

Elective Name: US Legal System

- Course objective: This elective aims to provide Indian law students with foundational knowledge of the U.S. legal system, its institutions, methods of legal reasoning, and key doctrines. It is designed to support students planning to pursue an LLM or legal internships in the U.S. by equipping them with a comparative understanding of legal concepts and the professional landscape of American law.
- Course Type: Law
- Credits: 4
- Pre-requisites: fundamental understanding of some legal statutes and familiarity with some basic legal doctrines such as judicial review, separation of powers etc.
- Potential course outline:

Week 1: Introduction to the U.S. Constitution and Federalism

- U.S. Constitution: Origins and structure
- Federal vs. state powers
- Bill of Rights overview
- Comparison with Indian constitutional principles

Week 2: Structure of the U.S. Court System

- U.S. Supreme Court and lower federal courts
- State court systems
- Appellate procedure vs. Indian model

Weeks 3 and 4: Judicial Independence and U.S. Constitutionalism

- Article III of the U.S. Constitution: judicial power, tenure, and compensation
- Lifetime appointments and the Senate confirmation process
- Judicial review and the concept of a “countermajoritarian” institution: India v. US
- The role of ideology, precedent, and public perception (e.g., politicization of the Supreme Court)
- Judicial ethics and recent controversies
- Comparison **with Indian judiciary**: NJAC debate, collegium system, judicial transfers

Week 5: U.S. Civil Procedure – Part I

- Complaint, summons, and jurisdiction
- Pleading standards: Bell Atlantic Corp. v. Twombly; Ashcroft v. Iqbal (2009)
- Motion to dismiss and pre-trial motions

Week 6: U.S. Civil Procedure – Part II

- Discovery process (depositions, interrogatories)
- Summary judgment and pretrial conference
- Trial and post-trial motions

Week 7: Criminal Law and Procedure in the U.S.

- Adversarial system and the role of the prosecutor
- Jury selection
- Constitutional protections (Fourth, Fifth, Sixth Amendments)
- Key stages: arrest to appeal

Weeks 8 and 9: Contracts and Torts – A Comparative Lens

- Key doctrines in U.S. contract law (consideration, promissory estoppel)
- Tort liability (negligence, strict liability, punitive damages)
- Differences from Indian contract and tort law

Week 10: Judicial Review in the U.S. and India

- Marbury v. Madison, Kesavananda Bharati; scope, limits, and role of courts in constitutional interpretation.

Week 11: Administrative and Regulatory Law: Tentative

- Agencies and rulemaking
- Chevron doctrine and deference
- Comparison with Indian tribunals and delegated legislation

Week 12: U.S. Legal Careers & Professional Landscape

U.S. Legal Education Pathways

- JD vs. LLM vs. SJD
- Law school curriculum and pedagogy
- Law firm structures and billing practices
- Pro bono and public interest lawyering

Bar Admission

- State-wise rules (especially New York and California)
- MPRE, UBE, and character & fitness processes
- Bar exam strategies for foreign-trained lawyers

Legal Research Tools

- Introduction to Westlaw, LexisNexis, Bloomberg Law, PACER
- Research assignments: statutes, case law, and administrative materials

Legal Writing Formats

- IRAC, CREAC, and memo writing
- Use of authority and citation (Bluebook basics)
- Differences from Indian legal writing norms

Week 13: Contemporary Issues in U.S. Law

- Reproductive Rights and Constitutional Interpretation
- Police Accountability and Qualified Immunity
- Immigration, Deportation, and Citizenship

Week 14: Wrap-Up and Simulated Legal Exercise

- Review
- Reflective presentations: "What I Learned About Practicing Law in the U.S."