments will not be due until 4 weeks after our last class meeting (**Friday, July 25, 2009 before 11:59pm Central Time**). You may send your papers in early if you complete them before the due date. You should email your papers as attachments to the email address listed under my contact information at the top of this syllabus. As soon as I receive your message and confirmed I can open the attachment, I will reply to your email confirming that I received your paper. Until you receive a message back from me, please do not assume I have received your paper.

Late papers will have up to a full grade deducted for every day they are late, beginning Saturday, July 25, 2009 at 12:00am Central Time. If you know

you are going to need to turn your paper in late, please let me know as far in advance as possible. The further in advance you provide me notice, the more likely it is we will be able to work out an accommodation.

**OFFICE
HOURS:**

I am always accessible via e-mail or by telephone to address any questions or concerns you may have. I will make a diligent effort to respond to any inquiries within 24 hours. Please understand that at times, however, due to my own matters outside of teaching, it may take me longer to address your issue.

Unspam's office is located in Utah and I will not be in Chicago until a few days before the beginning of the course. However, do not hesitate to contact me via email or telephone if you have questions prior to our first meeting. During the week class is in session I will try to make myself available after class for any questions you have. During that time I will be checking email regularly and will also be available via my cell phone.

I am looking forward to having each of you in my class this summer and hope, above anything, that our course will provide you with a solid foundation on which to build an understanding of this exciting area of the law.