

CONSTITUTIONAL LAW DVS
Professor Doskow
University of La Verne College of Law
Spring 2019
Five Credits

Professor

Charles S. Doskow
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Class Time and Place

Monday 900-1130
Wednesday 900-1130
Room 217

Office Hours

Will be posted on TWEN

Course Description

This course is a study of the law of the United States Constitution. Subjects include the structure of the federal republic, the constitutional powers of the government, separation of powers, judicial review, and individual rights and liberties (including due process of law and equal protection.) One unit of the course is devoted to values and skills development.

Basis of Grade

Course grade will be calculated as follows:

Constitutional Law doctrine: 80%, calculated as:
Midterm (or later) exam or quizzes: 20%
Final exam: 60%

DVS: 20%

Required and Suggested Materials

- Required Casebook: Maggs & Smith, Constitutional Law A Contemporary Approach (4th Ed, 2018).
- Required DVS book: Denning, Developing Professional Skills: Constitutional Law (2014)

Many students have found Professor Chemerinsky's hornbook "Constitutional Law, Principles and Policies" (Fourth Edition) helpful. Nowak and Rotunda, "Constitutional Law" (Seventh Edition) is recommended as a hornbook with more detail. The Constitutional Law volumes of the Examples and Explanations series by Ides and May are excellent study aids.

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 journalism, both print and online. The New York Times, the Los Angeles Times and the Wall Street Journal regularly cover the United States Supreme Court. Scotusblog.com discusses Supreme Court cases currently being argued, and cases recently decided. There are several websites devoted to the Supreme Court and constitutional law in general.

ABA Standard 310

This course is designed to satisfy the requirements of ABA Standard 310. Standard 310 requires that for each hour of in-class time, students spend two hours preparing for class, reading or completing class assignments or assessments.

Course Objectives

The ultimate objective is for students to become thoroughly familiar with the constitutional structure of our government and the constitutional protection of individual rights (other than First Amendment rights.) They should become proficient at analyzing fact situations with constitutional aspects. Successful completion of the course should indicate sufficient competence to answer constitutional law questions in the area covered by the course on the bar examination.

Course Specific Learning Outcomes

- Familiarity with the United States Constitution as the governing document of our nation.
- Knowledge of the governing case law interpreting the Constitution.
- Ability to recognize constitutional issues arising from fact situations, laws and government actions.
- Ability to apply constitutional law to these situations.
- Mastery of the doctrines used to interpret the Constitution.
- Development of the skills necessary to apply constitutional doctrine.
- Understanding of the constitutional values of our republican form of government.

Course-Specific Policies

Law School rules require attendance, which will be taken before every class. There are no excused absences. Absences in excess of twenty percent 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.

Class participation is required. When called on, the student should be able to demonstrate knowledge of the case, state the underlying principles and its holdings, 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.

Students who are unprepared, may at the discretion of the instructor, be marked absent.

Active class participation is essential to the learning process. Constitutional law involves issues which arise in a variety of public and private situations. All students have been, and will be, influenced by decisions of the United States Supreme Court. This course is 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. Students should find this material helpful. It should be studied as seriously as the cases. Note cases are not necessarily less significant than principal cases.

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 journalism, both print and online. The New York Times, the Los Angeles Times and the Wall Street Journal regularly cover the United States Supreme Court. Scotusblog.com discusses Supreme Court cases currently being argued, and cases recently decided. There are several websites devoted to the Supreme Court and constitutional law in general.

Disability Accommodation Statement

Students with disabilities should refer to the policies described at the University of La Verne Disabled Student Services Handbook [as of September 13, 2017 located at <https://sites.laverne.edu/disabled-student-services/disabled-student-services-handbook/>], which can be found on the website of the University of La Verne Disabled Student Services website (<https://sites.laverne.edu/disabled-student-services/disabled-student-services-handbook/>) or at their office.

Temporary accommodations are offered on a case-by-case basis. All required documentation must be submitted by the student before any formal accommodations and should be made directly to the Director of Student Affairs.

Any student eligible for and requesting academic accommodations due to a documented disability (or a suspected disability) is asked to contact the College of Law Director of Student Affairs and Americans with Disability Act Compliance Officer, Akita Mungaray, by email at amungaray@laverne.edu or by phone at (909) 460-2017. Her office is located on the first floor of the College of Law, Office number 107. You can also contact Cynthia Denne at the University of La Verne Disabled Student Services office at (909) 448-4441. The office is located at the La Verne campus Health Center. In order to be considered for accommodations, disabilities must be documented and the proper medical evaluations must be submitted. The office is here to help you succeed in law school. Visit it online at <https://sites.laverne.edu/disabled-student-services/>.

University of La Verne Mission and Values

It is the mission of the University of La Verne to provide opportunities for students to achieve their educational goals and become contributing citizens to the global community.

The University of La Verne shares four core values that promote a positive and rewarding life for its students through fostering a genuine appreciation and respect for:

1. Values Orientation. The University affirms a philosophy of life that actively supports peace with justice, the health of the planet and its people. Therefore, in light of this affirmation, it encourages students to become reflective about personal, professional, and societal values. It also encourages values-based ethical behavior.
2. Community and Diversity. The University promotes the goal of community within a context of diversity. Therefore, it encourages students to understand and appreciate the diversity of cultures that exists locally, nationally, and internationally. It also seeks to promote appreciation and preservation of biodiversity by helping students understand the impact/dependence of human beings on their environment.
3. Lifelong Learning. The University commits itself to promoting education that facilitates lifelong learning. It teaches students how to learn, to think critically, how to do constructive research, and to access and integrate information in order to prepare them for continued personal and career growth.
4. Community Service. The University believes that personal service is a primary goal of the educated person. Therefore, it encourages students to experience the responsibilities and rewards of serving the human and ecological community.

University of La Verne College of Law Vision, Mission, and Values

VISION

La Verne Law is an incubator for innovation in legal education, thought, and advocacy for individuals passionate about serving their communities and promoting access and justice.

MISSION

The mission of La Verne Law is to guide our students in the discovery of law and self as they prepare for the practice of law or other professional careers. Our faculty of scholars and teachers is committed to creating an innovative, collaborative learning environment designed to develop the knowledge and skills relevant to achieving individual and professional success.

Our mission encompasses educating, as well as enhancing the professional lives of, the members of the local, regional, national, and international communities we encounter – students, faculty, staff, administrators, alumni, members of the bench and bar, and others who pursue social justice.

Our mission is grounded in the core values of the University of La Verne – life-long learning, ethical reasoning and decision-making, diversity & inclusivity, and community & civic engagement. Difference making is our legacy.

CORE VALUES

University Values: As a College within the University of La Verne we adopt and endorse the University core values of Lifelong Learning, Diversity and Inclusivity, Community Engagement, and Ethical Reasoning.

College of Law Core Principles and Values: As an institution dedicated to teaching and training the next generation of lawyers and leaders, we operate institutionally and individually on the principles of professionalism, innovation, ethics, student centeredness and community enhancement. In our actions and interactions, we are and seek to be affirming, respectful, humble, accountable, committed, inclusive, empathetic, responsive, passionate, and positive.

University of La Verne College of Law Program Objectives

- A. Upon completion of the program of legal education, students will possess the skills and knowledge to enable them to pass any bar examination of their choosing.
- B. Upon completion of the program of legal education, students will possess those skills to participate as respected members of the legal profession.
- C. Upon completion of the program of legal education, students will model ethical, responsible, and professional behavior.
- D. Upon completion of the program of legal education, students will embrace cultural differences and civic and community engagement.

American Bar Association Standard 302: LEARNING OUTCOMES

A law school shall establish learning outcomes that, at a minimum, include competency in the following:

- (a) Knowledge and understanding of substantive and procedural law;
- (b) Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context;
- (c) Exercise of proper professional and ethical responsibilities to clients and the legal system; and
- (d) Other professional skills needed for competent and ethical participation as a member of the legal profession.

In compliance with ABA Standard 302, the University of La Verne College of Law has established the following:

University of La Verne College of Law Program Learning Outcomes

1. Students shall demonstrate knowledge and understanding of substantive and procedural law.
2. Students shall demonstrate competence in legal analysis and reasoning.
3. Students shall demonstrate competence in conducting legal research.
4. Students shall demonstrate competence in problem-solving.
5. Students shall demonstrate competence in written and oral communication.
6. Students shall be able and motivated to exercise proper professional and ethical responsibilities to clients, the legal system, and the wider community.
7. Students shall demonstrate competent litigation skills.
8. Students shall demonstrate competent transactional skills.
9. Students shall apply cultural competency while exercising their legal skills.
10. Students shall demonstrate competence in answering bar-style multiple-choice, essay, and performance test questions.

NOTE: Assignments and DVS materials are in separate documents.