

Professor Gotanda – Section 202A&B  
Telephone: 714-459-1135  
Office Hours: Mon 2:30-4:00 pm & by appointment

Spring Semester 2013  
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## CONSTITUTIONAL LAW II SYLLABUS – Spring 2013

SECTIONS 202A (10:45 am) & 202B (5:00 pm)  
(VERSION – December 23 2012)

TEXTBOOK: Constitutional Law, Chemerinsky (3d Ed. 2009)

RECOMMENDED: Constitutional Law: Principles and Policies, Chemerinsky (4<sup>th</sup> Ed. 2011)

We will be reading **cases** and **notes** as indicated. **All assigned materials** are testable unless specifically excluded in the syllabus or in class. The principal cases are testable in the multiple-choice question examinations. The list of all testable cases is included in this syllabus.

EXAMINATIONS, QUIZZES and GRADING:

**ESSAY QUIZZES:** There will be on-line essay quizzes for review. The quizzes will be pass-fail. For credit, taking the quiz will be a pass. Comments and a sample grade are for on-going evaluation. **FAILURE TO TAKE REQUIRED ESSAY QUIZZES MAY REDUCE THE COURSE GRADE** by one step (e.g., from B+ to B or from C to C-). Optional quizzes will be reviewed if submitted.

**MIDTERM:** There will be a **GRADED** one-hour multiple-choice in-class midterm based on assigned cases. The list of all testable cases is included in this Syllabus. The midterm will count 25% of your course grade.

**FINAL EXAM:** 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 an additional one-step of the overall course grade.

**ATTENDANCE:** The WSU policy on required attendance at all classes will be followed.

**OFFICE HOURS:** Monday 2:30 – 4:00 pm and by appointment.

**WESTLAW TWEN Class Website:** We will use Westlaw TWEN to host our class website. **Registration on the class TWEN website is required.** The course Syllabus and all class materials will be posted there. Class communications will be by email through the TWEN website.

**TEXT, HORNBOOK, OUTLINES AND SUPPLEMENTAL MATERIALS:** Our textbook is Chemerinsky, 3d edition. No other edition is acceptable. The only hornbook that is recommended is Chemerinsky, 4th Edition. No commercial outlines are recommended.

## CHAPTER EIGHT

**Week 1 (Jan 14, Jan 16)**      **McDonald v. City of Chicago (Course Materials)**  
**943-988**  
*Essay Quiz One DUE Jan 22 Tuesday 12:00 noon*

McDonald v. City of Chicago  
Loving v. Virginia  
Zablocki v. Redhail  
Stanley v. Illinois  
Michael H. v. Gerald D.  
Moore v. City of East Cleveland, Ohio  
Meyer v. Nebraska  
Pierce v. Society of the Sisters of The Holy Names  
Troxel v. Granville

Buck v. Bell  
Skinner v. Oklahoma  
Griswold v. Connecticut  
Eisenstadt v. Baird

**Week 2 (Jan 21 – no class MLK Holiday)**  
**(Jan 23)**                      **988-1010; 1024-1040**

Roe v. Wade  
Planned Parenthood v. Casey  
Maher v. Roe  
Harris v. McRae  
Planned Parenthood v. Danforth  
Planned Parenthood v. Casey  
Bellotti v. Baird

**Week 3 (Jan 28, Jan 30)**      **1040-1054**  
**1056-1069; 1072-1080; 1080-1102**  
**1102-1113; 1133**  
*Essay Quiz Two DUE Feb 3 Sunday noon*

Cruzan v. Director, Missouri Department of Health  
Washington v. Glucksberg

Lawrence v. Texas  
Saenz v. Roe

Harper v. Virginia State Board of Elections  
Kramer v. Union Free School District  
Ball v. James  
Crawford v. Marion County Election Board

Reynolds v. Sims

**Week 4 (Feb 4, Feb 6) 1133-1146; 1148-1158**  
**1158-1192; 1197-1204**  
*Essay Quiz Three OPTIONAL Feb 10 Sunday noon*

Boddie v. Connecticut  
United States v. Kras  
M.L.B. v. S.L.J.  
Lewis v. Casey

San Antonio Independent School District v. Rodriguez

Daniels v. Williams  
County of Sacramento v. Lewis  
DeShaney v. Winnebago County Department of Social Services  
Town of Castle Rock v. Gonzales

Goldberg v. Kelly  
Board of Regents v. Roth  
Goss v. Lopez  
Paul v. Davis  
Matthews v. Eldridge

## CHAPTER NINE

**Week 5 (Feb 11, Feb 13) 1205-1221; 1232-1247; 1247-1254**  
**U.S. v. Stevens (Course Materials)**  
*Essay Quiz Four DUE Feb 19 Tuesday noon*

Turner Broadcasting v. FCC  
Boos v. Barry

City of Renton v. Playtime Theatres  
National Endowment for the Arts v. Finley  
U.S. v. American Library Association

Coates v. City of Cincinnati  
Schad v. Borough of Mount Ephraim  
Broadrick v. Oklahoma  
Board of Airport Commissioners v. Jews for Jesus  
U.S. v. Stevens (Course Materials)

**Week 6 (Feb 18 – no class, Presidents Day – NOTE DATES)**  
**(Feb 20, Feb 25) 1254-1273**  
**1276-1288; 1294-1307; 1307-1308**  
*Essay Quiz Five OPTIONAL Feb 24 Sunday noon*

Near v. State of Minnesota  
New York Times v. United States  
Nebraska Press Association v. Stuart  
Lovell v. City of Griffin  
Watchtower Bible and Tract Society v. Village of Stratton

City of Lakewood v. Plain Dealer Publishing  
Thomas and Windy City Hemp v. Chicago Park District  
City of Littleton v. Z.J. Gifts

U.S. v. National Treasury Employees Union

West Virginia State Board of Education v. Barnette  
Rumsfeld v. FAIR  
McIntyre v. Ohio Elections Commission

Speiser v. Randall

**Week 7 (Feb 26, Feb 27 NOTE DATES)**

**1321-1330; 1342-1345  
1345-1358; 1358-1361  
1358-1375**

Schenck v. United States  
Frohwerk v. United States  
Debs v. United States  
Abrams v. United States

Brandenburg v. Ohio

Chaplinsky v. New Hampshire  
Gooding v. Wilson  
R.A.V. v. St. Paul, Minnesota

Feiner v. New York  
Beauharnais v. Illinois  
Virginia v. Black

**Week 8 (Mar 4) \*\*\*\*\* MIDTERM \*\*\*\*\*  
(no class Mar 6)**

**Mar 11 to Mar 17 SPRING BREAK**

**Week 9 (Mar 18, Mar 20) 1375-1383; 1386-1396; 1396-1408**

Roth v. United States  
Paris Adult Theater v. Slaton  
Miller v. California  
New York v. Ferber  
Ashcroft v. The Free Speech Coalition  
Young v. American Mini Theatres, Inc.  
Barnes v. Glen Theatre, Inc. (p. 1400)  
City of Erie v. Pap's A.M.  
Stanley v. Georgia  
Osborne v. Ohio

**Week 10 (Mar 25, Mar 27) 1408-1420; 1428-1451**  
**OMIT 1461-1494 – 5. Reputation, Privacy, Publicity**  
**1494-1513; 1527-1531**  
**Citizens United v. Fed Election Comm'n (Course Materials)**  
***Essay Quiz Six OPTIONAL Mar 31 Sunday noon***

Cohen v. California  
F.C.C. v. Pacifica Foundation  
Sable Communications of California, Inc. v. F.C.C.  
Reno v. American Civil Liberties Union

Virginia State Board of Pharmacy v. Virginia Citizens Consumer Council  
Bolger v. Youngs Drug Products Corp.  
Central Hudson Gas & Electric Corporation v. Public Service Commission of New York  
Friedman v. Rogers  
Linmark Associates v. Township of Willingboro  
44 Liquormart, Inc. v. Rhode Island  
Spence v. Washington (note case p. 1494-5)  
United States v. O'Brien  
Texas v. Johnson

Buckley v. Valeo  
First National Bank of Boston v. Bellotti  
Citizens United v. Federal Election Commission (Course Materials)

**Week 11 (Apr 1, Apr 3) 1531-1562; 1576-1596; 1596-1603**  
***Essay Quiz Seven DUE Sunday April 7 noon***

Hague v. Committee for Industrial Organization  
Schneider v. New Jersey  
Perry Education Association v. Perry Local Educators' Association  
Police Department of the City of Chicago v. Mosley  
Hill v. Colorado  
Ward v. Rock Against Racism

Adderley v. Florida  
Greer v. Spock  
Lehman v. City of Shaker Heights  
United States v. Kokinda  
International Society for Krishna Consciousness v. Lee

Tinker v. Des Moines Independent Community School District  
Bethel School District No. 403 v. Fraser  
Hazelwood School District v. Kuhlmeier  
Morse v. Frederick

Garcetti v. Ceballos

**Week 12 (Apr 8, Apr 10) 1603-1625**

**Christian Legal Society v. Martinez (Course Materials)  
1648-1655**

1. Laws Prohibiting and Punishing Membership (p. 1605) [rule, last paragraph]  
NAACP v. State of Alabama  
Board of Regents of the University of Wisconsin v. Southworth  
Roberts v. United States Jaycees  
Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston  
Boy Scouts of America v. Dale  
Christian Legal Society v. Martinez (Course Materials)

**Week 13 (Apr 15, Apr 17) 1665-1702; 1703-1708**

*Essay Quiz Eight OPTIONAL April 21 Sunday noon*

United States v. Seeger  
United States v. Ballard  
Employment Division, Department of Human Resources of Oregon v. Smith  
Sherbert v. Verner  
Church of Lukumi Babalu Aye v. City of Hialeah  
Gonzales v. O Centro Espiritu Beneficente Unia Do (note case p. 1695)  
Cutter v. Wilkinson  
Locke v. Davey

**Week 14 (Apr 22, Apr 24) 1708-1731**

**Pleasant Grove City v. Summum (Course Materials)**

**1758-1773**

**Christian Legal Society v. Martinez (Course Materials)**

County of Allegheny v. American Civil Liberties Union

Larson v. Valente  
Lemon v. Kurtzman  
Rosenberger v. Rector and Visitors of the University of Virginia  
Santa Fe Independent School District v. Doe

Pleasant Grove City, Utah v. Summum (Course Materials)

Engel v. Vitale  
Lee v. Weisman  
Marsh v. Chambers  
Christian Legal Society v. Martinez (Course Materials)

**Week 15 (Apr 29) Review 10:45 am & 5:00 pm**

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**FINAL EXAMINATION  
TBA**