

PSC 320-01: Civil Liberties
Spring 2010
Tuesday and Thursday, 2 – 3:15 pm
Graham 204

Instructor & Office Hours:

Dr. Susan Johnson

Office: 233 Graham

Office Hours: Tues. & Thurs. 3:30 – 4:30, and by appointment

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Course Catalog Description:

Case-method approach to issues involving civil liberties and civil rights. Examination of the historical evolution of Supreme Court decisions and evaluation of the Court's reassessment of previous decisions.

Student Learning Outcomes:

- To practice the skill of reading and analyzing written judicial opinions.
- To become familiar with the Bill of Rights and its interpretation by the U.S. Supreme Court.
- To explore the Court's treatment of individual liberties, including freedom of religion, free speech, freedom of the press, rights of the accused, and privacy
- To explore the states' obligation to provide protections against discrimination.

Required Texts:

Epstein, Lee and Thomas G. Walker. 2010. *Constitutional Law for a Changing America: Rights, Liberties and Justice*. Washington D.C.: CQ Press. (Available at the University Bookstore).

Course Requirements:

Class participation	10%
Eight (8) briefs (best 8 of 9)	15%
Exam 1	25%
Exam 2	25%
Exam 3	25%

Class Participation:

Students are expected to regularly attend class and participate in discussion. This means that students should be prepared each class period to be called upon to answer questions relevant to the reading. Quality is more important than quantity in my evaluation of class participation. Class participation may also occasionally consist of assigned discussion questions for the following class period or a pop quiz, at the instructor's discretion.

Case Briefs:

Students should brief all of the assigned cases. Doing so will adequately prepare you for class discussion. It will also make studying for the exams much easier.

Eight (8) case briefs are required to be turned in during the semester. It is up to the student to keep up with the number of briefs turned in and ensure that all eight (8) briefs are completed. Case briefs are due the day that the case is assigned, as indicated on the schedule. Late briefs will not be accepted.

Exams:

Three in-class exams will be held during the semester. Exams will consist of multiple choice and/or short answer and essay questions. Success on these examinations will require a thorough understanding of the reading assignments and class discussions/lectures.

Missed exams

Students are expected to be present to take the exams at their scheduled times. Only in extraordinary circumstances will make-up opportunities exist. Students must notify me PRIOR to the missed exam with a valid excuse and must be prepared to provide credible evidence (such as a written doctor's note) of the excuse. Excuses for missed exams after the fact will not be allowed, resulting in a failing grade for the missed exam. **It is the instructor's sole discretion to determine whether or not an excuse is acceptable.**

Make-up exams will be scheduled for the same day, time and place for everyone. I will announce the make-up exam time in class. Students will be allowed to make-up only one (1) exam during the semester.

Extra credit: I occasionally offer extra credit as an incentive for attending department and/or university events as part of your educational enrichment. Extra credit is a privilege, not a right. If you cannot attend any of the events, it will not count against you. However, I will not offer other forms of extra credit as an alternative to events that you cannot attend regardless of the reason.

Academic Honor Code:

I expect all students in this course to abide by both the letter and spirit of the university's academic integrity policy. **Violations of the university honor code will be prosecuted.** The full text of the Academic Integrity Policy can be viewed at: <http://www.uncg.edu/reg/Policy/HonorPolicy.html>.

Students with Special Needs:

Students with special needs should contact the instructor during the first week of class. I will make every effort to accommodate the needs of students with special requirements.

Assigned Readings:

Students are expected to complete the assigned reading before class and be prepared to discuss the assigned cases.

Course schedule:

Minor adjustments to the reading schedule may be made depending on how quickly material is covered. Students are responsible for keeping up with any schedule adjustments that are announced in class or on blackboard. **Cases that may be submitted as briefs are listed in bold-faced type. Eight (8) briefs must be turned in at the beginning of class (on the date we discuss them) by semester's end.**

1/19: Course Introduction; Overview of briefing cases

1/21: Understanding the U.S. Supreme Court
Read: Chapter 1

- 1/26: Judicial Review and Power
Read: *Marbury v. Madison*; *Ex Parte McCordle*
- 1/28: Incorporation
Read: *Barron v. Baltimore* ; *Hurtado v. CA*; *Palko v. CT*; ***Duncan v. LA***
- 2/2: Free Exercise
Read: *Cantwell v. CT*, ***Sherbert v. Verner***, *Wisconsin v. Yoder*
- 2/4: Free Exercise
Read: ***Oregon v. Smith***, *City of Boerne v. Flores*
- 2/9: Establishment
Read: *Everson v. Bd. of Educ.*, ***Lemon v. Kurtzman***, *Agostini v. Felton*
- 2/11: Establishment
Read: *Edwards v. Aguillard*, *Abington Township v. Schempp*, ***Lee v. Weisman***
- 2/16: *Van Orden v. Perry*
Review for Exam I
- 2/18: EXAM I**
- 2/23: Free Speech
Read: *Schenck v. U.S.*, *Abrams v. U.S.*, *Gitlow v. NY*, *Dennis v. U.S.*
- 2/25: Free Speech
Read: *Bradenburg v. Ohio*, ***U.S. v. O'Brien***, *Tinker v. Des Moines*
- 3/2: Free Speech
Read: ***Texas v. Johnson***, *Chaplinsky v. NH*, *Cohen v. CA*
- 3/4: Free Speech
Read: *Hill v. CO*, *RAV v. City of St. Paul*, *Boy Scouts v. Dale*
- 3/9 – 3/11: Spring Break**
- 3/16: Free Press
Read: *Near v. MN*, ***NY Times v. U.S.***, *Hazelwood v. Kuhlmeier*
- 3/18: Obscenity
Read: *Roth v. U.S.*, ***Miller v. CA***, *NY v. Ferber*
- 3/23: Libel
Read: ***NY Times v. Sullivan***, *Gertz v. Welch*, *Hustler Magazine v. Falwell*
- 3/25: Privacy
Read: *Griswold v. CT*, *Roe v. Wade*, ***Planned Parenthood v. Casey***

3/30: Privacy

Read: *Lawrence v. Texas*, *Cruzan v. Missouri Dept. of Health*
Review for Exam II

4/1: EXAM II

4/6: Fourth Amendment

Read: *Katz v. U.S.*, *Terry v. Ohio*, ***Mapp v. Ohio***, *U.S. v. Leon*

4/8: Fifth Amendment

Read: *Escobedo v. Illinois*, ***Miranda v. Arizona***, *Powell v. Alabama*, *Gideon v. Wainwright*

4/13: Sixth Amendment; Eighth Amendment

Read: *Batson v. Kentucky*, ***Gregg v. GA***, *Atkins v. VA*

4/15: Fourteenth Amendment

Read: *Plessy v. Ferguson*, *Brown I*, *Brown II*, ***Swann v. Charlotte-Mecklenburg***

4/20: Fourteenth Amendment

Read: *Loving v. VA*, *Shelley v. Kraemer*, ***Burton v. Wilmington Parking***, *Moose Lodge v. Irvis*

4/22: Gender Discrimination

Read: *Reed v. Reed*, *Frontiero v. Richardson*, *Craig v. Boren*, ***U.S. v. VA***

4/27: Other forms of Discrimination / Affirmative Action

Read: *Romer v. Evans*, *Plyer v. Doe*, *Regents of Univ. of CA v. Bakke*, ***Grutter v. Bollinger***

4/29: Semester wrap-up

Review for Final Exam

Thursday, May 6th: FINAL EXAM, 3:30 – 6:30 pm