



New Course

Catalog Course Title: SPA-102 Politics, Policy and Law Scholars Washington Lab I

Name and contact information for future correspondence:

Chris Edelson, x6218, edelson@american.edu

Academic Unit - School/College:

- CAS
- KSB
- SOC
- SIS
- SPA
- SPEXS
- Other:

Teaching Unit - Department or Program: GOVT/JLC

Date effective: Spring 2016

Required Signatures	Name	Signature	Date
Teaching Unit Chair or Director	Saul Newman/Joe Young		✓ 2/15/15
EPC Chair	Susan Glover		9/28/15
Primary Academic Unit Assoc. Dean	Jessica Waters		9/28/15
Second Academic Unit Assoc. Dean			
Faculty Senate Chair			
Provost's Designee (VPUG or VPGR)			

Date sent to the Office of the University Registrar:

School of Public Affairs
New Course: SPA-102 Politics, Policy, and Law Scholars Washington Lab I

- I. Identifying Information
- a) Proposed effective date
Spring 2016
 - b) Academic Unit
SPA
 - c) Teaching Unit
Government/JLC
 - d) Course Title (Generally a limit of 30 characters including spaces)
PPL Scholars Washington Lab I
 - e) Course Number
SPA 102
 - f) Credits
1.00
 - g) Prerequisites
Admission to Politics, Policy and Law Scholars program and concurrent registration in JLC-101 (PPL-only section)
 - h) Course description for University Catalog (Generally a limit of 50 words)
This course integrates Politics, Policy, and Law (PPL) Scholars students into Washington, DC as it drives and informs the study of politics, policy, and law. Students hear from guest speakers and make off-site visits to learn about careers in politics, policy and law. This course also includes writing assignments and in-class activities to complement material studied in JLC-101.
 - i) Grade type
 - i. **A/F only**
 - ii. Pass/Fail only
 - iii. A /F and Pass/Fail
 - j) Expected frequency of offering
 - i. **Every Fall**
 - ii. Every Spring
 - iii. Every Summer
 - iv. Alternate Falls
 - v. Alternate Springs
 - vi. Alternate Summers
 - vii. Every term
 - viii. Irregularly
 - ix. Other
 - k) Note all that apply: **N/A**
 - i. General Education course
 - ii. Online course
 - iii. Hybrid course
 - iv. Rotating topics course
 - v. Individually supervised course, such as Internship, Independent Study, Research Course, Thesis, Dissertation
 - vi. Research Methods course
 - vii. AU Abroad Programs course
 - viii. Other study abroad course (offered directly by Academic Unit, not through AU Abroad)

II. Rationale.

- a) Please explain the main purpose of the new course, including whether it will be a requirement for an existing or proposed program or an elective, and how the new course relates to the existing courses in the program and department. *Note: if the course will be required for an existing program, submit a corresponding Minor Change to Program proposal.*

This course is required as part of the newly approved PPL certificate program. It has been offered since fall 2013 as a non-recurring/temporary course. We need to make it a permanent course in order to continue offering it. This one credit lab accompanies JLC 101, the required cohort class for first-semester PPL students. It allows one day a week for experiential learning through off site visits e.g. to non-profit organizations, think tanks, and Capitol Hill offices where PPL students can hear from professionals in fields they may like to explore. We also use lab time (a) for guest speakers who come to campus to speak about their career paths (b) for additional class time to complement or discuss in greater detail what is being studied in JLC 101 and (c) for in-class exercises aimed at developing specific skills (e.g. mediation, writing).

- b) Will the course require students to pay a special fee associated with the course? If so, please provide a justification for this additional cost to students.

No additional fee required.

- c) Has the course previously been offered under a rotating topics course or an experimental course number? If so: **Yes, offered as SPA-196**

i. Semesters/year offered

Fall 2013 and Fall 2014

ii. Course number

SPA-196

iii. Instructor

Waters (Fall 2013)

Edelson and Schwartz (Fall 2014)

iv. Enrollment

21 in Fall 2013

31 in Fall 2014

v. What observations and conclusions were derived from the previous offering(s) that now lead to proposing this course as a permanent part of the curriculum?

We always intended for this to be a permanent part of the curriculum—it is an important part of the PPL program that helps supplement classroom learning and helps to bond the class/build a sense of community for PPL students through group activities and off site visits.

- d) Please indicate other units that offer courses or programs related to the proposed course and provide documentation of consultations with those units.

N/A

- e) Estimate the enrollment per semester.

It will be roughly 25-30 (depending on the size of each year's entering class)

- f) Does your teaching unit's classroom space allotment support the addition of this course?

Yes—we typically use a classroom in Ward

- g) Are present university facilities (library, technology) adequate for the proposed course?

Yes

- h) Will the proposed course be taught by full-time or part-time faculty?

Full-time

- i) Will offering the new course involve any substantial changes to the scheduling of existing

courses?

No

j) What are the learning outcomes for the course?

Note: Some learning outcomes overlap with JLC-101, which students take at the same time as this lab course.

- (1) Understand the fundamentals of the U.S. legal system, and offer your own critical perspective on its strengths and weaknesses.**
- (2) Understand different sources of U.S. law and basic legal terminology.**
- (3) Understand how mediation is used as an alternative method to resolve legal disputes.**
- (4) Develop writing and oral presentation skills, including by writing and presenting an op-ed in class.**
- (5) Learn about possible career paths in politics, policy and law.**

k) How will those outcomes be assessed?

Through classroom discussion, an in-class mediation exercise, oral presentations, and writing assignments.

l) What are the competencies that students are expected to demonstrate for the course? Please attach a draft syllabus.

Attached

III. Catalog Copy

a) Please attach a course description as it is to appear in the University Catalog, following the format of the current catalog.

SPA-102 Politics, Policy, and Law Scholars Washington Lab I

(1)

This course integrates Politics, Policy, and Law (PPL) Scholars students into Washington, DC as it drives and informs the study of politics, policy, and law. Students hear from guest speakers and make off-site visits to learn about careers in politics, policy and law. This course also includes writing assignments and in-class activities to complement material studied in JLC-101. *Prerequisite:* Admission to Politics, Policy and Law Scholars program and concurrent registration in JLC-101 (PPL-only section).

Politics, Policy and Law Scholars Washington Lab I
SPA 102 (PPL lab)

Fall 2015

Class Hours

10:30 a.m. – 2:30 p.m.
(202) 885-6218

Prof. Chris Edelson

edelson@american.edu

Office Hours

Ward 247: Tuesday, Friday 12:45-2 **or** by request.

The Politics, Policy and Law Scholars Washington Lab is designed to complement JLC 101.001, the cohort class for this semester. In JLC 101, we will be discussing a wide variety of issues involving U.S. law, including the civil litigation process, the kind of work lawyers do, different areas of legal practice, questions of constitutional interpretation, and the intersection between law and politics. In SPA 102, we will have an opportunity to explore these issues in more detail, both inside and outside the classroom.

This syllabus will tell you what we'll be studying and what your responsibilities are. Please read it carefully. You are responsible for reading, understanding and meeting the course requirements outlined here. If you have questions about anything, of course please let me know.

COURSE OBJECTIVES

By the end of the semester, the goals for you are to:

- (1) Understand the fundamentals of the U.S. legal system, and offer your own critical perspective on its strengths and weaknesses.
- (2) Understand different sources of U.S. law and basic legal terminology.
- (3) Understand how mediation is used as an alternative method to resolve legal disputes.
- (4) Understand how to write a brief of a judicial decision.
- (5) Develop writing and oral presentation skills, including by writing and presenting an op-ed in class.
- (6) Learn about possible career paths in politics, policy and law.

CLASS PARTICIPATION AND ATTENDANCE POLICY

Your class participation grade will be based on your attendance and your participation in class discussion.

If you have more than two unexcused absences, 5 points will be deducted from your class participation grade for each unexcused absence. Please also be sure to be on time for class. If you are late more than once, I will start to take points off your class participation grade—2 points for each time that you are late without a legitimate excuse. If you have any questions about the policy for absences or being on time to class, please let me know. It's always a good idea to let me know as soon as possible if something comes up—if you let me know beforehand about a conflict or something that will prevent you from being on time for class, it is usually possible to figure out a way to handle it, but letting me know after the fact can make it harder to straighten out. Of course, if you are sick or some unforeseen but legitimate problem or emergency comes up, that will count as an excused absence, though I may require documentation at my discretion, depending on the circumstances.

Apart from points related to attendance and being on time to class, your class participation grade will be based on your participation in classroom discussion. This involves several factors. First, I may ask you questions during the semester by calling on you during class. This is not intended to put anyone on the spot but, rather, to make sure that everyone is keeping with and understanding the reading, and also to make sure that everyone's voice is part of the discussion. I will also give you an opportunity to participate in other ways—for instance, by asking questions you have or by answering questions that I pose to the class as a whole.

Written Work

As noted below, you will be responsible for writing and presenting an op-ed style piece in class. We will discuss the op-ed in class before it is due, including how to pick a topic. Your op-ed should be between 650 and 750 words long—more is **not** better! It is important to stay under the word limit. You will be graded both on the written op-ed and your presentation (which includes answering questions about your op-ed from the rest of the class).

Two reaction papers will also be due, as noted below. For all written assignments, please send them to me by email at edelson@american.edu before class begins (i.e. before 10:30 a.m.). Each reaction paper should be roughly 2-3 pages long (500-800 words).

GRADING

Class Participation:	40%
Op-ed (paper and presentation)	20%
Reaction Papers	20%
Mediation Exercise:	20%

Grading Criteria:

A 94-100

A-	90-93
B+	87-89
B	82-86
B-	80-81
C+	78-79
C	71-77
C -	70
D	62-69
F	anything else

GUIDELINES FOR GRADING

Grading can be a mysterious process, and I hope to demystify it as much as possible by giving you some specific information about how I grade. An “A” represents exceptionally good work. To get an A, you need to show (1) that you understand and can explain material studied in class, using specific examples from material we have studied to support your observations and (2) that you can apply “critical thinking” (apologies for the jargon). What “critical thinking” means is going beyond the basics of explaining what we have studied by additionally offering your own point of view and analysis. For grading purposes, it does not matter in the slightest what position you take. I won’t grade you based on your point of view. What I do look for, though, is your ability to support and defend your point of view with specific examples and analysis, as well as your ability to understand why someone could disagree with you, and why your analysis is stronger. An A- will meet most of these criteria. A “B” answer satisfies point (1) above—e.g. you demonstrate that you understand the material we have studied, you’re able to explain Court opinions with specific examples. A B+ does an especially good/thorough job of explaining what we’ve studied, but may not go far enough in offering your own analysis. A B- goes most of the way in terms of explaining the issues we study, but may not provide a complete discussion of the relevant opinions. A “C” answer has significant omissions and/or fails to adequately and coherently discuss the material we have studied. A “D” answer displays some understanding of the material we have studied but makes fundamental errors in discussing the material. An “F” answer completely fails to explain the material we have studied, or simply does not answer the question.

Academic Integrity: All students are required to follow the University’s Academic Integrity Code. If you have not already done so, please familiarize yourself with the standards and requirements of the University’s Academic Code of Conduct. Violations of the Code of Conduct will not be tolerated and will be reported appropriately. Please see me with any questions on the Academic Integrity Code and its application to this course. I will also go over this during the first day of class—it is important, among other things, to be aware that there are **very severe** consequences for violating the Academic Integrity Code.

Plagiarism is **one** example of a violation of the academic integrity code. American University’s Academic Integrity Code defines plagiarism as “the representation

of someone else's words, ideas, or work as one's own without attribution. Plagiarism may involve using someone else's wording without using quotation marks—a distinctive name, a phrase, a sentence, or an entire passage or essay. Misrepresenting sources is another form of plagiarism. The issue of plagiarism applies to any type of work, including exams, papers, or other writing, computer programs, art, music, photography, video, and other media.” What this means: be **absolutely sure** to cite **any** source you rely on. If you are quoting directly—i.e. quoting someone else's exact words, you **must** use quotation marks and include a citation. If you are paraphrasing or otherwise referring to something someone else said or wrote without directly quoting, you **still** must include a citation to show the source you are referring to.

If you're not sure whether to cite, you probably should! Err on the side of caution, and if you aren't sure or have any questions, please check with me before you hand something in that is not properly cited.

Additional Information and Resources

If you experience difficulty in this course for any reason, please don't hesitate to speak with me. In addition to the resources of the department, a wide range of services is available to support you in your efforts to meet the course requirements.

Academic Support and Access Center (x3360, MGC 243) offers individual academic counseling, skills workshops, tutor referrals, Supplemental Instruction, writing appointments, and services for students with disabilities.

If you qualify for accommodations because of a disability, please notify me in a timely manner with a letter from ASAC so that we can make arrangements to address your needs.

Counseling Center (x3500, MGC 214) offers counseling and consultations regarding personal concerns, self-help information, and connections to off-campus mental health resources.

Emergency Preparedness

If the university is closed for due to inclement weather or some other unforeseen event, class will be canceled and I will adjust the syllabus accordingly. If the university is closed for a prolonged period of time e.g. in response to a declared pandemic (influenza or other communicable disease), American University will implement a plan for meeting the needs of all members of the university community and I will also let you know, by e-mail, how I plan to adjust the syllabus.

Wednesday, September 2: Introduction to the class; discussion of what we'll cover.

Wednesday, September 9 viewing of *A Civil Action* in class; discuss book and movie

Assigned reading: *A Civil Action*

Wednesday, September 16: visit to Cato Institute

Wednesday, September 23: visit to Capitol Hill, office of Sen. Gary Peters (D-MI)

Wednesday September 30: in-class mediation session

Assigned reading: *Getting to Yes: Negotiating Agreement Without Giving In*, Fisher, Ury & Patton, Dispute Resolution pdf (available through Blackboard under Content).

Class Discussion:

- **Tuesday:** Discuss *Getting to Yes*, plan for Wednesday's mediation session.
- **Wednesday (lab):** In-class mediation session
- **Friday:** De-brief from mediation session.

Wednesday, Oct. 7: presentation by Joan Echols, Office of Merit Awards

first reaction paper due (on mediation exercise)

Wednesday, Oct. 14: no class

Wednesday, October 21: Discussion of *The New Jim Crow: Race and the criminal justice system in the U.S.*

Assigned reading: *The New Jim Crow*

Wednesday, October 28: in-class speakers on careers in politics, policy, and law

Wednesday, November 4: presidential national security power and the U.S. Constitution: current issues

second reaction paper due

Assigned reading: to be determined

Wednesday, November 11: in-class speakers on careers in politics, policy, and law

Wednesday, November 18: in-class speakers on careers in politics, policy, and law

Wednesday, November 25: no class—Thanksgiving

Wednesday, December 2: op-ed presentations

op-ed due—please email to me before class on Wednesday, should be between 650 and 750 words, please also post your op-ed on Blackboard

Assigned reading:

What we talk about when we talk about editing, *New York Times* op ed page (may need to access through AU library website)

Introduction to Law
JLC 101.001 and SPA 102 (PPL lab)

Fall 2015

Class Hours

Monday, Thursday: 10:20-11:35 a.m.
Ward 106

Prof. Chris Edelson
edelson@american.edu
(202) 885-6218

Wednesday lab: 10:30 a.m. – 2:30 p.m.¹
Ward 6

Office Hours

Ward 247: Tuesday, Friday 12:45-2 **or** by request at any convenient time.

Welcome to Introduction to Law. I'm very much looking forward to discussing with you a wide variety of issues involving U.S. law, including the civil litigation process, the kind of work lawyers do, different areas of legal practice, questions of constitutional interpretation, and the intersection between law and politics. Although this class is about the law, I do not assume that everyone wants to be a lawyer. During the semester, we will consider a variety of perspectives on the law, and one of the themes for the class is what law means for people who are not lawyers.

This syllabus will tell you what we'll be studying and what your responsibilities are. Please read it carefully. You are responsible for reading, understanding and meeting the course requirements outlined here. If you have questions about anything, of course please let me know.

Class time is designed to be interactive and focused on discussion. That depends on your reading the material assigned for each class: as noted below, part of your grade will be determined by your participation, which means being prepared and actively engaged in discussion. If some circumstance beyond your control prevents you from attending or preparing for a particular class, please let me know as soon as possible. (If you're sick or have another good reason for missing class, of course that's fine). If you have a conflict that you know will prevent you from attending class, please be sure to let me know in advance.

You will receive two grades: one for JLC 101 (Introduction to Law) and one for the accompanying lab, SPA 102. I will explain how the grading for each class works below. These are two **separate** but interrelated classes. I list them together on one syllabus for sake of convenience. However, what we will do in the lab will not always track what we are doing in JLC 101.

¹ **Note:** lab will rarely meet for all 4 hours; the only possible exception is for our two offsite visits, but even those will likely not take the full 4 hours.

COURSE OBJECTIVES

By the end of the semester, the goal is for you to:

- (1) Understand the fundamentals of the U.S. legal system, and offer your own critical perspective on its strengths and weaknesses;
- (2) Understand how to read and think critically about judicial decisions;
- (3) Understand how lawyers initiate lawsuits and defend against them, and how cases make their way through the courts, including how lawyers seek to resolve cases through mediation or other forms of settlement;
- (4) Understand and think critically about different areas of U.S. law, including contracts law, constitutional law, and employment law;
- (5) Understand the perspectives and actions of different participants in the legal system, including judges, lawyers, plaintiffs, and defendants;
- (6) Understand different sources of U.S. law and basic legal terminology;
- (7) Develop writing and oral presentation skills, including by writing and presenting an op-ed in class;
- (8) Learn about possible career paths in politics, policy and law.

CLASS PARTICIPATION AND ATTENDANCE POLICY

Your class participation grades will be based on your attendance and your participation in class discussion.

Everyone is permitted (though not required to use) two unexcused absences during the semester. If you have a legitimate reason for missing class – for example, if you are sick – just let me know and that won't count as one of the two unexcused absences. If you have more than two unexcused absences, 5 points will be deducted from your class participation grade for each unexcused absence. Please also be sure to be on time for class. If you are late more than once, I will start to take points off your class participation grade—2 points for each time that you are late without a legitimate excuse. If you have any questions about the policy for absences or being on time to class, please let me know. It's always a good idea to let me know as soon as possible if something comes up—if you let me know beforehand about a conflict or something that will prevent you from being on time for class, it is usually possible to figure out a way to handle it, but letting me know after the fact can make it harder to straighten out. Of course, if you are sick or some unforeseen but legitimate problem or emergency comes up, that will count as an excused absence, though I may require documentation at my discretion, depending on the circumstances.

Apart from points related to attendance and being on time to class, your class participation grade will be based on your participation in classroom discussion. This involves several factors. First, I may ask you questions during the semester by calling on you during class. This is not intended to put anyone on the spot but, rather, to make sure that everyone is keeping with and understanding the reading, and also to make sure that everyone's voice is part of the discussion. I will also give you an opportunity to participate in other ways—for instance, by asking questions you have or by answering questions that I pose to the class as a whole.

Papers and Exams

There is a midterm and final exam for JLC 101. In-class review sessions will be held before each exam, as noted below.

There will be an op-ed (part of SPA 102 lab grade) and case brief (part of JLC 101 grade), as noted below. Each paper should be submitted to me by e-mail—no hard copies, please. My email address is edelson@american.edu .(please email your brief **directly** to me, rather than going through blackboard—for some reason, emails through blackboard don't always get to me). The case brief is due by 10:20 a.m. on **Monday, September 21**. The op-ed is due by 10:30 a.m. on **Wednesday, November 18**. You will also do in-class presentations of your op-eds on **Wednesday, Nov. 18, Thursday, Nov. 19 and Monday, Nov. 23 (to be scheduled)**.

The goals behind the briefing assignment are (1) to help me be sure you understand the cases we are studying; (2) to give you an opportunity to develop your writing skills (I will provide comments on your brief); and (3) to help you understand how to read and analyze judicial decisions.

I will give you information about how to brief a case in class—if you haven't done this before, don't worry, it's very manageable and not at all mysterious once you find out about the basics. Your case brief should be roughly 2-3 pages long, but that is a guideline only. Write as much as you need to write in order to explain and analyze the decision—but if you write 10 pages, that's definitely too much and half a page is too little.

We will also discuss the op-ed in class before it is due, including how to pick a topic. Your op-ed must be between 650 and 750 words long—more is **not** better! It is important to stay within the word limit. You will be graded both on the written op-ed and your presentation (which includes answering questions about your op-ed from the rest of the class).

In addition, for SPA 102, two reaction papers will be due, one for Friday, October 16 by 3 pm and one for Wednesday, Nov. 11 by 10:30 am. As with the other papers, please send them to me by email at edelson@american.edu. Each reaction paper should be roughly 2-3 pages long.

JLC 101 GRADING

Class Participation:	15%
Brief	15%
Mid-term Examination:	30%
Final Exam:	40%

Note: (1) no laptops or electronic devices of any kind may be used during the midterm exam; (2) no notes or outside materials of any kind can be used on the midterm exam. The midterm is a closed book exam.

SPA 102 GRADING (Lab)

Class Participation:	40%
Reaction Papers	30%
Op-ed (writing and oral presentation)	30%

Grading Criteria:

A	94-100
A-	90-93
B+	87-89
B	82-86
B-	80-81
C+	78-79
C	71-77
C -	70
D	62-69
F	anything else

GUIDELINES FOR GRADING

Grading can be a mysterious process, and I hope to demystify it as much as possible by giving you some specific information about how I grade. An “A” represents exceptionally good work. To get an A, you need to show (1) that you understand and can explain material studied in class, using specific examples from material we have studied to support your observations and (2) that you can apply “critical thinking” (apologies for the jargon). What “critical thinking” means is going beyond the basics of explaining what we have studied by additionally offering your own point of view and analysis. For grading purposes, it does not matter in the slightest what position you take. I won’t grade you based on your point of view. What I do look for, though, is your ability to support

and defend your point of view with specific examples and analysis, as well as your ability to understand why someone could disagree with you, and why your analysis is stronger. An A- will meet most of these criteria. A “B” answer satisfies point (1) above—e.g. you demonstrate that you understand the material we have studied, you’re able to explain Court opinions with specific examples. A B+ does an especially good/thorough job of explaining what we’ve studied, but may not go far enough in offering your own analysis. A B- goes most of the way in terms of explaining the issues we study, but may not provide a complete discussion of the relevant opinions. A “C” answer has significant omissions and/or fails to adequately and coherently discuss the material we have studied. A “D” answer displays some understanding of the material we have studied but makes fundamental errors in discussing the material. An “F” answer completely fails to explain the material we have studied, or simply does not answer the question.

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Plagiarism is **one** example of a violation of the academic integrity code. American University’s Academic Integrity Code defines plagiarism as “the representation of someone else’s words, ideas, or work as one’s own without attribution. Plagiarism may involve using someone else’s wording without using quotation marks—a distinctive name, a phrase, a sentence, or an entire passage or essay. Misrepresenting sources is another form of plagiarism. The issue of plagiarism applies to any type of work, including exams, papers, or other writing, computer programs, art, music, photography, video, and other media.” What this means: be **absolutely sure** to cite **any** source you rely on. If you are quoting directly—i.e. quoting someone else’s exact words, you **must** use quotation marks and include a citation. If you are paraphrasing or otherwise referring to something someone else said or wrote without directly quoting, you **still** must include a citation to show the source you are referring to.

If you’re not sure whether to cite, you probably should! Err on the side of caution, and if you aren’t sure or have any questions, please check with me before you hand something in that is not properly cited.

Additional Information and Resources

If you experience difficulty in this course for any reason, please don’t hesitate to speak with me. In addition to the resources of the department, a wide range of services is available to support you in your efforts to meet the course requirements.

Academic Support and Access Center (x3360, MGC 243) offers individual academic counseling, skills workshops, tutor referrals, Supplemental Instruction, writing appointments, and services for students with disabilities.

If you qualify for accommodations because of a disability, please be sure to notify me in a timely manner with a letter from ASAC so that we can make arrangements to address your needs.

Counseling Center (x3500, MGC 214) offers counseling and consultations regarding personal concerns, self-help information, and connections to off-campus mental health resources.

Emergency Preparedness

If the university is closed due to inclement weather or some other unforeseen event, class will be canceled and I will adjust the syllabus accordingly. If the university is closed for a prolonged period of time e.g. in response to a declared pandemic (influenza or other communicable disease), American University will implement a plan for meeting the needs of all members of the university community and I will also let you know, by e-mail, how I plan to adjust the syllabus.

Required Materials

- *Thinking Like a Lawyer: An Introduction to Legal Reasoning*, 2nd edition, Kenneth J. Vandavelde. **Note:** we will **not** read all of this book and it can be accessed electronically through the library for no charge.
- *A Civil Action*, Jonathan Harr.
- *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Michelle Alexander
- *Getting to Yes: Negotiating Agreement Without Giving In*, Roger Fisher, William L. Ury, and Bruce Patton

All books are available in the campus bookstore, but can also, of course, be purchased elsewhere (the hyperlinks provided below are simply for reference—they may not be the cheapest way to purchase the books!). The AU library also has e-books available for free for at least one of these texts, as noted.

Other assigned materials are available online and can be accessed through hyperlinks provided below. If you have trouble with any of the hyperlinks (e.g. if they are broken), please let me know.

The assignments below may be changed depending on the pace of the semester and unforeseen developments; if I do make any changes, I will let you know in advance.

Monday, August 31: Introduction

No assigned reading prior to first class.

Class Discussion:

- Introduction to the class and review of syllabus.
- Overview of major themes we will cover.
- schedule times for initial individual meetings with me (some on Tuesday, September 1, some on Wednesday, September 2, some on Thursday, September 3 (after class), all depending on your schedule).

Wednesday, September 2 (lab): individual meetings with me

Thursday, September 3: What is the Law? What is Thinking Like a Lawyer (and is it a good idea)? Introduction to U.S. Legal System.

Assigned reading: Vandeveld, pp. 1-6 and these articles:

We Are the World's Most Litigious Society

America's 'Litigious Society' is a Myth

Signing Away Constitutional Rights

The Real Details of the Hot Coffee Lawsuit

Monday, September 7—Labor Day—no class

Wednesday, September 9 (lab): watch movie, *A Civil Action* (be sure to read the book as well—the midterm will include a question that can only be answered if you have **both** read the book **and** seen the movie)

Thursday, September 10: Sources of Law in the U.S. and Civil Litigation

Assigned reading: Vandeveld, pp. 9- 24, and these pieces:

Why Two Court Systems?

How Courts Work

Comparing State and Federal Courts

[Structure of Federal Courts](#)

[Steps in a Trial](#)

[Steps in a Trial: Pleadings](#)

[Motions](#)

[Discovery](#)

[More on Discovery](#)

[E-Discovery Costs](#)

[Discovery—Proposed Reform \(Chamber of Commerce\)](#)—read top article only

[The Vanishing Trial](#)

[Death of the American Trial](#)

[Alternative Dispute Resolution](#)

[Super Conservative Judge Alex Kozinski Inadvertantly Undercuts Rationale For Corporate Proposals to Narrow Discovery Under Federal Rules](#)

[The Civil Jury as a Political Institution](#)

Class Discussion:

- An overview of civil litigation (reading assigned above).

Week of September 14: *A Civil Action*

Assigned reading: Read *A Civil Action*; Vandavelde, pp. 40-50, and these pieces:

[How to Read a Legal Opinion](#)

[How to Brief a Case](#)

[More on Briefing and State v. Worley](#) (please read pp. 4-10 only)

[Still More on Briefing](#)

Class Discussion

- **Monday, Sept. 14:** Discussion of *A Civil Action*, the book.

- **Wednesday, Sept, 16** (lab): off site visit to the Cato Institute: meet at Tenleytown Metro Station (east side of Wisconsin near AU shuttle stop) at 10:30
- **Thursday, Sept. 17:** Continue discussion of *A Civil Action*; How to read and brief a case (Vandeveld, pp. 40-50, links above.)

Week of September 21: Introduction to Contract Law; Begin Discussion of Employment Law

*****Brief due Monday, Sept. 21—please email it to me before class on Monday.** You can brief *either* the *Hawkins* case or the *Chubb* case (see links, below)

Assigned reading: Vandeveld, pp. 181-193 and these pieces:

Contracts

[Contracts in Everyday Life](#)

[Statute of Frauds](#)

[More on Statute of Frauds](#)

[Contract of Adhesion](#)

[Consumer Sourcebook—NH DOJ](#)

[More on Contracts of Adhesion](#)

[Hawkins v. McGee](#)

[Jones v. The Chubb Institute](#) (please read pp. 1-7 only)

Employment Law

[The At-Will Presumption and Exceptions to the Rule](#)
[The Employment-At-Will Doctrine: Three Major Exceptions](#)
[Collective Bargaining Agreements](#)
[Federal labor and employment laws](#)
[The Civil Rights Act of 1964](#)
[How the Press Covered Passage of the 1964 Civil Rights Act](#)
[More on the 1964 CRA](#)
[The Politics of Civil Rights](#)
[ENDA, Explained](#)
[More on ENDA](#)
[State anti-discrimination laws](#)
[EEOC statistics for 2013](#)
[Anatomy of an Employment Discrimination Lawsuit](#) (state-specific, but generally relevant):
[Damages in employment discrimination cases](#) (this is under federal law—state damages may differ)
[More on Damages](#)
[Summary Judgment](#)
[WSJ article on employment cases in federal court](#)
[Defense perspective](#) (read p. 1, **skim** the rest)
[More on defense perspective](#) (**skim only**)
[Summary judgment motions](#) (**skim only**)
[The Virtual Repeal of Kennedy-Johnson Administrations' 'Signature Achievement'](#)
[The Americans with Disabilities Act](#)

Class Discussion:

- **Monday, Sept. 21:** Contracts and daily life: Vandavelde, pp. 181-193, links from above under “Contracts”.
- **Wed., Sept. 23:** off site visit to office of [Sen. Gary Peters](#); meet at Tenleytown Metro Station (east side of Wisconsin near AU shuttle stop) at 10:30
- **Thursday, Sept. 24:** begin discussion of employment law; read links under “Employment Law”; employment law background; at-will employment and exceptions, anti-discrimination laws, history of 1964 Civil Rights Act, ENDA, modern employment discrimination litigation.

Week of September 28: Continue Discussion of Employment Law

Assigned reading:

Employment hypotheticals posted on Blackboard under Content.

For race workshop:

[Why It's So Hard for White People To Talk About Racism](#)
[What We Mean When We Say 'Race Is a Social Construct'](#)

White people have a race — but everyone flips out when we talk about it

Class Discussion:

- **Monday, Sept. 28:** finish discussion of employment law materials from last week; discuss employment hypotheticals posted on Blackboard under Content.
- **Wednesday, Sept. 30 (lab):** Race workshop from 11:45-1:15: talking about white privilege; please read link above under “for race workshop”.
- **Thursday, Oct. 1:** Taking stock of what we’ve studied so far.

Week of October 5: Review for Midterm and Midterm Exam

- **Monday, Oct. 5:** Review for midterm
- **Wednesday, Oct. 7 (lab):** presentations by Joan Echols, Office of Merit Awards and by Sara Dumont, AU Abroad
- **Thursday, Oct. 8:** In-class midterm examination.

Week of October 12: Mediation

written assignment: 2-3 page reaction paper for mediation workshop—due by email to me Friday, Oct. 16 by 3:00 p.m.

Assigned reading: *Getting to Yes: Negotiating Agreement Without Giving In*, Fisher, Ury & Patton, Harvard Dispute Resolution pdf (available through Blackboard under Content).

Class Discussion:

- **Monday, Oct. 12:** Discuss *Getting to Yes*, Harvard Dispute Resolution document from Blackboard; plan for Wednesday’s mediation session.
- **Wednesday, Oct. 14 (lab):** In-class mediation workshop
- **Thursday, Oct. 15:** De-brief from mediation session. (remember, reaction paper due on Friday by 3 pm)

Week of October 19: Constitutional Interpretation

Assigned reading:

Vandavelde, pp. 207-210 and these links:

Monday

Declaration of Independence:

The Articles of Confederation (You can skim most of this, but be sure to read the first paragraph and last two paragraphs of Article IX)

[U.S. Constitution](#) (available here, among other places)
[Confederate Constitution](#)
[The Onion, "Area Man Passionate Defender of What He Imagines Constitution To Be,"](#)
[Let's Give Up on the Constitution](#)

Thursday

[retired Justice David Souter's commencement address at Harvard, May 2010](#)
[Justice Antonin Scalia speech: "Constitutional Interpretation the Old-Fashioned Way" \)](#)
[Laurence Tribe, Approaches to Constitutional Analysis in *It is A Constitution That We Are Expounding*, \(at pp. 20-34\)](#)
Excerpts from *Plessy v. Ferguson* (1896) (available on Blackboard under Content)

Class Discussion:

- **Monday, Oct. 19:** Introduction to the U.S. Constitution—origins and myths: read links above under "Monday".
- **Wednesday, Oct. 21 (lab):** guest speakers—to be determined
- **Thursday, Oct. 22:** Constitutional interpretation and introduction to race discrimination under the Constitution: read material above for "Thursday".

Week of October 26: *Brown v. Board* and Beyond: Segregation and Race Discrimination Today.

Assigned reading: *The New Jim Crow* and these links:

Excerpts from *Brown v. Board of Education* (1954) ("*Brown I*") (available on Blackboard under Content).

[John MacWhorter, "Racism in America is Over"](#)

[School Re-Segregation](#)

[What We Talk About When We Talk About Talking About Race](#)

[Texas County's Racial Past Is Seen as Prelude to Sandra Bland's Death](#)

[Police say Sandra Bland killed herself in jail. Here's why that's hard to believe. New](#)

[Video Shows Aggressive Arrest of Sandra Bland Prior to Her Death in a Texas Jail](#)

[Cop Expert: Why Sandra Bland's Arrest Was Legal But Not Good Policing](#)

[Listening to Ta-Nehisi Coates While White](#)

[Notes on coverage of Ta-Nehisi Coates's *Between the World and Me*](#)

[In Ta-Nehisi Coates' New Book, It's Clear All the Blacks Are Still Men](#)

[TV Interview With Ta-Nehisi Coates](#)

['Complicated' Support for Confederate Flag in White South](#)

[What This Cruel War Was Over](#)

[Charleston, the Confederate Flag and the States' Rights Myth](#)

Class Discussion:

- **Monday, Oct. 26:** *Plessy* and *Brown*—explaining the different approaches to interpreting the Constitution—which approach is right, which is wrong, and why? Begin discussion of hyperlinks, above.
- **Wednesday, Oct. 28** (lab): Discussion of *The New Jim Crow*
- **Thursday, Oct. 29:** Continue discussion of hyperlinks above and *The New Jim Crow*

Week of November 2: The Second Amendment and Originalism; The ACA and Constitutional Interpretation

Assigned reading:

for Monday

[Amicus Brief of Academics for the Second Amendment in *D.C. v. Heller*](#)

[Amicus Brief of Jack N. Rakove, et al in *D.C. v. Heller*](#)

[Excerpts from *D.C. v. Heller*](#) (2008), (again, you can skip the syllabus. Please read these excerpts: Scalia majority opinion, pp. 1-32, 54-57; Stevens dissenting opinion, 1-27, 45-46).

for Thursday

[Erin Ryan, ObamaCare and Federalism's Tug of War Within](#), download paper through hyperlink

[David Rivkin, Jr. and Lee. A. Casey, *Constitutionality of Health Insurance Mandate Questioned*](#),

[Jack Balkin, *The Constitutionality of the Individual Mandate for Health Insurance*](#)

[David Cole *Is Health Care Reform Unconstitutional?*](#)

[Randy Barnett, *The Insurance Mandate in Peril*](#)

[Excerpts from the 2012 health care decision](#) (June 28, 2012) (you can skip the syllabus that precedes and is not part of the opinion. Please read these excerpts from the 3 opinions: Roberts majority opinion, pp. 1-11, 15-30 and 58-59; Ginsburg concurring opinion, pp. 1-37; joint dissenting opinion, pp. 1-16).

[Maybe *King v. Burwell* was never as big of a deal as we all thought.](#)

Class Discussion:

- **Monday, Nov. 2** *D.C. v. Heller* and originalism (hyperlinks for Monday, above)
- **Wednesday, Nov. 4** (lab): to be determined
- **Thursday, Nov. 5:** the health care cases: constitutional interpretation in terms of pragmatism v. formalism or is the ACA legitimate health care reform the first step toward mandatory broccoli purchases? (hyperlinks for Thursday, above)

Week of November 9: Presidential National Security Power

Reaction paper due Wednesday, Nov. 11 by 10:30 am—see assignment below under Class Discussion

Assigned reading:

for Monday

[Federalist #69](#)

[Federalist #70](#)

[Louis Fisher, Teaching the Presidency: Idealizing a Constitutional Office](#)

<http://www.loufisher.org/docs/ci/teach.pdf>

Excerpts from John Marshall sole organ speech (available on Blackboard under Content)

for Thursday

Excerpts from John Yoo 9/25/01 memo (available on Blackboard under Content)

[April 1, 2011 memo re: use of force in Libya](#)

[On ISIL, Congress must act](#)

[After Six Months of Bombing ISIS, Obama Is Finally Asking Congress for Permission](#)

[Reactions to the Obama administration's proposed ISIS AUMF](#)

Class Discussion:

- **Monday, Nov. 9:** Presidential National Security Power Under the Constitution: readings for Monday, above.
- **Wednesday, Nov. 11** (lab) Please submit 2nd reaction paper by email by 10:30 on Wed., Nov. 11: topic is this: please argue either **for** or **against** the Obama administration's legal authority under U.S. law to continue military operations against ISIS as of now (i.e. fall 2015, having begun military operations in summer 2014. Your paper should be 2-3 pages and must include at least 4 sources (can be from assigned readings).
- **Thursday, Nov. 12:** Presidential Power after 9/11: readings for Thursday, above.

Week of November 16: Writing an Op-Ed on the Law

Wednesday, Nov. 18—op-ed due—please email it to me before class on Wednesday, should be between 650 and 750 words

Assigned reading:

[What we talk about when we talk about editing](#), *New York Times* op ed page (may need to access through AU library website—don't feel the need to pay to get access)

[How to Write an Op-Ed or Column](#)

[How to Write a Great Op-Ed](#)

[Rehearsing for death: A pre-K teacher on the trouble with lockdown drills](#)

History gives clues to Chief Justice Roberts' thinking on new Obamacare case
The Great Immigration Betrayal

Class Discussion:

- **Monday, Nov. 16:** Writing an Op-Ed—how to write it, discuss your ideas, pick topic; see reading assigned above.
- **Wednesday, Nov. 18 (lab):** 10:30-1:30 Begin discussing the op-eds you wrote; in-class presentations (to be scheduled).
- **Thursday, Nov. 19:** Continue in-class presentations of op-eds.

Monday, Nov. 23: Finish in-class presentations of op-eds: no assigned reading

Wednesday, Nov. 25 and Thursday, Nov. 26: No class/no lab—Thanksgiving

Monday, November 30: reflections on what we've studied—no new reading assigned

Wednesday, Dec. 2: study break—refreshments served, no work required

Thursday, Dec. 3: Review for final exam

Thursday, December 10: In-class portion of final exam 8:55 a.m. - 11:25 a.m. in regular classroom (part of the final exam will be a take-home: this will be assigned before December 12 and will be discussed in class)