CONSTITUTIONAL LAW I
COURSE SYLLABUS – Fall 2015

SECTIONS 201B Mon-Wed (3:15-4:45 pm) & 201C Tues (6:30-9:45 pm)
.VERSION – 15 July 2015

BEFORE THE FIRST CLASS:
Register for TWEN – review the SYLLABUS and other course materials
Read the Constitution and Amendments – pp. xli-lvii
Take the OPEN BOOK QUIZ on the U.S. Constitution under ASSIGNMENT & QUIZ
DROP BOX link on left side of TWEN screen. The U.S. Constitution Quiz IS REQUIRED
and due Sunday 8-16 before 1:00 pm.

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TEXTBOOK: Constitutional Law, Chemerinsky (4th Ed. 2013)
READINGS: 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.
REGISTRATION ON TWEN IS REQUIRED. The course Syllabus and all class materials will
be posted there. Class communications will be by email through the TWEN website.

ESSAY QUIZZES, EXAMINATIONS and GRADING:
ESSAY QUIZZES: There will be on-line essay quizzes for review. THE FOUR
REQUIRED QUIZZES ARE PASS/FAIL. I will make written comments, give a practice grade and
supply a sample answer to provide on-going assessment feedback. If you receive a failing grade,
you must re-submit the quiz until you pass. The Quiz Grades are NOT factored into the Course
Grade. HOWEVER, FAILING TO PASS THE REQUIRED ESSAY QUIZZES WILL LOWER
THE COURSE GRADE by one step (e.g., from B+ to B or from C to C-).

COURSE ASSESSMENT: the Course Grade will be based upon two online multiple choice
examinations, a midterm essay examination and the final examination. The final course assessment
grade will be divided as follows:
Week 4: On-line, 30-minute, open-book Multiple Choice Examination 10% (Weeks 1-3)
Week 9: On-line, 30-minute, open-book Multiple Choice Examination 10% (Weeks 4-6)
Final Examination – closed book one hour Multiple Choice section 20% (Weeks 8-12)
Final Examination – closed book two hour Essay Section 40%
The multiple choice questions will be divided between case review and issue analysis. The
Multiple Choice Examinations will NOT be cumulative. The essay portion of the final will cover
the entire semester except for those topics tested in midterm.
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 one-step of the overall course grade (e.g., from B+ to B or from C to C-).
ATTENDANCE: The WSU policy on required attendance at all classes will be followed.
OFFICE HOURS: Tuesday 2:30 – 4:00 pm and by appointment.
DISABILITY SERVICES STATEMENT:

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Second Floor Students Services Suite. Dean Espinoza’s phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Associate Dean of Students Charles Sheppard at csheppard@wsulaw.edu or (714) 459-1152. Complaints will be handled in accordance with the College of Law’s “Policy against Discrimination and Harassment.”
CHAPTER ONE – THE FEDERAL JUDICIAL POWER

U.S. Constitution Quiz – Open Book – Due Sunday 8-16 before 1:00 pm.

Week 1 (Day: Aug-17, Aug-19; Eve Aug-18)
[26 pages reading] CONSTITUTION, Articles I-VII and Amendments – pp. xli-lvii
pp. 1-13; 33-45
Marbury v. Madison
Ex Parte McCordle
United States v. Klein
Plaut v. Spendthrift Farms

Online Essay Quiz 1 (Marbury – Judicial Review)
Due Sunday 8-23 (1:00 pm)

Week 2 (Day Aug-24, Aug-26; Eve Aug-25)
[48 pages reading] pp. 45-52; 59-75; 81-96; 105-113
Allen v. Wright
City of Los Angeles v. Lyons
Lujan v. Defenders of Wildlife
Singleton v. Wulff
United States v. Richardson
Poe v. Ullman
Abbott Laboratories v. Gardner
Friends of Earth, Inc. v. Laidlaw Environmental Services
United States Parole Commission v. Geraghty
Baker v. Carr
Powell v McCormack
Goldwater v. Carter
Nixon v. United States

Optional Essay Quiz (Standing) Due Sunday 8-30 (1:00pm)

CHAPTER TWO – THE FEDERAL LEGISLATIVE POWER

Week 3 is divided – NO CLASS: Sep 1 & Sep 2; Labor Day Sep7

Week 3 (Day 8-31, 9-9; Eve 9-8)
[63 pages reading] pp. 115-177
McCulloch v. Maryland
National Federation v. Sibelius
United States v. Comstock
Gibbons v. Ogden
NLRB v. Jones & Laughlin
U.S. v. Darby
Wickard v. Filburn
First Multiple Choice Examination – Online – Sunday Sept 13 – 1:00 to 4:00 pm (Weeks 1-3)

Week 4 (Day Sep 14, Sep 16; Eve Sep 15)
[59 pages reading] pp. 177-184; 190-209; 220-241
Heart of Atlanta Motel v. U.S.
Katzenbach v. McClung
Perez v. U.S. (p. 182)
U.S. v. Lopez
U.S. v. Morrison
New York v. United States
Printz v. United States
Reno v. Condon

Online Essay Quiz 2 (Commerce Clause) Due Sun 9-20, 1:00 pm

Week 5 (Day Sep 21, Sep 23; Eve Sept 22)
[44+ pages reading] pp. 238-250; 251-266; 266-269; 317-331
U.S. v. Butler
Sabri v. United States
Steward Machine Co. v. Davis
South Dakota v. Dole
United States v. Morrison
Shelby County, Alabama v. Holder [NEW CASE – see TWEN site]
Katzenbach v. Morgan & Morgan
City of Boerne v. Flores
Background Note on Eleventh Amendment
Fitzpatrick v. Bitzer

CHAPTER THREE – THE FEDERAL EXECUTIVE POWER

Youngstown Sheet & Tube Co. v. Sawyer
U.S. v. Richard M.Nixon

Week 6 (Day Sep 28, Sep 30; Eve Sep 29)
65 pages reading] pp. 344-369; 369-377; 381-393; p. 411-418
Immigration and Naturalization Service v. Chada
Alexia Morrison v. Olson
Myers v. U.S.
Humphrey's Executor v. United States
Wiener v. United States
Bowsher v. Synar
Morrison v. Olson (Separation of Powers)
Free Enterprise Fund v. PCAOB

U.S. v. Curtis-Wright Corp.
Dames & Moore v. Regan, Secretary of the Treasury
Hamdi v. Rumsfeld
Ex Parte Quirin
Week 7 (Day Oct 5; No Class Oct 7; Eve Oct 6)  MIDTERM (Essay Chapters 1-2)

NO CLASS Oct 12, Oct 13 & Oct 14

CHAPTER FOUR – LIMITS ON STATE REGULATORY AND TAXING POWER

Week 8 (Day Oct 19, Oct 21; Eve Oct. 20)
[71 pages reading] pp. 431-455 ; 455-501
Lorillard Tobacco v. Reilly
Florida Lime v. Paul
PG&E v. State Energy Resources
Arizona v. U.S.

Cooley v. Board of Wardens
South Carolina State Highway Department v. Barnwell Brothers, Inc.
Southern Pacific Co. v. Arizona Ex Rel. Sullivan, Attorney General
City of Philadelphia v. New Jersey
Hughes v. Oklahoma

Dean Milk v. City of Madison
Maine v. Taylor and United States
Loren J. Pike v. Bruce Church, Inc.
Bibb, Director of Public Safety of Illinois v. Navajo Freight Lines
Raymond Kassel v. Consolidated Freightways Corp. of Delaware
Western & Southern Life Ins. Co. v. State Bd of Equalization of CA
Reeves v. William Stake

Second Multiple Choice Examination – Online – Sunday Oct 25 – 1:00 to 4:00 pm (Weeks 4-6)
CHAPTER FIVE – THE STRUCTURE OF THE CONSTITUTION’S PROTECTION OF CIVIL RIGHTS AND CIVIL LIBERTIES

Week 9 (Day Oct 26, Oct 28; Eve Oct 27)

Barron v. Mayor and City Council of Baltimore
The Civil Rights Cases
Marsh v. Alabama
Jackson v. Metropolitan Edison Co.

Shelley v. Kraemer
Burton v. Wilmington Parking
Moose Lodge No. 107 v. Irvis

CHAPTER SIX – ECONOMIC LIBERTIES

Lochner v. New York
Williamson v. Lee Optical

CHAPTER SEVEN – EQUAL PROTECTION

Romer v. Evans
Railway Express Agency v. New York
New York City Transit v. Beazer
U.S. Department of Agriculture v. Moreno

Essay Quiz 3 (Dormant Com Clause) Due Sun 11-1 (1:00 pm)

Week 10 (Day Nov 2, Nov 4; Eve Nov 3)
[48 pages reading] pp. 740-766; 771-781; 787-791; 794-798

Dred Scott v. Sandford
Korematsu v. U.S.
Loving v. Virginia
Plessy v. Ferguson
Brown v. Board of Education

Washington v. Davis
McCleskey v. Kemp
Personnel Administrator of Massachusetts v. Feeney
Village of Arlington Heights v. Metropolitan Housing Dev. Corp.

Brown v. Board of Education II
Cooper v. Aaron (p. 825)
Week 11 (Day Nov 9, Nov 11; Eve Nov 10)
[49+ pages reading] pp. 824-838
pp. 866-889; 896-905

Regents of U.C. v. Bakke (p. 833)
Richmond v. J.A. Croson
Fisher v. United States [NEW CASE – see TWEN site]

Reed v. Reed
Frontiero v. Richardson
Craig v. Boren
U.S. v. Virginia
Geduldig v. Aiello

Orr v. Orr
Mississippi University for Women v. Hogan

Califano v. Webster
Nguyen v. INS

Online Essay Quiz 4 (Equal Protection) Due Sun 11-15, 1:00 pm

Week 12 (Day Nov 16, Nov 18; Eve Nov 17)
[43+ pages reading] pp. 905-917
pp. 905-921; 921-924; 924-931

Graham v. Richardson
Foley v. Connelie
Ambach v. Norwich
Plyler v. Doe
Massachusetts Board of Retirement v. Murgia
San Antonio School District v. Rodriguez (p. 929-30)
U.S. v. Windsor [NEW CASE – see TWEN site]

Week 13 (Day Nov 23; Eve Nov 24)

Issue Analysis Essay Exercise

FINAL EXAMINATION – TBA