UNIVERSITY OF LA VERNE
COLLEGE OF LAW

CONSTITUTIONAL LAW

SYLLABUS

Dean Doskow
Day and Evening Sections

2009-2010

Casebook: Sullivan & Gunther, Constitutional Law, Sixteenth Edition and 2009 Supplement

Constitutional Law is a year long course, three units per semester.

The course is a comprehensive study of the civil side of American constitutional law. (Criminal Procedure is the criminal side.) The first third of the course focuses on the structure of our national government, particularly issues of congressional power and federal/state relations. The second two-thirds deals with individual rights: freedoms and personal and minority rights. The Supreme Court as an institution, and its history, are part of the study. Federalism is a constant theme of the course.

The ultimate objective is for students to become thoroughly knowledgeable about the constitutional structure of our government, and constitutional protection of individual rights. Successful completion of the course should indicate sufficient competence to answer competently constitutional law questions on the bar examination.
Law School rules require attendance, which will be taken before every class. There are no excused absences. Absences in excess of twenty per cent of class hours will result in the student being dropped from the class and denied the right to take the final examination. These are law school rules, which the instructor has no power to ignore or modify.

Students should anticipate being called upon to answer questions about each assignment. Recitation in class should emphasize the holding of the case. It is not necessary to follow the first year practice of formal case briefing. The constitutional rules, and the principles underlying them, should be the principal focus.

Class participation is required. When called on, the student should be able to demonstrate knowledge of the case, state the underlying principles and the holdings of the case, and respond to questions about the case, without reference to anything other than his/her written brief or notes on the case. Reading from the casebook and book briefing are not satisfactory. Use of canned briefs is considered to be plagiarism.

Active class participation in discussion is essential to the learning process. Constitutional law involves issues which arise in governmental and many personal situations. All students have been, and will be, influenced by decisions of the United States Supreme Court. This course particularly rewarding to those who concentrate on their assignments, participate in class discussion, and, during the semester, regularly review class notes and ruminate on what has been discussed.

The casebook contains a significant amount of non-case text material. This material is intended to explain, clarify and supplement the cases, and should be studied as seriously as the cases. Note cases are not necessarily less significant than principal cases.

Many students have found Professor Chemerinsky’s hornbook “Constitutional Law, Principles and Policies” (Third Edition) helpful. Nowak and Rotunda, “Constitutional Law (Seventh Edition)” is recommended as a hornbook with more detail. The two
paperback volumes by Ides and May in the Examples and Explanations series are a useful study aid.

Each year the November issue of the Harvard Law Review contains material on the Supreme Court term which ended the prior June. In addition to scholarly articles and comments, there are summaries of important cases from the most recent term which can be helpful.

All students are encouraged to develop and express their own viewpoints and opinions on constitutional issues, however controversial. They are also strongly encouraged to follow constitutional developments in current periodicals. Both the New York Times and the Los Angeles Times regularly cover the United States Supreme Court. Scotusblog.com discusses current Supreme Court cases that are being argued.

There are several websites devoted to the Supreme Court decisions, and constitutional law in general. Findlaw.com has opinion columns on constitutional issues at least weekly.

Examinations are traditional law school essay questions based on fact patterns. Exams may include multiple-choice questions. Many prior exams are on file in the library. There will be a three hour closed book exam at the end of the first semester, and a three hour closed book exam at the end of the year. The end-of-year exam will cover the entire year, emphasizing the content of the second semester. There may be periodic quizzes, which will not be part of a final grade.

The course is listed on TWEN. Please register your e-mail address right away. You may receive assignments or supplementary readings via TWEN. Feel free to address questions to the instructor by the same medium.

The instructors phone number is 909-460-2041; FAX 460-2081. E-mail addresses are Dosklaw@aol.com and doskowc@ulv.edu. Either will do; the former is preferred. Office hours will be posted. Appointments tend to be more convenient for both instructor and student.