

Course Selection Guidance for Students Interested in Constitutional Law

This memorandum is for students who are interested in taking courses in constitutional law and related areas and who would like some general guidance about what courses are available. More information about the substance of the courses discussed here can be found under Course Information on the Boston University School of Law website <http://www.bu.edu/law/current-students/course-descriptions/>.

Understanding the scheme of government the Constitution establishes, the powers it confers, and the rights it protects, is fundamental to a legal education. Constitutional law issues arise in most areas of law, and therefore courses in this area are likely to relate to the academic and professional interests of most students in some manner. The basic course in **Constitutional Law (JD 810)** is a required first year course. Most students should take subsequent courses in this area on the basis of their academic interest in the subject matter; some students may do constitutional litigation as a substantial part of their practice. Number 1 below will be of special interest to the latter; numbers 2-8 will be of greatest interest to the former.

1. For students aspiring to do work in constitutional litigation – for example, through becoming an attorney with the federal or state governments or through working with public interest organizations – many of the courses that are useful for preparation for litigation generally would be useful as well for their treatment of various constitutional issues. The basic courses for these purposes would include:

- **Administrative Law (JD 801)**
- **Evidence (JD 831)**
- **Federal Courts (JD 836 or JD 847)**
- **Remedies (JD 720)**

Each of these courses covers issues involving the Constitution (as well as other issues that don't). There is no necessary or recommended sequencing among them, though students may be prudent to take them in the second year, since more specialized courses relating to litigation build upon them.

Beyond these basic courses, students should make selections based on whether they are more interested in **constitutional criminal litigation** or **constitutional civil litigation**. Courses of special relevance to constitutional criminal litigation would include:

- **Criminal Procedure: Comprehensive (JD 819)**
- **Criminal Procedure: Constitutional (JD 821)**
- **Supreme Court Term 2020: Criminal Law, Criminal Procedure, and Habeas Cases (JD 903)**

Courses of special interest to constitutional civil litigation would include **Civil Rights Litigation (JD 877)**. Students might also consider taking clinical courses in the areas of constitutional litigation that are of greatest interest to them.

2. Several courses focus on the freedom of speech and related concerns. Here the basic course is **The First Amendment (JD 839)**, which covers not only freedom of speech and press but also freedom of religion, and **Free Speech and the Internet (JD 949)**. Students especially concerned with rights of participation in the political process may want to take **Election Law (JD 825)**. Students interested in freedom of speech and press in relation to communications and entertainment issues may also be interested in **Entertainment Law (JD 905)**.

3. In our post-September 11 world, as the relationship between our constitution and national security become increasingly contentious, courses such as **National Security Law (JD 890)**, **Law and War: Contemporary Issues (JD 797)**, and **Cybersecurity Law (JD 792)** take on increased importance.

4. A significant number of courses reflect the constitutionalization of family law and many aspects of law relating to gender and sexual orientation. These courses include:

- **Critical Theories on Transgender Law (JD 915)**
- **Family Law (JD 814)**
- **Feminist Jurisprudence (JD 990)**
- **Gender Equality Law (JD 914)**
- **Gender, Law and Policy Colloquium (JD 966)**
- **Queerness & the Law (JD 917)**

5. Some courses investigate legal and constitutional history and theory relating to equal protection, due process, and the Fourteenth Amendment more generally. These courses include:

- **Advanced Constitutional Law: Citizenship, Immigration, and the Constitution (JD 714)**
- **Advanced Constitutional Law: The Fourteenth Amendment (JD 916)**
- **American Indian Law (JD 920)**
- **Critical Race Theory Colloquium (JD 731)**
- **The Color Line (JD 878)**

More generally, students who are interested in legal and constitutional history might consider taking:

- **American Constitutional History (JD 912)**
- **American Legal History (JD 804)**
- **Historical Perspectives on Law, Constitutions and Culture (JD 846)**

6. Students who are interested in studying current topics in constitutional law should consider **Advanced Constitutional Law: Current Issues in Constitutional Law (JD 782)**. Students who wish to examine contemporary controversies over law and morality in the “culture wars” might take **Jurisprudence: Contemporary Controversies over Law and Morality (JD 835)**.

7. Some courses, such as **International Human Rights (JD 991)** and **Comparative Constitutional Law (JD 993)** deal with constitutional law from a comparative or international human rights perspective.

8. Finally, the School offers courses addressing the intersection of constitutional and statutory protections against discrimination and denial of other constitutional rights:

- **Employment Discrimination and Employment Law (JD 865)**
- **Civil Rights Litigation (JD 877)** (mentioned above)

By no means is this memorandum comprehensive. If you have questions, please contact any of the professors teaching Constitutional Law.