

**WESTERN STATE UNIVERSITY
COLLEGE OF LAW**

CONSTITUTIONAL LAW II– Spring 2014

SYLLABUS AND COURSE POLICIES

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Office hours: Tuesdays, 2-5 PM

Texts

Required Text: Chemerinsky, Constitutional Law, (4th Edition 2013).

Recommended Text: Chemerinsky, Constitutional Law Principles & Policies (hornbook).

There is a required course webpage available at <http://webcourses.lexisnexis.com/> You will need a password to access it. The password is “password”.

The required text is to be brought to all classes. The reading assignments listed below refer to the Chemerinsky casebook. Students should also read the corresponding pages in the Chemerinsky hornbook. This is very important, as not all materials will be discussed in class. You may chose to buy the hornbook or read it in the library, as you prefer - but you will be responsible for that material. I strongly suggest that you read the accompanying pages in the Chemerinsky hornbook before class and with your required reading. Additional handouts may be assigned at the professor's election.

You are also responsible for checking the course webpage and doing assignments online in the time allotted. Online assignments have deadlines for completion. Once assignment and submission deadlines have passed, you will not be able to submit or access those materials.

Course Coverage

The purpose of the course is to explore the nature and extent of individual liberties within the federal constitutional structure. We will cover such topics as Fundamental liberties under the Due Process and Equal Protection provisions of the constitution. We will also consider the First Amendment protections of Freedom of Speech and Religion.

Examinations and Grading

Each student will receive a numeric grade for the course based on the following scale: 4.0 - 0.0. Course grades will be based on the final examination and successful completion of other exercises that may possibly be given throughout the semester.

Written Exercises: There may be mandatory, graded, written exercises and/or exams throughout the semester. Failure to satisfactorily complete all these assignments will result in a lowering of your final course grade by 0.3 – 0.4 depending

on the original grade. For example, if your grade would ordinarily have been 3.3 in the course, you will receive a 3.0; if your grade would have been a 2.7, you will receive a 2.3.

Midterm and Final Exam: The midterm will count as 25% of your final course grade. Format and date to be announced.

The three-hour final examination will count 75% of the course grade. The final exam will consist of a multiple-choice section that counts for 25% of the course grade, and an essay section that counts for 50% of the course grade.

Class Participation: Normally, class participation will not count towards the overall course grade. However, consistent lack of preparation over the semester may result in a reduction of up to 10% of the overall course grade.

Copies of my previous examinations will be available in the library on reserve. Students are encouraged to take practice examinations. I will be happy to review practice examinations in my office during office hours by appointment.

Office Hours

I will be available for office hours by appointment, Tuesdays, 2:00-5:00 PM. Please make appointments with the receptionists at the Third Floor. Please do not contact me to schedule appointments. If you have scheduled an appointment and need to cancel, please call them as soon as possible. Other students may be waiting for appointments and may be able to take your slot. You may make telephone appointments, if you cannot make scheduled office hours.

Attendance and Participation

Legal Education is a cooperative venture. My commitment to you is to be as prepared as possible for every class session, to have read and thought about the material in advance of the class, and to participate fully in the classroom. I expect no less of you than I do of myself. I do not expect you to know the answer to every question; I do expect that you will use your best efforts.

A seating chart will be distributed at the beginning of the first class. Please print your name legibly in the seat you choose for your permanent seat. If you wish to change your seat, please notify me so that the seating chart can be adjusted accordingly.

I strongly encourage you to choose a seat near the front of the classroom. Educational studies show that students sitting near the front benefit most from the classroom experience. Because all students will be required to participate, your seat choice will not enhance or reduce the likelihood of your being chosen to recite in class. Because I make every effort to learn the names of each student in my classes, your choice of seat will not assure you of anonymity either.

Classes begin promptly at the scheduled time. Please be in your seat for the start of class. Students who arrive late disrupt the learning process for others. If you are

unavoidably late, please enter quietly through the rear entrance and take your assigned seat.

Attendance and participation are required for all classes. There are no excused or unexcused absences. In accordance with the WSU student handbook, if you miss more than four (4) daytime classes or two (2) nighttime classes, you will be academically dismissed from the course. Additionally, if you arrive late or depart early without permission, you may be marked absent for the entire session.

Reading Assignments

<u>TOPIC</u>	<u>PAGES</u> (all pages are for the main text. Students should also read the corresponding pages in the hornbook, and any supplemental material, if assigned. Pages in parentheses are recommended, not required)
Fundamental Liberties: privacy, reproductive and medical autonomy, sexual autonomy, other liberties	933-946, 955-962, 967-1000, 1018-1026, 1030-1044, (1044-1045), 1046-1058, 1069-1076, 1135-1144
Freedom of Speech: Introduction and preliminary issues	1197-1199 (1199-1204), 12-4-1213, 1222-1230, 1235-1255, 1263-1273, 1277-1285
Content-based restrictions	1304-1307, 1324-1328, 1337-1353, 1365-1366, 1368-1373, 1377-1387, 1387-1406, 1419-1427, 1427-1441, 1445-1450
Symbolic communication	1489-1500
Content-neutral restrictions	1545-1582, 1590-1609
Other issues in speech	1616-1620, 1622-1637
Freedom of religion: introduction and preliminary issues	1673-1675, (1675-1676), 1676-1683
Free Exercise	1683-1693, (1693-1696), 1696-1701, 1704-1708
Establishment	(1708-1713), 1713-1735, 1748-1773, 1787-1805
MIDTERMS:	Cumulative from beginning of semester to that point in the course.
FINAL EXAM:	Cumulative from beginning of semester.