RPOS 427z: American Constitutional Law—Spring 2014

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Classroom: HU 111  
Class: 12:35-1:30 MWF  
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Required Text  
ISBN 978—1-60426-961-1

Note: Earlier additions of the text are acceptable, but page numbers may vary, and students are responsible for finding any cases not included in the volume.


Course Description and Objectives  
This course will introduce students to Constitutional law through the lens of U.S. Supreme Court case law with an emphasis on due process and equal protection as related to civil and political rights through the lens of Supreme Court case law. Additionally, the course is designed to improve student research and writing. Throughout the semester students will work on research topics of their choosing and receive individualized feedback on their work in order to become stronger writers. The course seeks to broadly introduce students to theories of interpreting the Constitution and major Supreme Court cases. By the end of the course, students should be able to (1) analyze and apply legal arguments and theories to Supreme Court cases (2) distill cases to their most important components, (3) think critically about the role of courts in the federal system, and (4) conduct high quality legal research and writing.

Course Requirements

Academic Honesty  
All students are expected to abide by the University’s Code of Student Conduct http://www.albany.edu/studentconduct/introduction.php. Any student caught plagiarizing work or cheating on an exam will be reported to the appropriate university officials.

Make-up Exam and Late Work Policy  
Make-up exams will only be given to and late work accepted from students who notify the instructor within 24 hours of missing the exam/assignment and whose absence qualifies under U Albany policy.  
http://www.albany.edu/undergraduateeducation/attendance.php

Briefs  
Because the study of law requires both heavy reading and cumulative comprehension, it is essential that students read all assigned cases prior to each class. Students must brief all cases assigned to their group on the syllabus. The process of briefing will prepare you for class discussions and save you many hours of time in test preparation. Briefs will be collected at the
beginning of class only. Briefs will not be accepted electronically or after class. Although students are only required to brief the cases assigned to their group, students are responsible for understanding all assigned cases and are strongly encouraged to brief all cases. Reading assignments available on Blackboard are designated with a “B.” Each brief is worth a total of 5 points, for a maximum of 35 pts. Each student is assigned 12 briefs on the syllabus and must complete 7 of the 12. There will be no make-ups. **Plagiarism of briefs or any other class assignment will not be tolerated and will be reported the university.**

**Participation**
Students are expected to attend class daily, on time, and for the duration of the class. Students are also expected to read all assigned readings before class, complete all written assignments on time, and treat classmates and the instructor with respect. Please turn off phones and put mp3 players, newspapers, and other unrelated materials away before class begins.

**Exams**
In-class discussions and the material assigned on the syllabus will provide the basis for exams. There will be one midterm and one final exam to test your understanding of concepts as well as your ability to apply and analyze them. Exams will consist of multiple choice, short answers, and essays. All makeup exams will be in essay format.

**Simulations**
During the course of the semester students will participate in three Supreme Court decision-making exercises. Students will be assigned to groups and participate as justices. Students will receive up to 50 points for informed participation.

**Papers**
Each student will complete a rough draft and final draft of research paper on civil rights/political equality topic. Detailed instructions will be given in class.

**Grading Policy**
The course is worth a total of 375 points allocated as follows:

- Briefs—35 points
- Midterm Exam —100 points
- Final Exam—100 points
- Simulation (Participation)—40 points
- Paper—100 points

Grade distributions comply with U Albany grading standards.

**Special Accommodation**
Students with documented disabilities who require special testing accommodations should notify the instructor at the beginning of the semester so that appropriate arrangements can be made.

**Course Outline**

Note: The syllabus represents a general plan for the course and may be subject to change, based on the discretion of the instructor. Students will be responsible for all exams and assigned work even if the syllabus changes.
January 22, Introduction to the Course

January 24, Understanding the Supreme Court
Chapter 1 pgs. 12-23 & 33-46

January 27, Interpreting the Constitution, In Class Activity

January 29, Introduction to Legal Research & Writing & Briefing

January 31, Political Equality & Voting
* Baker v. Carr (1962) (B)(1)
* South Carolina v. Katzenbach (1966)(2)

January 31, Political Equality, Elections
* Crawford v. Marion County Election Board (2008)(3)
* Shelby County v. Holder (2013)(B)(4)

February 3, Political Equality, Elections
* Bush v. Gore (2000)(5)
* Citizens United v. FEC (2010)(1)

February 5, Political Equality & Representation
* Reynolds v. Sims (1964)(2)

February 7, Political Equality & Representation
* Davis v. Bandemer (1986) (B)(4)

February 10, Legislatting Individual Behavior (Commerce Clause, Original Interpretations)
* Gibbons v. Ogden (1824) (B)(1)
* A.L.A. Schechter Poultry Corp. v. United States (1935) (B)(2)
* Carter v. Carter Coal Co. (1936) (B)(3)

February 12, Commerce Clause, Expansion of Congressional Authority
* Wickard v. Filburn (1942)(B)(4)

February 14, Commerce Clause, Modern Interpretations

February 17, Commerce Clause, Modern Interpretations
* Gonzalez v. Raich (2005)(B)(3)

February 19, 14th Amendment, Equal Protection, Race
* Scott v. Sanford (1857)(B)(5)
* Plessy v. Ferguson (1896)(1)
February 21, No Class

February 28, 14th Amendment, Equal Protection, Race
Shelly v. Kramer (1948)(2)
Sweatt v. Painter (1950)(3)

March 3, 14th Amendment, Equal Protection, Race
Loving v. Virginia (1967) (5)
Moose Lodge #107 v. Irvis (1972)(1)

March 5, 14th Amendment, Equal Protection, Race
Burton v. Wilmington Parking Authority (1961)(3)

March 7, In-Class Activity, Writing Workshop

March 10, Midterm

March 12, Race & Criminal Procedure

March 14, 14th Amendment & Affirmative Action
Regents v. Bakke (1978) (1)
Adarand Constructors, Inc. v. Pena (1995)(2)

March 17-21, Spring Break

March 24, 14th Amendment & Affirmative Action
Fisher v. University of Texas (2012)(B)(5)

March 26, the Supreme Court & Civil Rights

March 28, Equal Protection, Gender
Reed v. Reed (1971) (1)
Craig v. Boren (1976) (2)

March 31, Equal Protection, Gender
U.S. v. Virginia (1967)(3)
Michael M. v. Superior Court of Sonoma (1981) (B)(4)

April 2, Equal Protection, Gender

April 4, Equal Protection, Gender
April 7, Equal Protection & Sexual Orientation
Romer v. Evans (1982)(4)

April 9, Equal Protection & Sexual Orientation

April 11, In-Class Activity (Cert Decision)

April 14, Other Discrimination
Gregory v. Ashcroft (1991) (B)(4)

April 16, Other Discrimination
Saenz v. Roe (1999) (B)(5)
San Antonio ISD v. Rodriguez (1973) (1)

April 18, Economic Due Process
The Slaughterhouse Cases (1873) (2)
Munn v. Illinois (1877) (B)(3)
Allegeyer v. Louisiana (1897) (B)(4)

April 21, Economic Due Process
Adkins v. Children’s Hospital (1923) (B)(5)
City of New Orleans v. Dukes (1976)(B)(1)

April 23, Sources of Privacy Rights
Griswold v. Connecticut (1965)(2)
Roe v. Wade (1973) (3)

April 25, Right to Privacy
Cruzan v. Director, Missouri Dept. of Health (1990) (1)
Planned Parenthood v. Casey (1992) (2)

April 28, Right to Privacy
Vacco v. Quill (1997)(3)

April 30, Right to Privacy
Gonzales v. Oregon (2006) (1)
City of Ontario v. Quon (2010) (B)(2)

May 2, In-Class Activity

May 5, In-Class Activity

May 7, Last Class Day, Final Papers Due
May 14th, Final Exam 10:30-12:30

Important Dates
February 4th—Final date for dropping without receiving a “W”
April 8th—Final date for resigning from the university/dropping courses
May 14th—Final Exam 10:30-12:30

Groups for Briefs
Students are responsible for briefing all cases assigned to their group. The class is divided alphabetically by last names as listed below.

Group 1    Names beginning with A-Can
Group 2    Names beginning with Cap-D
Group 3    Names beginning with E-H
Group 4    Names beginning with I-M
Group 5    Names beginning with N-Z