

Professor Gotanda – Section 202A&C
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Office Hours: MW 2:30-4:00 pm & by appointment

Spring Semester 2015
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CONSTITUTIONAL LAW II SYLLABUS – Spring 2015

SECTIONS 202A (10:45 am) & 202C (6:00 pm)
(VERSION – January 5, 2015)

Review the ESSAY QUIZZES and COURSE ASSESSMENT sections carefully
There are significant changes to GRADING PROCEDURES

TEXTBOOK: Constitutional Law, Chemerinsky (4th Ed. 2013)

RECOMMENDED: Constitutional Law: Principles and Policies, Chemerinsky (4th 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.

QUIZZES, EXAMINATIONS, and GRADING:

ESSAY QUIZZES: There will be on-line essay quizzes for review. **THE QUIZZES WILL BE GRADED. YOU MUST PASS ALL REQUIRED QUIZZES.** Comments and the grade will 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-). Optional quizzes will be reviewed if submitted.

COURSE ASSESSMENT: the Course grade will be based upon online multiple choice examinations and one midterm online essay examination. There will also be a final examination. The final course assessment grade will be divided as follows:

On-line, 30-minute, open-book Multiple Choice Examination 10% (Week 4)

Midterm: open book on-line 45 minute Essay Examination 20% (Week 7)

On-line, 30-minute, open-book Multiple Choice Examination 10% (Week 8)

Final Examination – closed book one hour Multiple Choice section 20%

Final Examination – closed book two hour Essay Section 40%

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, 4th edition. No other edition is acceptable. The only hornbook that is recommended is Chemerinsky, 4th Edition.

CHAPTER EIGHT

Week 1 (Jan 12, Jan 14) 933-979
Essay Quiz One DUE Jan 18 Sunday 1:00 PM

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

(Jan 19, 21 – No Class MLK Holiday)

Week 2 (Jan 26, 28) 988-1000; 1014-1030
Essay Quiz Two DUE Feb 1 Sunday 1:00 PM

Roe v. Wade
Planned Parenthood v. Casey
Waiting Periods (pp. 1014-1015)
Maher v. Roe
Harris v. McRae
Planned Parenthood v. Danforth
Planned Parenthood v. Casey
Bellotti v. Baird

Week 3 (Feb 2, Feb 4) 1030-1058; 1062-1096

Cruzan v. Director, Missouri Department of Health
Washington v. Glucksberg
Vacco v. Quill
Lawrence v. Texas
Saenz v. Roe
Harper v. Virginia State Board of Elections
Kramer v. Union Free School District
Crawford v. Marion County Election Board
Reynolds v. Sims

Week 4 (Feb 9, Feb 11) 1119-1176; 1182-1189
Essay Quiz Three OPTIONAL Feb 16 Monday 1:00 PM

Boddie v. Connecticut
United States v. Kras
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

(Feb 15 Sunday) 30 MINUTE ONLINE MULTIPLE CHOICE EXAMINATION
Exam Window 11:00 AM – 4:00 PM

(Feb 16 – No Class President’s Day; Legislative Monday Feb 17)

CHAPTER NINE

Week 5 (Feb 17, Feb 18) 1197-1213; 1222-1243
Essay Quiz Four DUE Feb 22 Sunday 1:00 PM

Turner Broadcasting v. FCC
Boos v. Barry

City of Renton v. Playtime Theatres
National Endowment for the Arts v. Finley
Pleasant Grove City v. Summum

Coates v. City of Cincinnati
Schad v. Borough of Mount Ephraim
Board of Airport Commissioners v. Jews for Jesus

Week 6 (Feb 23, Feb 25) 1243-1296
Essay Quiz Five OPTIONAL March 1 Sunday 1:00 PM

Near v. State of Minnesota
New York Times v. United States
Nebraska Press Association v. Stuart
Alexander v. U.S.
Lovell v. City of Griffin
Watchtower Bible and Tract Society v. Village of Stratton
[Three-part rule for licensing (important reason; clear standards; procedural safeguards)
1270-1273]
City of Lakewood v. Plain Dealer Publishing
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
Rust v. Sullivan

Week 7 (Mar 2, Mar 4) 1304-1313; 1325-1365

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

Brandenburg v. Ohio
Holder v. Humanitarian Law Project
Chaplinsky v. New Hampshire
Gooding v. Wilson
R.A.V. v. St. Paul, Minnesota
Feiner v. New York
Beauharnais v. Illinois
Virginia v. Black

(March 7 Saturday) 45 MINUTE ONLINE ESSAY MIDTERM EXAMINATION
Exam Window 11:00 AM – 4:00 PM

Mar 9 to Mar 15 SPRING BREAK

Week 8 (Mar 16, Mar 18) 1365-1427

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.
City of Erie v. Pap's A.M.
Stanley v. Georgia
Osborne v. Ohio
Cohen v. California
F.C.C. v. Pacifica Foundation
Sable Communications of California, Inc. v. F.C.C.
Reno v. American Civil Liberties Union

(Mar 22 Sunday) 30 MINUTE ONLINE MULTIPLE CHOICE EXAMINATION
Exam Window 11:00 AM – 4:00 PM

Week 9 (Mar 23, 25))

1427-1460
OMIT 1461-1489 – 5. Reputation, Privacy, Publicity
1489-1544
Essay Quiz Six OPTIONAL Mar 29 Sunday 1:00 PM

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

Lorillard Tobacco v. Reilly
[omit Section 6 Reputation, Privacy, Publicity]
Spence v. Washington (note case p. 1490)
United States v. O'Brien
Texas v. Johnson

Buckley v. Valeo
Randall v. Sorrell
First National Bank of Boston v. Bellotti
Citizens United v. Federal Election Commission
Arizona Free Enterprise v. Bennett

Week 10 (Mar 30, NO CLASS Apr 1)

1545-1582

Essay Quiz Seven DUE Sunday April 5 1:00 PM

Hague v. Committee for Industrial Organization
Schneider v. New Jersey
(Perry Three or Four Part Analysis 1549-1550)
Police Department of the City of Chicago v. Mosley
Hill v. Colorado
Ward v. Rock Against Racism
CLS v. Martinez
International Society for Krishna Consciousness v. Lee

Week 11 (Apr 6, Apr 8) 1582-1638

Parker v. Levy
Thornburgh v. Abbott
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

1. Laws Prohibiting and Punishing Membership (p. 1617) [rule, first paragraph]
NAACP v. State of Alabama
Board of Regents of the University of Wisconsin v. Southworth
Roberts v. United States Jaycees
Boy Scouts of America v. Dale
(Freedom of the Press pp. 1637-1638)

Week 12 (Apr 13, Apr 15) 1673-1708

Essay Quiz Eight OPTIONAL April 19 Sunday 1:00 PM

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 (note case pp. 1699-1700)
Cutter v. Wilkinson
Locke v. Davey

Week 13 (Apr 20, Apr 22) 1708-1731

County of Allegheny v. American Civil Liberties Union
Lemon v. Kurtzman
Rosenberger v. Rector and Visitors of the University of Virginia
Santa Fe Independent School District v. Doe
McCreary County v. ACLU of Kentucky
Van Orden v. Perry

Engel v. Vitale
Lee v. Weisman
Marsh v. Chambers
(Government Aid to Religion pp. 1774-1776)

Week 14 (Apr 27) Review 10:45 am & 6:30 pm

**FINAL EXAMINATION
TBA**