

**PENN STATE ABINGTON
PARLG 5080 (2 CREDITS)
AMERICAN CONSTITUTIONAL LAW
1/31/06 - 4/4/06 - TUESDAY - 6-9 P.M.
227 SUTHERLAND BUILDING
SYLLABUS - SPRING, 2006**

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COURSE OBJECTIVES:

Upon completion of this course, the student:

- A. Will understand the structure and purpose of both the United States and Pennsylvania Constitutions;
- B. Will be able to analyze constitutional provisions through the prism of legal, social and political perspectives, looking at both cases that have already been decided and in anticipation of future constitutional law issues;
- C. Will have participated in drafting and presenting legal arguments around constitutional issues; and
- D. Will have an enhanced ability at briefing cases.

METHOD OF INSTRUCTION

The class will feature traditional lecture and discussion methods combined with interactive instructional approaches such as mock trials, mock appellate arguments and human lickert scales. There will be pre- and post course tests of knowledge, required student presentations, weekly readings and written exercises.

COURSE SCHEDULE

There are 10 class sessions; all will be held at Penn State Abington

ATTENDANCE AND CLASS PARTICIPATION

Attendance and participation are critical to successful completion of this course. If you must be absent from class, you will be expected to have all missed assignments timely completed with an additional make-up research project required for each missed class. All assignments will be accepted electronically, in either WORD or WORD PERFECT.

EVALUATION AND GRADING

Post-Test	20%	(pre-test score will count instead if it is higher)
Mock Appellate Arguments	30%	
Required Presentation	20%	
Weekly Assignments	20%	
Class Participation	10%	

ASSIGNMENTS

Assignments are listed under each class. Other than the first night, all assignments are to be completed for the class under which the assignment is listed. The class text is: Lee Epstein and Thomas G. Walker, CONSTITUTIONAL LAW FOR A CHANGING AMERICA: RIGHTS, LIBERTIES AND JUSTICE, Fifth Edition; CQ Press, Washington, DC (2004) ISBN# 1-56802-817-2. Anytime "Text" is used in the assignment it refers to this resource. There will be numerous class handouts that will be given out the first night of class. There is also a website tied to the text at <http://college.cqpress.com/clca>. As the site notes: *"If your students purchase new books they will find registration cards inserted into their texts that entitle them to free access to the archive for 18 weeks. Those students who share books, or buy used, can purchase a registration on our website for \$17.95. If your term is longer than 18 weeks, or if a student needs access beyond that period to complete your course, you will need to let us know at collegehelp@cqpress.com. We will gladly extend individual registrations to accommodate year-long courses, incompletes, and other situations."* No one is required to use this site but it is a resource you might consider. Numerous free sites are listed in the text.

Class Schedule

Jan. 31 Introduction and Con Law Pre-test
 Review of Class Expectations
 Mindwalk through the Law: Constitutional Law Review
 No Vehicles in the Park: Interpreting the Law
 Law and the Sources of Law for PA and US
 Comparing Constitutions
 An Overview of the Justice System

Taking A Stand—Looking At Constitutional Law Issues
Looking at a Supreme Court Decision: How to Brief a Case
Assignment: Read “The Living Constitution” and Chapter 1 in the text, pages 3-49; review Supreme Court CD handed out in class tonight and look over Appendices in text.

- Feb. 7 More on Briefing a Case: Review of IRAC Process
 Judicial Review: From *Marbury v. Madison* to Today
 Amending the Constitution
 The 14th Amendment
 Incorporation and the Bill of Rights
 The Judiciary in a System of Checks and Balances
Assignment: Read Chapters 2 and 3 in the text, pages 50-97. Review Week 1 assignment and become familiar with Appendix 8 in text.
- Feb. 14 Introduction to the First Amendment
 Freedom of Religion: Exercise v. Establishment
 Mock Appellate Argument: The Case of “Under God” and the Pledge
Assignment: Read Chapter 4, pages 101-213 in the text. Review arguments handed out February 7th on the Pledge case and prepare for a mock appellate argument on the issue of whether the inclusion of “under God” in the Pledge violates the First Amendment.
- Feb. 21 The Rest of the First Amendment
 Looking at Freedom of Speech, Assembly and Association
 Freedom of Press
 The Boundaries of Free Expression: Obscenity and Libel
 First Student Presentations
Assignment: Read Chapters 5, 6 and 7, pages 214-417 in the text.
- Feb. 28 The Right to Privacy: Douglas’ Penumbra
 Abortion and the Constitution
 Assisted Suicide and More
 Privacy and the Roberts’ Court
 Student Presentations
Assignment: Read Chapter 9 in the text, pages 429-499.
- March 7 Criminal Law and the Constitution
 The 4th Amendment and the Exclusionary Rule
 Do the Guilty Go Free?
 Mock Appellate Argument: *Illinois v. Wardlow*
 Student Presentations
Assignment: Read Chapter 10 in text, pages 503-578. Review materials handed out on *Illinois v. Wardlow* case in preparation for tonight’s mock appellate argument.

- March 14 Trial Rights
Middle Ages Jury Exercise
Right to Counsel
Should There Be a Civil Gideon?
Double Jeopardy
Death Penalty
Final Student Presentations
Assignment: Read Chapter 11 in text, pages 580-646
- March 21 Civil Rights and the Constitution
The Legacy of *Brown v. Board*
Sex Discrimination
Affirmative Action: The *Taxman* Case
Assignment: Read Chapter 12, pages 651-778.
- March 28 The Right to Bear Arms
Voting Rights
Political Representation
Bush v. Gore
Assignment: Read Chapter 8 and Chapter 13, pages 419-427 and 780-835.
- April 4 Final Class—Post-test
Looking Forward to a 21st Century Constitution
Final Mock Appellate Argument
Evaluation and Gala Closing Ceremonies
Assignment: Review Text and course handouts for Post-test. Prepare for closing mock appellate argument. Self-evaluation due tonight.