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Office Hours: M, T, W: 10-11am, and by appointment

“The law is the witness and external deposit of our moral life... When I emphasize the difference between law and morals I do so with reference to a single end, that of learning and understanding the law. For that purpose you must definitely master its specific marks... I ask you for the moment to imagine yourselves indifferent to other and greater things.”

Oliver Wendell Holmes, Jr., “The Path of the Law,” *Harvard Law Review* (1897).

This course investigates law and legal systems in the United States, and as such is a blend of *what the law is, how it is organized, and how it works*. Since this course is an introductory course, we take a broad look at the substance and content of law and the basic legal institutions and actors in the legal system. The goal of this course is to give you a good, broad introduction to the many—and diverse—roles, functions, organization, and areas of the law, so as to help you decide whether you want to pursue further study or not.

Interdisciplinary Designation—General Education Program

This course fulfills the interdisciplinary requirement of the UWSP General Education Plan. It includes aspects of the social sciences and humanities. The course studies law and legal institutions from a social science perspective by using quantitative and qualitative data to understand how legal institutional (and actors within those institutions) operate. The humanities component relies on the use of legal cases to give added understanding to how the law operates and changes over time.

Learning Outcomes:

At the conclusion of this course, you should have a basic understanding of the various components of the U.S. legal system. You should be able to explain and appreciate:

- 1) the roles and interactions of institutions and persons involved in the judicial process;
- 2) the procedures, processes, and constitutional and legal protections involved in trials and sentencing;
- 3) the roles, purposes, and jurisdictions of various types of courts
- 4) the ability to read carefully, speak clearly, and think critically about primary sources on law such as legal cases;
- 5) how social science and empirical data help clarify the development, operation, and change of American law and legal institutions; and
- 6) how the development of American law is affected by political, social, and economic forces.

READING:

The reading for the course comes from two sources, the text rental and legal cases in D2L.

Text Rental:

Mays, G. Larry. *American Courts and the Judicial Process*. Oxford University Press, 2012.

Grading:

Midterm Exam	35% of final grade (10% Multiple Choice in class, 25% Online Essay in D2L)
Final Exam	35% of final grade (10% Multiple Choice in class, 25% Online Essay D2L)
Case quizzes in D2L	30% of final grade.

NOTE: as specified below, much of the grading in this course is through D2L. Therefore, you must have reliable access to the internet and sufficient computer resources in order to successfully complete the course.

Midterm and Final Exams

The midterm and final exams will each consist of an IN-CLASS multiple choice exam of approximately 40-50 questions, and an ONLINE essay taken in D2L.

The in-class midterm multiple choice will be on March 20th. The online essay will open on March 20th and close on March 23. You will have 1 ½ hours in which to take the online essay. The online midterm essay exam is an open-book exam, so you may use your textbook and course materials.

The final exam multiple choice will be given on May 16th. The online essay in D2L will open on May 16th and close on May 18th. You will have 1 ½ hours in which to take the online essay. The online final exam essay is an open-book exam so you may use your textbook and course materials.

Pay careful attention to the specific exam dates.

The reason for the online D2L essay exam is for assessment purposes. Since this course meets the Interdisciplinary requirement for the General Education Program, data must be collected on student performance relative to the GEP learning outcomes.

Case Quizzes:

You will be graded on 7 total quizzes on assigned legal cases. Each quiz will be taken in D2L and will consist of a few multiple choice questions and/or short answer questions over the assigned cases. A few of the quizzes are also essay questions. There will be at least 15 (and most likely more) quizzes that you can take over the course of the semester. Pay careful attention to the following:

- **Only your 7 (SEVEN) HIGHEST quiz scores will be counted.**
- **There will be at least 15 quizzes for you to take.**
- **Each quiz will have a set opening and closing time in D2L.**
- **Quiz times and dates are specified in D2L.**
- **Each quiz will have a set time limit of 40 minutes for multiple choice, 60 minutes for essays.**
- **Makeup quizzes will not be allowed, and time will not be extended on any quiz.**
- **If you don't take a quiz it will be recorded as a 0 in the gradebook. If the 0 is one of your lowest scores, it won't be counted.**
- **It is allowable to have a copy of the case(s) with you when taking the quizzes, or you may choose to have an electronic copy of the case open in your computer when taking a quiz. You may refer to the case when taking the quiz.**
- **Some quizzes are graded automatically and your score will appear right after submissions. Other cases with fill-in-the blank, short answers, or essay questions have to be graded by me. With those quizzes your score will not appear immediately after submission, and will be posted only after the quiz has closed.**

Grade Scale: Your course grade is based on a straight percentage scale. An A will be 93 or above, A- 90-92.99, B+ 87-89.99, B 83-86.99, B- 80-82.99, C+ 77-79.99, C 73-76.99, C- 70-72.99, D+ 67-69.99, D 60-66.99, F 59.99 and below.

D2L: A D2L website exists for this course. The PowerPoint slides for each chapter are available in D2L, and other information relevant to the course will be available too.

Communication: UWSP e-mail is the official means of communication for this course. Check your e-mail account frequently. You must be able to access your UWSP e-mail in order to take this course.

Make-up exams: If you miss an exam, and have a valid and *documented* excuse, you may take a make-up exam. However, make-up exams are scheduled by me. The mid-term will not be rescheduled for students who miss it due to spring break travel considerations and so forth. Plan accordingly.

Attendance: You should attend class. Class attendance is linked to exam performance—those who attend the most usually do the best on exams in this course.

Class Decorum: academic success hinges upon a classroom environment that supports learning. To that end, I ask that all classroom disruptions be kept to a minimum. At the very least, please do not confer with

your classmate during lectures, please turn off all cell-phones and other electronic devices, please arrive to class on time, and so forth. If you do arrive to class late, please take your seat with a minimum of disruption; likewise if you have to leave early. If you need to leave early, clear it with me prior to class. If you arrive late, please see me after class is over.

Statement on Academic Integrity: I take very seriously the issue of academic integrity—the idea that academic honesty is a vital part of higher education. For the UWSP policy on academic integrity—what it is, and violations of it—I refer you to pages 5 and 6 of the Community Rights and Responsibilities Document given to all UWSP students. Academic misconduct in this course may result in sanctions, which may include (but are not limited to): a 0 on a specific assignment; a failing grade in the course; removal from the course.

Student Privacy: Federal law protects your privacy as a college student, which means your academic records generally cannot be released without your permission. Therefore, I cannot discuss your grades and classroom performance with your roommate, friends, and even parents.

January

23 Introduction
25/30 Chapter One: An Overview of the American Legal System

February

1/6 Chapter Three: The Courtroom Work Group
8/13 Chapter Four: Judges
15/20 Chapter Five: Lawyers and Litigants
22/27 Cases and Issues: The Constitution and Criminal Due Process
Any assigned readings will be placed in D2L.
NOTE: These three class days will be devoted to lecture and discussion of the Constitution and the 4th, 5th, and 6th Amendments and the cases in D2L

March

1 The Constitution and Criminal Due Process
6/8/13/15 Chapter 6: Jurors, Witnesses, and Others
Chapter 7: Trials

20 Midterm Exam

Midterm Multiple Choice: In Class Mar 20 12:30 pm

Midterm Essay Exam in D2L Opens Mar 20, 2018 12:00 pm, Closes Mar 22, 2018 5:00 pm

The midterm exam will cover chapters 1, 3, 4, 5 and the information from 2/22-3/1.

No class: March 22

27/29 Spring Break

April

3/5 Chapter Seven: Trials
10/12 Chapter Eight: Sentencing
17 Cases: The politics and case law concerning the death penalty
19/24/26 Trial Courts: Chapters 9 and 10

May

1/3	Criminal Law and cases. NOTE: this section will be devoted to lecture and discussion on the substance of criminal law. Reading to be announced.
8/10	Tort Law and cases

Final Exam: Wednesday, May 16 at 10:15-12:15

In-class multiple choice final exam on May 16. Online essay exam opens Monday May 14 at 8am and closes on Thursday May 17 at 5pm.

How to read legal cases

Reading a legal case is difficult. It involves complex issues of law, facts, and the reasoning of the judge(s). The outcome of the case itself may be somewhat unclear. The cases chosen for this course present complex issues of law and fact patterns, and also show how common principles of law tend to work in practice. The goal of reading the cases at this level is NOT to become adept at understanding and applying the law. That's what attorneys do, but only after years of study. The main goal of reading cases is to develop your critical thinking and reasoning skills, and to learn how some of the basic principles of American law are applied by judges and other legal institutions.

When reading the cases, aim for the following outcomes:

1. Understand the main fact patterns of the case. Ask yourself: "who did what to whom, and why is it being prosecuted or litigated?"
2. Understand the main legal issues involved.
 - a. What specific crime was committed, if a criminal case?
 - b. What tort/injury is alleged, if a non-criminal case?
 - c. What constitutional issues are at stake, if it's a constitutional law case? NOTE: not every case concerns the Constitution.
 - d. What was the judge's or court's reasoning in the case? That is, how did the judge or court reach their conclusion? How did they justify their conclusion?
 - e. What court decided the case? U.S. Supreme Court? Federal trial court? State Supreme Court? Trial court or appellate court?
 - f. Did any judges dissent from the court's decision? Why?