

72d Graduate Course
Electives Catalog



Academic Year 2023-2024

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Elective Quarters

3rd Quarter: 9 Jan – 8 Mar 2024
4th Quarter: 18 Mar – 3 May 2024

Table of Contents

ACADEMIC DEPARTMENT (AD)	3
INDEPENDENT LEGAL STUDIES (ILS) PROGRAM - (E_51/52).....	3
PRINCIPLED COUNSEL IN JUDGE ADVOCATE PRACTICE (ED15)	4
LEGAL LESSONS FROM THE HISTORY OF WARFARE - (ED25)	4
LEADERSHIP CENTER	5
HOLISTIC WELLNESS AND LEADERSHIP (ED 17).....	5
PROFESSIONAL COMMUNICATIONS PROGRAM (PCP)	6
EXPANDED RESEARCH PAPER ELECTIVE (E__44A).....	6
THESIS ELECTIVE (E__43).....	6
WRITING COMPOSITION AND STYLE (EA53)	6
ORAL HISTORY PROGRAM (EA47)	6
ADMINISTRATIVE AND CIVIL LAW DEPARTMENT (ADA)	8
ADVANCED ADMINISTRATIVE INVESTIGATIONS	8
ADVANCED MILITARY PERSONNEL LAW - (EA03).....	8
SPECIAL TOPICS IN ADVANCED CLIENT SERVICES - (EA14).....	9
ADVANCED TOPICS IN GARRISON FUNDING (EK06).....	9
ADVANCED ADMINISTRATIVE INVESTIGATIONS - (EA56B)	9
SPECIAL TOPICS IN ADMINISTRATIVE AND CIVIL LAW (EA06)	10
ADVANCED STANDARDS OF CONDUCT (EA05)	10
SPECIAL TOPICS IN ADVANCED FEDERAL LITIGATION - (EA12)	10
VETERANS BENEFITS AND MILITARY RETIREMENT PLANNING – (EA07)	11
CRIMINAL LAW DEPARTMENT (ADC)	12
DIGITAL EVIDENCE FROM THEORY TO PRACTICE - (EC10).....	12
ADVANCED CRIMES AND DEFENSES - (EC16).....	12
ADVANCED TOPICS IN PROFESSIONAL RESPONSIBILITY - (EC18)	12
APPELLATE LITIGATION - (EC77).....	13

OVERVIEW OF THE DEATH PENALTY IN THE MILITARY – (EC12)	13
CRITICAL ANALYSIS OF THE MILITARY JUSTICE SYSTEM (EC20)	14
RIGHTS OF THE ACCUSED - (EC15).....	14
HISTORY AND EVOLUTION OF VICTIMS’ RIGHTS - (EC19)	14
ADVANCED EVIDENCE ANALYSIS - (EC14)	15
TRIAL ADVOCACY: BUILDING TRIAL SKILLS – (EC22)	15
PREPARING JUSTICE LEADERS – (EC25)	15
SJA DEVELOPMENT FOR MARINES (EA19).....	16
NATIONAL SECURITY LAW DEPARTMENT (ADN).....	17
NATIONAL SECURITY LAW PROSEMINAR I – (EN01).....	17
WAR CRIMES AND ATROCITY LAW– (EN39)	17
INTELLIGENCE LAW – (EN60).....	17
CYBER AND INFORMATION OPERATIONS I (EN40)	18
LAW OF SEA, AIR AND SPACE OPERATIONS - (EN28).....	18
NATIONAL SECURITY LAW PROSEMINAR II (ADV. NSL) – (EN02).....	19
CHINA: STRATEGY AND LAW - (EN27)	19
CYBER AND INFORMATION OPERATIONS II – (EN41)	20
ADVANCED CONTINGENCY OPERATION FUNDING (EK07)	20
ADVANCED TOPICS IN THE LAW OF ARMED CONFLICT (EN29).....	20
CONTRACT & FISCAL LAW DEPARTMENT (ADK).....	22
ADVANCED TOPICS IN GARRISON FUNDING (EK06).....	22
ADVANCED ACQUISITIONS I – REQUIREMENTS PLANNING AND DEVELOPMENT - (EK01).....	22
ADVANCED ACQUISITIONS II – CONTRACT FORMATION - (EK02).....	23
ADVANCED ACQUISITIONS III – CONTRACT ADMINISTRATION - (EK03)	23
CONTRACT LITIGATION I - (EK05)	23
ADVANCED ACQUISITIONS IV – EMERGING AND ADVANCED TOPICS IN CONTRACTING - (EK41).....	24
ADVANCED CONTINGENCY OPERATION FUNDING – (EK07)	24
CONTRACT LITIGATION II - (EK05)	24

ACADEMIC DEPARTMENT (AD)

INDEPENDENT LEGAL STUDIES (ILS) PROGRAM - (E_51/52) – (1 credit) (3rd or 4th Quarter)

This elective is designed to allow students an opportunity for individual, specialized and in-depth study in a particular topic or to produce a significant academic product. Students will design an individual course of study concentrated on the specific academic area as it applies to Judge Advocate practice. The course of study must produce a significant academic product that will satisfy ABA standards. Students may coordinate with outside organizations within the Corps in shaping the course of study, but must pursue and complete the course of study at TJAGSA and their plan must contain sufficient rigor to meet ABA standards. Outside organizations will not direct or control the student's effort. **All ILS work, projects, and products MUST BE COMPLETE AND SUBMITTED FOR GRADING BY THE END OF THE 4th QUARTER (3 May 2024).**

Students must submit the proposed course of study to the Dean for approval. The Dean, in conjunction with the appropriate Department Chair, will assign a faculty advisor/grader for the subject. The Dean will base the approval decision upon input from the Department Chair and faculty advisor. The faculty advisor will set and enforce suspense dates. The advisor will monitor student progress toward requirements closely (including appropriate intermediate requirements, such as a preliminary outline, a detailed outline, a typed draft, and a final draft for written products). All ILS projects are graded. The Dean will generally approve only 1 credit of ILS per student, but may approve more credit, as an exception to policy, if warranted by the scope and importance of the proposed academic project.

NOTE: This elective MAY serve as a credit for concentration hour requirements if your ILS project is in your concentration area. coordinate with the respective department chair for approval.

ILS projects may include, but are not limited to:

- **Faculty SME Preparation:** Students slated for assignment to the LCS faculty may develop an ILS to develop and enhance their subject matter expertise in their assigned portfolio area. Preparation **MUST** include a significant academic product that will result from the course of study.
- **Independent Legal Writing:** Students will design and propose a writing project, to include paper topic, length, area of concentration, and proposed credit hours. Proposals may include writing another primer or research paper, a practice note, or a book review, among other possibilities.
- **Legal Podcast Development and Production:** Students will research, create content, and produce a new podcast episode of a TJAGLCS Podcast. Topic development, research, and production must be in coordination with the Department sponsoring the podcast.

- **Scholarly Article Editing:** Students may prepare themselves as legal leaders by developing a course of study that will help them to properly edit legal manuscripts and documents, by editing an article (s) for one of the School's professional publications. To be favorably considered, projects must involve a minimum of seventy-five pages of legal scholarship for review and editing.

COORDINATOR: LTC JONES / MAJ STAVROPOULOS / DEP'T CHAIRS

3rd Quarter Elective Offering

PRINCIPLED COUNSEL IN JUDGE ADVOCATE PRACTICE (ED15) - 1 credit

Under the Corporate Counsel model, Judge Advocates are members of the commander's personal staff and are required to be counselors, not merely legal advisors, giving complete counsel under the Rules of Professional Conduct even on matters not directly related to the law. Commanders, and the units they lead, are asked to do incredibly difficult and dangerous things on behalf of the nation. Their decisions and conduct in these situations often impact fundamental principles and values. Judge Advocates are required to provide Principled Legal Counsel to provide complete counsel and safeguard principles and values. In this elective, students will study a number of historical scenarios that raise issues of principle and/or values in Judge Advocate practice. Together, the class will analyze these situations to develop best practices for Judge Advocates to promote principled counsel in our practice and to help protect the Army by promoting principled conduct in line with service values. Students will then develop scenarios based on current operations that might call for principled counsel and apply the best practices developed to those scenarios. The course is taught in a seminar discussion format. Grades are based on class discussion and participation, a written principled counsel scenario and solution developed independently by the student, and a reflective essay.

NOTES: One section offered.

PROFESSORS: MR. LESCAULT

4th Quarter Elective Offerings

LEGAL LESSONS FROM THE HISTORY OF WARFARE - (ED25) - 1 Credit

Students will understand key developments in the law precipitated by changes in warfare. Using case studies from key historical battles, the student will analyze the interplay between developments in warfare and changes in the law in order to develop an intellectual framework to predict potential changes in the law based on impending changes in warfare. Students will be evaluated based on a battle brief, a reflection essay on the future of warfare and the law, and class participation.

NOTE: Enrollment is limited to 18 students.

PROFESSOR: REGIMENTAL HISTORIAN / MR. LESCAULT

LEADERSHIP CENTER

HOLISTIC WELLNESS AND LEADERSHIP (ED 17) – 1 Credit

The purpose of this elective is to provide leaders with a learning experience that educates, inspires, and equips them to enact sustained, positive changes in their personal life and the lives of those around them. It provides participants with evidence-based approaches and tools for improving wellness in five domains: emotional, social, family, physical, and spiritual. The course is designed to provide participants with a thorough understanding of the five domains, what it means to be fit in those domains, and methods to achieve fitness in each. The course intends to prepare Judge Advocates in their function as a leader in creating and sustaining a thriving workplace for their subordinates. It is heavily weighted towards practical application, both personally and professionally. The elective covers useful skills for increasing self-awareness, thinking accurately, empathy, and communicating effectively. Graduates will experience better health, improved work performance, and stronger relationships. The twofold end state is that students have the confidence and knowledge to be able to develop a personal holistic wellness plan and to create and sustain a thriving work environment for their subordinates. The course is taught in a seminar discussion format. Grades are based on class discussion and participation, a group project, and a reflective essay.

NOTES: One Section offered.

PROFESSORS: LTC CLEEK, LTC LAMPHIER, AND CH (MAJ) CHITTIM

PROFESSIONAL COMMUNICATIONS PROGRAM **(PCP)**

***Students may usually only take one PCP elective, with the exception of Oral History. Exceptions are approved by the PCP Director.**

3rd and 4th Quarter Elective Offerings

EXPANDED RESEARCH PAPER ELECTIVE (E__44A) – 1 or 3 credits (3rd into 4th Quarters)

Limited enrollment by approval of the PCP Director. In order to receive proper credit for expanded research papers, students must enroll in the appropriate elective. This elective credits students for the additional research and study time spent preparing these lengthier papers. Prospective students will be assessed to enroll in this elective based on recommendation of the paper advisor and faculty chair of that department.

NOTE: Additional Hours toward your Paper DO serve as a credit for concentration hour requirements.

COORDINATOR: MAJ STAVROPOULOS

THESIS ELECTIVE (E__43) – 6 credits (3rd into 4th Quarters)

Limited enrollment by approval of the PCP Director. In order to receive proper credit for writing a thesis, those students who write a thesis must enroll in this elective. Prospective students will be assessed to enroll in this elective based on recommendation of the paper advisor and faculty chair of that department.

COORDINATOR: MAJ STAVROPOULOS

WRITING COMPOSITION AND STYLE (EA53) – 1 Credit (3rd Quarter)

This elective provides coaching beyond what one receives from paper advisors as students write their scholarly papers. This elective is open to all students who would like dedicated time to work on their core scholarly paper. All international students will automatically be enrolled in this elective for the 3d Quarter. Some students may be referred to attend Writing Composition and Style elective for the 3d quarter for additional instruction to successfully complete their scholarly papers. See the PCP Manual, paragraph 4-5 for additional detail.

NOTE: This elective DOES serve as a credit for concentration hour requirements.

PROFESSOR: MAJ STAVROPOULOS

ORAL HISTORY PROGRAM (EA47) – 2 Credits (2nd-4th Quarters)

The oral history program provides selected students, working in teams of three, with the opportunity to interview senior judge advocates, attorneys within the Department of

Defense, and others concerning their careers, legal contributions to the Corps or the Army, and their observations concerning significant events affecting the Judge Advocate General's Corps and the Armed Forces. **This is a limited elective offering. The Regimental Historian & Archivist selects the subjects of the oral histories, and no more than four oral histories are normally permitted each year.** Grades are based on the students' adherence to the requirements found in the Oral History Program Manual, maintained by the PCP Director. These requirements include adherence to several milestones related to student progress, such as completion of research and submission of an interview sequence plan. The paramount requirements are a presentation to the student body as well as the turn-in of the oral history final product, which includes a cover page, an abstract biography of the subject, an index, a background chronology, an interview sequence plan, and the transcription of the recorded interviews (transcription is contracted out). **Grades will be provided in the 4th Quarter.**

NOTE: Enrollment limited to 8 students. This elective DOES NOT count toward concentrations.

COORDINATORS: REGIMENTAL HISTORIAN AND MAJ STAVROPOULOS

ADMINISTRATIVE AND CIVIL LAW **DEPARTMENT (ADA)**

3rd Quarter Elective Offerings

ADVANCED ADMINISTRATIVE INVESTIGATIONS - (EA56A) - 1 Credit

The importance of administrative investigations cannot be overstated. Since the attacks of 11 September 2001, the Army has completed tens of thousands of investigations. While only a small percentage of these investigations have garnered national and international attention, those that have, have had a profound impact on both our operations and reputation. The judge advocate's role in these investigations is of paramount importance, and the judge advocate's advice can often mean the difference between a good investigation and a bad one. The goal of this elective is to prepare students to give effective advice at various stages of an investigation, particularly complex and high-interest investigations. The elective will build upon the plenary investigations instruction and will go well beyond the various investigations regulations. We will examine past mistakes, best practices, and other lessons learned over the last fifteen years. Grades will be based upon class participation and two 1–3-page writing submissions.

NOTES: Two Sections are offered - one in the 3rd Qtr and one in the 4th Qtr.) Enrollment in each section is limited to 30 students.

PROFESSORS: MAJ PATTON, MAJ RETLAND, AND GUEST SPEAKERS

ADVANCED MILITARY PERSONNEL LAW - (EA03) - 1 Credit

This elective will review a wide range of administrative issues and challenges related to military personnel law that students may confront as supervisory attorneys, administrative law section managers, or action officers in an Office of the Staff Judge Advocate. Such topics include adverse administrative actions and personnel management policies. This course will take a practical approach to the study of military personnel law by primarily tapping into the experience and expertise of the students, faculty, and various guest speakers. Grades will be based upon student presentations, a written assignment consisting of one 3–5-page written submission, and class participation.

PROFESSORS: LTC KINSLow, MAJ WYATT, AND GUEST SPEAKERS

SPECIAL TOPICS IN ADVANCED CLIENT SERVICES - (EA14) - 1 Credit

This elective will examine the application of consumer protection law and family law to the military community. Topics will include automobile fraud, automobile purchasing, identity theft, telemarketing and internet fraud, predatory lending, and debt collection. Students will also study military issues regarding marriage, separation, divorce, child custody, child support, property division, and division of retired pay. This elective is recommended for anyone who supervises or practices legal assistance (BJA, Chief of Client Services, CJA, and DSJA). Students will have short weekly reading assignments (cases and/or statutes or scholarly articles) for in-class discussion. Grades will be based on an individual presentation, one 2–3-page written submission, and class participation.

NOTE: This elective is open to UVA students.

PROFESSORS: MAJ McMENAMIN, MAJ RIGGS, AND GUEST SPEAKERS

ADVANCED TOPICS IN GARRISON FUNDING (EK06) - 1 credit

Description: This elective combines Administrative Law and Fiscal Law. Using a blend of assigned readings and real-world case studies, students will examine funding issues arising in the Garrison Administrative Law context. Topics will include conducting 15-6 investigations into suspected ADA violations; analyzing MILAIR requests; navigating funding gaps and continuing resolutions; use of appropriated funds in response to a pandemic crisis; and overall funding tools to support Garrison operations. The format for class will be lectures and instructor-led discussions. Grades will be based on classroom participation and a written 4–6-page paper.

Note: One section offered, class meets once a week for two hours each session. This elective DOES count as a credit for either Administrative Law OR Contract & Fiscal Law concentrations.

PROFESSORS: MAJ GODFREY AND MAJ JACKSON

4th Quarter Elective Offerings

ADVANCED ADMINISTRATIVE INVESTIGATIONS - (EA56B) - 1 Credit

The importance of administrative investigations cannot be overstated. Since the attacks of 11 September 2001, the Army has completed tens of thousands of investigations. While only a small percentage of these investigations have garnered national and international attention, those that have, have had a profound impact on both our operations and reputation. The judge advocate's role in these investigations is of paramount importance, and the judge advocate's advice can often mean the difference between a good investigation and a bad one. The goal of this elective is to prepare students to give effective advice at various stages of an investigation, particularly complex and high-interest investigations. The elective will build upon the plenary

investigations instruction and will go well beyond the various investigation regulations. We will examine past mistakes, best practices, and other lessons learned over the last fifteen years. Grades will be based upon class participation and two 1–3-page writing submissions.

NOTE: Enrollment is limited to 30 students.

PROFESSORS: MAJ PATTON, MAJ RETLAND, AND GUEST SPEAKERS

SPECIAL TOPICS IN ADMINISTRATIVE AND CIVIL LAW (EA06) – 1 Credit

This elective is designed to provide greater depth on a variety of topics that are discussed during plenary; topics that practitioners in Administrative and Civil Law will likely deal with routinely after completion of the Graduate Course. This elective will study advanced topics in Privatized Housing, AAIP, Civilian Personnel Management, Casualty Affairs, and other issues that cover multiple disciplines in administrative and civil law. Grades will be based on one 3–5-page written submission, and class participation.

PROFESSORS: MAJ NUNES, MAJ WYATT, AND GUEST SPEAKERS

ADVANCED STANDARDS OF CONDUCT (EA05) – 1 Credit

All judge advocates who advise senior leaders must have an understanding of the rules that form the ethical foundation of our Army profession. This elective will build on the plenary instruction's common subject areas that fall under the umbrella of "standards of conduct," to include conflicts of interest, gifts, post-government employment, relations with non-federal entities, etc. In addition, this course will examine recent developments in the standards of conduct through lectures from subject matter experts. Students will also study less common areas of an ethics counselor's practice, with a focus on providing practical legal advice to the client. Grades will be based on one 3–5-page written submission, an individual presentation, and class participation.

PROFESSOR: MAJ JACKSON, MAJ WYATT, AND GUEST SPEAKERS

SPECIAL TOPICS IN ADVANCED FEDERAL LITIGATION - (EA12) - 1 Credit

This elective will cover federal litigation, practice, and procedure in greater detail than in plenary instruction. With an emphasis on systematic case analysis, this elective will discuss civil procedure, discovery, motions practice, substantive issues in federal litigation (including environmental law and civilian personnel law), and the role of agency counsel. Grades will be based upon class participation, one 15–20-minute presentation, and one 3–5-page written submission. This elective is highly recommended for all students pending assignment to a federal litigation position.

PROFESSORS: LTC KINSLow, MAJ NUNES, AND GUEST SPEAKERS

VETERANS BENEFITS AND MILITARY RETIREMENT PLANNING – (EA07) – 1 Credit

This elective brings together several areas of law related to Veterans and Wounded Warriors ability to transition from the service with the benefits they earned and plan for their and their families' future financial stability. We will examine processing and administrative issues faced by wounded, injured, and ill Servicemembers and practical and legal issues confronted by the command. Students will explore critical legal issues that arise from the point of injury through leaving the service and beyond. Students will study advanced estate planning concepts such as building an estate, planning for military retirement, and minimizing tax liability. Upon completion, the student will be better able to advise a commander charged with making recommendations and decisions related to wounded warriors, such as military justice case disposition and the type and characterization of discharge. Class topics range from the Disability Evaluation System (DES), command responsibility for wounded warriors, the interrelation of the IDES and adverse administrative and judicial actions, Veteran eligibility and benefits from the Department of Veteran Affairs, the VA Compensation Claim process, and the Veteran's various appeal options. Students will have the option of applying for admission to practice before the United States Court of Appeals for Veterans Claims (USCAVC). Students may have the opportunity to attend oral argument, tour the USCAVC, and/or meet with one or more of the court judges. For those students interested in being admitted, you must submit your application online along with a certificate of good standing from the highest court of any state to which you are admitted (not the state bar) no later than 1 January. Grades will be based on one 3-5 page written submission, an individual presentation, and class participation.

NOTE: This elective is open to UVA students.

PROFESSOR: MAJ RIGGS, MAJ McMENAMIN, AND GUEST SPEAKERS

CRIMINAL LAW DEPARTMENT (ADC)

3rd Quarter Elective Offerings

DIGITAL EVIDENCE FROM THEORY TO PRACTICE - (EC10) - 1 Credit

Digital evidence can impact nearly every type of court-martial. With rapid changes in technology, courts and statutes often cannot stay “current,” making litigating digital evidence issues difficult. This course explores the legal theories behind using digital evidence for both trial and defense counsel. The first half of the course will focus on applying traditional Fourth Amendment doctrines in the digital world, with a specific concentration on probable cause, reasonable expectation of privacy, plain view, and consent. It will apply these doctrines to all types of digital evidence on any device where data can be stored. The second half of the course will challenge students to put into practice and apply the doctrinal theories learned through student led presentations and exercises. The course is targeted for both trial and defense counsel. Grading is based on class participation (performance during class exercises) and the student’s choice of a presentation or 5-7 page thought paper.

NOTE: This elective is open to UVA students.

PROFESSORS: MAJ WENTZ AND LTCOL SEGRAVES

ADVANCED CRIMES AND DEFENSES - (EC16) - 1 Credit

This elective focuses on crimes and defenses commonly faced by military justice practitioners. Designed with the Chief of Justice (or service equivalent) or Senior Defense Counsel in mind, students will discuss current trends and new developments in common military crimes and defenses, and develop/analyze charging and defense philosophies. This elective will assist practitioners with crafting a case theory, drafting appropriate charges, identifying and formulating defenses and potential motions, as well as assessing and mentoring these skills in subordinates. This elective is broadly structured for both experienced advocates seeking a more advanced understanding as well as those seeking a refresher in this area of the law. Students should gain an understanding of not only *how* to prepare charges and formulate defenses, but also be able to explain *why* they decided on a particular approach. Class is a seminar format. Grades are based on a written submission and participation in class discussions and in-class case briefings.

NOTE: This elective is open to UVA students.

PROFESSORS: MAJ MORGAN AND MAJ NOTTINGHAM

ADVANCED TOPICS IN PROFESSIONAL RESPONSIBILITY - (EC18) - 1 Credit

This elective is intended to assist those with follow-on assignments in military justice as supervisory counsel, or students who simply wish to broaden their understanding of professional responsibility. Students will be better prepared to understand nuanced and specific issues related to professional responsibility that can arise in military practice, both as practitioners and supervisors. The wide range of topics will lend itself to preparing students for any follow on assignment, but will be especially useful for leaders

in OSJAs and TDS. Expected topics include PR implications of technology and social media, prosecutorial discretion, conflict of interest in the OSJA, Commanders and the Army as clients, and representation of children. Grades are based on one short academic paper, a class presentation of the paper, and class participation.

NOTE: This elective is open to UVA students. This elective does count as a credit for either Criminal Law OR Administrative Law concentrations.

PROFESSORS: LTC MATHEW AND MAJ RETLAND

APPELLATE LITIGATION - (EC77) - 1 Credit

This elective provides students with the opportunity to develop advocacy and leadership skills while increasing their knowledge of the military appellate process and recent trends in criminal law. The class will conduct in-depth analyses of appellate issues with a view toward practical application in both trial and appellate billets. Grades are based on class participation, which will include the potential for UVA moot court coaching and/or participation with the UVA Innocence Project, and regular short writing assignments, where the class will be split into taking positions for and against a designated topic.

PROFESSOR: MAJ BERRETH AND MAJ MORGAN

OVERVIEW OF THE DEATH PENALTY IN THE MILITARY – (EC12) - 1 Credit

Four Service members sit on death row at the United States Disciplinary Barracks at Fort Leavenworth. Courts-martial authorized to adjudge the death penalty have been simultaneously constant and an inconsistent part of military justice practice. While the cases are often few and far between, the impact of those cases is substantial. The defense faces the monumental task of trying to save their client's life, and the government is faced with the costly burden of ensuring the trial meets a heightened standard of reliability required by appellate courts. Additionally, military counsel for both the government and defense often have little to no experience with death penalty litigation. The goal of this course is to familiarize students with the unique mechanics of death penalty litigation as well as understanding the goals and requirements on the part of both the government and defense. This course will require the students to think about fundamental questions about whether putting death "on the table" is worth it. This class involves a combination of lecture and discussion. The classes will cover: the history of the military death penalty, the mechanics outlined in the Rules for Courts-Martial from preferral to appeal, the unique aspects of aggravating and mitigating evidence in capital trials, guest speakers who have tried capital cases in the military, a comparison to civilian death penalty litigation and the Military Commissions, the requirement for learned counsel, and a discussion of the cases of those currently on death row in the military. Grades are based on weekly 300 to 500-word response papers to the assigned readings that include a discussion question that the student would generate; and a final 2,000-word essay in response to a professor-provided prompt.

NOTE: ENROLLMENT IS LIMITED TO 28 STUDENTS. THE COURSE IS NOT OPEN TO UVA STUDENTS.

PROFESSORS: MAJ WENTZ AND MAJ MORGAN

4th Quarter Elective Offerings

CRITICAL ANALYSIS OF THE MILITARY JUSTICE SYSTEM (EC20) – 1 Credit

For over 50 years, the Uniform Code of Military Justice has been cobbled together through statute and case law into our present military criminal code. Some portions of the Code have remained virtually unchanged while others have been repealed or amended several times. The Military Justice Act of 2016 brought substantial changes to the code, while some of the Military Justice Review Group's (MJRG) recommendations were not implemented (like preserving Article 66 as originally written). Congress continues to contemplate further fundamental changes to the military justice system, such as the Military Justice Improvement Act. If given the opportunity, would you rewrite the UCMJ? If so, why and how? This elective takes a deeper look at the UCMJ and critically analyzes both its history and present application. Students will analyze the history of the military justice system and the process through which changes to the UCMJ are made; evaluate the status and utility of the current Articles; and propose possible changes to the UCMJ. Classes are conducted in a seminar format with some guest speakers. Grades are based on classroom participation, an oral presentation project, and two short (1-2 page written submissions) papers.

NOTE: This elective is open to UVA students.

PROFESSORS: MAJ MORMAN AND MAJ BERRETH

RIGHTS OF THE ACCUSED - (EC15) - 1 Credit

This elective examines the rights afforded to the accused under the Constitution, the Uniform Code of Military Justice, and the Rules for Courts-Martial. Topics covered includes: the privilege against self-incrimination, search and seizure rights, the right to counsel, confrontation, discovery, and other rights afforded to an accused. Grades are based on classroom participation and a 5-7 page thought paper. Classes will be conducted in a seminar format. Although this elective is structured from a defense perspective, it is designed for both experienced advocates seeking a more advanced understanding as well as those seeking a refresher in this area of the law. The readings will consist of relevant cases and law review articles on topic.

NOTE: This elective is open to UVA students.

PROFESSORS: MAJ WENTZ AND MAJ SQUIRES

HISTORY AND EVOLUTION OF VICTIMS' RIGHTS - (EC19) - 1 Credit

This elective is intended to assist those with follow-on assignments in military justice, or students who simply wish to broaden their understanding of victims' rights in American criminal jurisprudence. Students will understand the origins of victims' rights, from the historical pre-18th century victim-driven prosecution system, through the rise of public prosecutors. Historically, this shift from private to public-efficiency based prosecutions has corresponded with the degradation of victims' rights. Students will be able to identify the major stages of the modern victims' rights movement, and analyze the impacts of developing victims' rights on civilian and military criminal prosecutions. The course will be focused on reviewing case law and scholarly works. Grades are based

on one short academic paper, a class presentation, and class participation.

NOTE: This elective is open to UVA students.

PROFESSORS: MAJ HARTSFIELD AND MAJ MORGAN

ADVANCED EVIDENCE ANALYSIS - (EC14) - 1 Credit

This elective analyzes the Military Rules of Evidence and law of Confrontation and their application to modern court-martial practice. Students will examine issues regarding the limitations on relevancy, impeachment, hearsay, privilege, character evidence and expert testimony. This elective is structured for those seeking a refresher in the basics of evidence. Each class will include a review of the core rules followed by a more in-depth application to recent developments of those rules in military justice practice. Grades are based on classroom participation, one short discussion paper or training program based on topics provided by the professor, and an online discussion forum.

PROFESSORS: LTCOL SEGRAVES AND MAJ MORGAN

TRIAL ADVOCACY: BUILDING TRIAL SKILLS – (EC22) – 1 Credit

This elective is designed for the special victim prosecutor, senior defense counsel, chief of justice, or any student interested in enhancing their advocacy skills or the skills of those they supervise. The course will focus on creating training modules for TC/DC to build and enhance advocacy skills. Students will develop and present a teaching module to the class. Students will be critiqued on their presentations and will offer peer critiques using a standardized method intended to identify issues and offer suggestions for a more persuasive and succinct presentation. Grades are based on class participation and presentation of a teaching module. Class participation will be accounted for through in-class discussion and UVA mock trial and moot court coaching.

NOTE: ENROLLMENT LIMITED TO 28 STUDENTS

PROFESSORS: MAJ SQUIRES AND MAJ HARTSFIELD

PREPARING JUSTICE LEADERS – (EC25) - 1 Credit

“Designed for those whose follow-on assignment will be as a Brigade/Group Judge Advocate, Chief of Justice, or Senior Defense Counsel. It is also relevant to rising Special Victim Prosecutors. This course is a blend of lecture, experiential learning, and group discussions about various issues students are likely to encounter as military justice leaders. Each week, students receive professional development-based instruction on relevant substantive and procedural topics. Students will also learn basic leadership and management techniques for operating a brigade legal office or criminal law office, as well as develop and receive training materials for use in their follow-on assignment. Grades are based on individual presentations, two short writing submissions, and class participation.

NOTE: ENROLLMENT IS LIMITED TO 21 STUDENTS. (Priority is given to those going into the above positions regardless of branch and filled on a first-come basis.)

PROFESSORS: MAJ NOTTINGHAM AND LTC BARNA

SJA DEVELOPMENT FOR MARINES (EA19) – 1 Credit

Designed to prepare students to serve as Staff Judge Advocates (SJA) and Deputy SJAs in the USMC. Students will assess and discuss issues that SJAs often encounter in the areas of administrative and civil law. This elective builds on the material presented in the plenary courses and provides students an advanced understanding of these areas of the law. Students will focus on spotting issues, identifying proper authorities, using best practices, drafting responsive documents, as well as assessing and mentoring these skills in subordinates. Through the use of legal research, students will be required to draft short legal memoranda and information papers in order to respond to legal issues presented. Grades will be based upon class participation and 1-3 page writing assignments.

NOTE: Enrollment is limited to Marine Corps students. Due to the breadth of the material covered, this elective **DOES count toward all concentration areas.**

PROFESSOR: LTCOL SEGRAVES AND GUEST SPEAKERS

NATIONAL SECURITY LAW DEPARTMENT (ADN)

3rd Quarter Elective Offerings

NATIONAL SECURITY LAW PROSEMINAR I – (EN01) – 1 Credit

This course will introduce several significant national security issues and provide students with a strong foundation in national security law, offering students the ability to think more broadly about the field. The course will afford students with an opportunity to develop an appreciation of the complexities of national security issues facing both government and the private sector and sharpen their analytical skills in addressing national security issues more generally. Guest lecturers from across the national security apparatus will frequently address the class. Students will be expected to discuss lectures and reading materials in a small group seminar session. Evaluations will be based on weekly written responses to the reading materials, class participation, and either an end of course 5-10 minute oral presentation and in-class debate.

NOTE: The Proseminar I and II electives (offered in the 3rd and 4th quarter) serve as **mandatory gateway courses for all students concentrating in national security law (NSL); students must successfully complete **BOTH** Proseminar I and II electives (as outlined in the GC circular) to achieve a concentration in national security law. This elective is open to UVA students who are United States Citizens depending on course availability, but priority is given to GC students concentrating in NSL.**

Lead Professors: LTC West/Maj McDowell (Section I) and LTC Maurer/CDR Zimmerman (Section II) (and alternating ADN Faculty)

WAR CRIMES AND ATROCITY LAW– (EN39) – 1 Credit

This course combines National Security Law and Criminal Law. It will delve further into the study and development of modern war crimes jurisprudence and prosecutions, while covering topics including torture, command responsibility, international and domestic jurisdiction, jus in bello violations, and issues involving the International Criminal Court. Students should expect some guest speakers. Evaluations will be based on one written assignment aimed towards providing students with an opportunity to pursue publication, one 5-10 minute oral presentation, and class participation.

NOTE: This elective is open to UVA students who are United States Citizens. This elective DOES count as a credit for both the National Security Law and Criminal Law Concentrations.

PROFESSORS: LTC MAURER AND MAJ MORMAN

INTELLIGENCE LAW – (EN60) – 1 Credit

This course focuses on the legal and policy issues that arise during the conduct of intelligence activities. Topics to be addressed will include: sources of law and policy for intelligence activities; oversight and reporting requirements; distinctions between intelligence and operational activities; covert action and traditional military activities; issues relative to specific intelligence disciplines (HUMINT, SIGINT, and OSINT); and

current issues in intelligence law. Students will be evaluated on class participation and two response papers.

NOTE: Students enrolled in this elective MUST have a valid SECRET clearance (or higher). This elective is NOT open to International Students. Enrollment is limited to 18 students.

PROFESSORS: MAJ MACDONALD AND MAJ BOBENRIETH

CYBER AND INFORMATION OPERATIONS I (EN40) – 1 Credit

This course is an introduction to the legal and policy foundations required to advise on cyberspace operations (CO), information operations (IO), and the evolving legal and policy issues raised by such operations. Students will gain an appreciation of the underlying complex legal and policy issues involved in these types of operations. Topics to be addressed will include: an overview of the cyber and information environment; basic cybersecurity law and policy (with a focus on national security, military, and international issues); CO and IO activity and legislative authority history, development, and examples; domestic (focusing on Constitutional Law) and international legal and policy issues involved in CO and IO operations; an overview of data privacy issues and information platforms; and the application of the law of armed conflict (LOAC) to CO and IO. The course will begin with an introduction to the technology behind cyber operations and an overview of the evolution of cyber and information threats and capabilities. Students will be evaluated on class participation, one response paper, and participation in a practical exercise (a simulation of a congressional hearing).

NOTE: This elective is open to UVA students who are United States Citizens. Enrollment is limited to 30 students.

PROFESSORS: LTC WEST AND MAJ BOBENRIETH

LAW OF SEA, AIR AND SPACE OPERATIONS - (EN28) - 1 Credit

Students will gain a basic understanding of the international rules that govern the use of air, space, and the sea in military operations. Students will understand the way in which States have dealt with the problems of sovereignty, jurisdiction over vessels and aircraft, and property rights in common spaces. Extensive study will be made of the 1982 Law of the Sea Convention, the 1944 Convention on International Civil Aviation (Chicago Convention), the 1967 Outer Space Treaty, and other treaties and policies affecting the military uses of air, space, and sea domains. Finally, students will focus on some of the current issues in LOSAS, including Freedom of Navigation Operations, Piracy and Maritime Interception Operations, Air Defense Identification Zones, and Militarization and Weaponization of outer space. Students will be evaluated by class participation, completion of course evaluation form, and two written assignments (no more than 1,000 words each).

NOTE: This elective is open to UVA Students who are United States Citizens.

PROFESSORS: CDR ZIMMERMAN AND MAJ REITZ

4th Quarter Elective Offerings

NATIONAL SECURITY LAW PROSEMINAR II (ADV. NSL) – (EN02) – 1 Credit

This course will be a continuation of Proseminar I and expand on several significant national security issues, providing students with a strong foundation in national security law and offering them the ability to think more broadly about the field. The course will afford students with an opportunity to develop an appreciation of the complexities of national security issues facing both government and the private sector and sharpen their analytical skills in addressing national security issues more generally. Guest lecturers from across the national security apparatus will frequently address the class. Students will be expected to discuss lectures and reading materials in a small group seminar session. Evaluations will be based on weekly written responses to the reading materials, class participation, and either an end of course 5-10 minute oral presentation and in-class debate.

NOTE: The Proseminar I and II electives (offered in the 3rd and 4th quarter) serve as **mandatory gateway courses for all students concentrating in national security law (NSL); students must successfully complete **BOTH** Proseminar I and II electives (as outlined in the GC circular) to achieve a concentration in national security law. This elective is open to UVA students who are United States Citizens depending on course availability, but priority is given to GC students concentrating in NSL.**

Lead Professors: LTC West/Maj McDowell (Section I) and LTC Maurer/CDR Zimmerman (Section II) (and alternating ADN Faculty)

CHINA: STRATEGY AND LAW - (EN27) - 1 Credit.

The 2022 National Security Strategy describes China as “the only competitor with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to advance that objective.” This was followed by the 2022 National Defense Strategy which identifies China in two of the four top defense priorities. The Secretary of Defense recently stated the DoD’s renewed focus on China is the “primary lens” through which the DoD advances every line of effort under the National Defense Strategy. This course will examine how China engages in strategic competition with the United States by analyzing the Chinese legal framework, Chinese government and military strategy, South China Sea and maritime disputes, Taiwan and other territorial disputes, unrestricted warfare, and Chinese civil-military fusion. The course will cover the historic, strategic, and resulting policy underpinnings of the Chinese Government’s interpretation of international law as well as how China uses international law as ‘lawfare.’ Students are evaluated on class participation, one oral presentation (5-10 minutes), and one short paper (no more than 1,000 words). Although not required, Law of Sea, Air, and Space Operations is recommended as a prerequisite prior to enrolling in this class.

NOTE: Enrollment is limited to 30 students.

PROFESSORS: CDR ZIMMERMAN AND MAJ. REITZ

CYBER AND INFORMATION OPERATIONS II – (EN41) – 1 Credit

This course will build on the concepts and issues covered in Cyber and Information Operations I by applying law, policy, and an analytical framework to current cyberspace operations (CO) and information operations (IO). Additionally, the course will cover interagency issues, approval authorities, and best practices for providing legal advice in these subject areas. The class will include guest speakers from relevant organizations, such as USCYBERCOM and ARCYBER. Students will be evaluated on class participation, an in-class presentation (participation in a cyber event scenario), and a corresponding legal response memorandum.

NOTE: Students enrolled in this elective MUST have a valid SECRET clearance (or higher). This elective is NOT open to International Students. CYBER and Information Operations I is a Prerequisite to enroll. Enrollment is limited to 18 students.

PROFESSORS: LTC WEST AND MAJ BOBENRIETH

ADVANCED CONTINGENCY OPERATION FUNDING (EK07) - 1 credit

This elective combines National Security Law and Fiscal Law. Using a blend of assigned readings and real world case studies, students will examine the flow of mission and funding authority through both the constitutional framework for appropriated funds and the constitutional framework for national security. Procedural topics will include fiscal support to the operations process, the role of the technical chain from task force to DoD OGC, and identifying fiscal issues in cells and working groups. Substantive topics will include fiscal challenges arising from by-with-through operations, burden sharing, intelligence operations, security cooperation, “otherwise prohibited by law” (e.g. CSPA, TVPA, etc.), and surrogate forces. The format for class will be lectures and instructor-led discussions. Successful completion of this course will be based on a written 4-6 page paper, and in-class participation.

Note: One section offered, class meets once a week for two hours each session. This elective DOES count as a credit for EITHER National Security Law OR Contract & Fiscal Law concentrations.

PROFESSORS: MAJ MACDONALD AND MAJ GODFREY

ADVANCED TOPICS IN THE LAW OF ARMED CONFLICT (EN29) - 1 Credit

This elective provides an in-depth study of the law of armed conflict, expanding upon foundations laid during plenary instruction. Discussions and readings will consider and compare U.S. and international perspectives on the Law of Armed Conflict (LOAC), including views of U.S. allies, the United Nations, the International Committee of the Red Cross, and Non-Governmental Organizations. Topics include sources of contemporary LOAC, in-depth consideration of the principles of LOAC and targeting, issues associated with battlefield status, regulation of internal armed conflicts, the interface between the LOAC and other areas of law, enforcement mechanisms, and current emergent topics facing today’s national security law practitioners. In addition, the course will enable students to participate in academic discussion related to current events and be provided the opportunity to analyze developing issues in the international

legal community. Students will be evaluated on class participation, an individual in-class presentation on a topic in national security law.

NOTE: This elective is open to UVA Students who are U.S. Citizens.

PROFESSORS: MAJ McDOWELL AND MAJ McCORMICK

CONTRACT & FISCAL LAW DEPARTMENT (ADK)

3rd Quarter Elective Offerings

ADVANCED TOPICS IN GARRISON FUNDING (EK06) - 1 credit

This elective combines Administrative Law and Fiscal Law. Using a blend of assigned readings and real-world case studies, students will examine appropriated funds issues arising in the Garrison Administrative Law context. Substantive topics will include funding conferences, MILAIR, and official courtesies, and a survey of common ADA violations. Procedural topics will include conducting 15-6 investigations into suspected ADA violations; navigating funding gaps and continuing resolutions; and providing support to garrison boards, working groups, and cells. The format for class will be lectures and instructor-led discussions. Successful completion of this course will be based on a written 4-6 page paper and in-class participation.

Note: One section offered, class meets once a week for two hours each session. This elective does count as a credit for either Administrative Law OR Contract & Fiscal Law concentrations.

PROFESSORS: MAJ GODFREY AND MAJ RETLAND

ADVANCED ACQUISITIONS I – Requirements Planning and Development - (EK01) - 1 credit

This elective will explore a broad range of issues related to requirements development and defining needs frequently encountered by practitioners which fall beyond the depth and scope of subjects covered during the plenary instruction. Students will learn how to help their commands successfully navigate the early stages of contracting for goods and services in order to set their units up for success in the remaining phases of acquisition (covered in Advanced Acqs II & III). Instruction is directed at attorneys providing organic legal support (BJA/CJA/Admin Law Attorneys) and will prepare these attorneys to advise their chains of command through the acquisition preparation process. Instruction focuses on how an attorney supports an organization planning for the acquisition process and developing the documents necessary to provide an "acquisition ready packet." Students will develop an understanding of all required documents in the needs defining process and associated legal concerns.

NOTE: One section offered, class meets once a week for two hours.

PROFESSORS: MAJ BRYAN & MAJ PURKEY

ADVANCED ACQUISITIONS II – CONTRACT FORMATION - (EK02) - 1 credit

This elective will examine a broad range of contract formation issues frequently encountered by contract law practitioners, which are beyond the depth and scope of subjects covered during the core instruction. The course will explore in greater detail certain core contract formation topics (e.g., competition requirements, contracting methods, bid protests, contract types and obligations, contract structure and pricing, socio-economic policies, and source selection. Successful completion will be based on four group practical exercises, an individual case brief, class participation, and a final three-page white paper.

NOTE: One section offered, class meets once a week for two hours each session.

PROFESSORS: MAJ PETERSON & MAJ HICKMON

ADVANCED ACQUISITIONS III – CONTRACT ADMINISTRATION - (EK03) - 1 credit

This elective will examine a broad range of contract administration issues frequently encountered by contract law practitioners, which are beyond the depth and scope of subjects covered during the core instruction. The course will explore in greater detail certain core contract administration topics (e.g., contract disputes, advanced terminations, contract pricing, inspection/acceptance/warranty, and contract changes). Successful completion will be based on two group practical exercises, an individual case brief, class participation, and a three-page white paper.

NOTES: One section offered, class meets once a week for two hours each session.

PROFESSOR: MAJ BRYAN & MAJ PURKEY

CONTRACT LITIGATION I - (EK05) - 2 credits

This elective will focus on litigation before the Government Accountability Office and Armed Services Board of Contract Appeals using actual case files. The students will receive the case files, conduct legal research and draft the Agency's motions and responses. Successful completion will be based on the four written practical assignments, and active class participation.

NOTE: This 2 credit elective meets in both the 3rd and 4th Quarter once a week for two hours. Consequently, student **MUST enroll in both Contract Litigation I (3^d Quarter) and Contract Litigation II (4th Quarter). Enrollment in this elective is limited to 15 students. Students will receive a 1 Credit grade at the end of the 3rd Quarter based on performance in that Quarter. Students will receive another 1 Credit grade at the end of the 4th Quarter. Grades in one quarter do not impact the grades in the other quarter.**

PROFESSORS: MAJ VENIOUS & MAJ FRANCO

4th Elective Quarter Offerings

ADVANCED ACQUISITIONS IV – Emerging and Advanced Topics In Contracting - (EK41) - 1 credit

This elective will explore a broad range of emerging and advanced federal acquisition topics ranging from engaging with industry, the acquisition of modern technology, supply chain security, and responding to threats from near-peer adversaries. The format for class will be lectures and instructor-led discussions. Successful completion of this course will be based on a written 4-6 page paper and in-class participation.

Note: One section offered, class meets once a week for two hours.

PROFESSORS: MAJ BRYAN AND MAJ HICKMON

ADVANCED CONTINGENCY OPERATION FUNDING – (EK07) - 1 credit

This elective combines National Security Law and Fiscal Law. Using a blend of assigned readings and real world case studies, students will examine the flow of mission and funding authority through both the constitutional framework for appropriated funds and the constitutional framework for national security. Procedural topics will include fiscal support to the operations process, the role of the technical chain from task force to DoD OGC, and identifying fiscal issues in cells and working groups. Substantive topics will include fiscal challenges arising from by-with-through operations, burden sharing, intelligence operations, security cooperation, “otherwise prohibited by law” (e.g. CSPA, TVPA, etc.), and surrogate forces. The format for class will be lectures and instructor-led discussions. Successful completion of this course will be based on a written 4-6 page paper, and in-class participation.

Note: One section offered, class meets once a week for two hours each session. This elective does count as a credit for either National Security Law OR Contract & Fiscal Law concentrations.

PROFESSORS: MAJ GODFREY (ADK) AND MAJ MACDONALD (ADN)

CONTRACT LITIGATION II - (EK05) - 1 credits

Prerequisite: Students MUST enroll in and complete Contract Litigation I in the 3d Quarter to enroll in this elective.

This elective will focus on litigation before the Government Accountability Office and Armed Services Board of Contract Appeals using actual case files. The students will receive the case files, conduct legal research and draft the Agency’s motions and responses. Successful completion will be based on the four written practical assignments, and active class participation.

NOTE: This 2 credit elective meets in both the 3rd and 4th Quarter once a week for two hours. Consequently, student **MUST enroll in both Contract Litigation I (3d Quarter) and Contract Litigation II (4th Quarter). Enrollment in this elective is limited to 15 students. Students will receive a 1 Credit grade at the end of the 3rd Quarter based on performance in that Quarter. Students will receive another 1 Credit grade at the end of the 4th Quarter. Grades in one quarter do not impact the grades in the other quarter.**

PROFESSORS: MAJ VENIOUS & MAJ FRANCO