Legal Process (PS 275)
Spring 2015 (CRN 35108)
University of Oregon

Instructor: David Root
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Office: PLC 805
Office Hours: Wednesday, 9:00am – 12:00pm

Class Hours: Monday, Wednesday, Friday, 4:00 – 4:50pm
Class Room: LLCS 101

Sections: Wednesday, 3:00 – 3:50pm, PLC 189 (CRN 35110)
Thursday, 1:00 – 1:50pm, CON 106 (CRN 35111)
Friday, 2:00 – 2:50pm, LIL 245 (CRN 35112)

GTFs:

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Course Description

What is law and why is it such a significant part of modern day society and culture in the United States? From where does legal power arise and what are its limits? How does the law operate to structure and influence government through systems such as federalism or separation of powers? How does the legal system operate through its various actors—judges, lawyers, litigants, and juries—to enable dispute resolution without resorting to violence? These and other questions will be the subject of this course, which provides students with a general overview of the legal system of the United States.

The course is intended primarily for students who have little or no prior background in law. The first half of the course investigates the relationship between law and politics in American society. The second half takes an in-depth approach to specific substantive areas of law such as property, contracts, and torts. Some students will view the course as a gateway to the further study of law, while others will use it simply to broaden their understanding of the legal system as one of the most significant and powerful institutions in the modern American state.
Course Learning Objectives

1) To provide students with a greater understanding of the (i) American legal system, (ii) processes that animate the system, and (iii) substantive law outputs generated by the system.

2) To introduce students to political analyses regarding the formation, interpretation, and application of law.

Course Text


Any other required readings will be made available on Blackboard.

Course Evaluation

Grades will be determined on the basis of:

- In-class writing reflections (20%)
- US Constitution writing assignment (10%)
- Discussion section attendance (10%)
- Midterm exam (30%)
- Final exam (30%)

In-class writing reflections (20%): from time-to-time, class periods will end with a short in-class writing reflection. For each reflection I will ask you to write about an important theme discussed in the assigned reading or class lecture. These reflections are not meant to compel mastery of the material asked in the prompt, but instead to gauge student understanding of the course material as the course progresses. A thoughtful response will receive full credit; an off-topic response will receive zero credit. There are no make-ups for missed writing reflections.

US Constitution writing assignment (10%): this assignment calls for quick recall answers and short essay responses to questions and prompts regarding the Constitution. It will be posted on Blackboard on Monday, April 13. It is due at the beginning of class, in paper, on Friday, April 17. Any assignments not submitted in paper will be automatically deducted 5%.

Discussion section attendance (10%): students are required to attend discussion section during all 10 weeks of the term. The discussion section leader will take attendance at the beginning of each section. Each student’s attendance score will be totaled at the end of the term. Students are allowed to miss one section during the term and still receive full credit for this portion of their course grade.
Midterm exam (30%): the midterm exam will be administered on **Friday, April 24**, and will be based on the assigned reading material and lecture content covered during the first four weeks of class. No make-up exams will be allowed except for special circumstances discussed with the instructor at least one week prior to the exam and all make-up exams will be at the discretion of the instructor.

Final exam (30%): the final exam will be administered on **Thursday, June 11, 2:45 – 4:45pm**. This exam will focus on assigned reading material and lecture content presented after the midterm exam. No make-up exams will be allowed except for special circumstances discussed with the instructor at least one week prior to the exam and all make-up exams will be at the discretion of the instructor.

**Syllabus Not a Contract**

Neither this syllabus nor course schedule are binding and each remain subject to change at the instructor’s discretion; excluding the final exam date and time.
**Course Schedule**

**LAW AND POLITICS IN THE UNITED STATES**

**Weeks 1 – 4: American Law and Politics: Foundational Basics**

Political Development of American Law: Whence the Common Law (Week 1)
   Assigned reading: Text, Chapter 1

Legal Structures of American Government: The Institutions (Week 2)
   Assigned reading: Text, Chapter 2

Law and Politics Everyday: Constitutional Law I and II (Weeks 3 and 4)
   Assigned reading: US Constitution and Text, Chapter 3
   *US Constitution Writing Assignment, Due Friday, April 17 (End Week 3)*

**Midterm Exam, Friday, April 24 (End Week 4)**

**AMERICAN LAW: SUBSTANCE AND PROCEDURE**


Transactional Law: Property, Contract and Business Law (Weeks 5 and 6)
   Assigned reading: Text, Chapters 6 and 7

Litigation: Torts and Civil Procedure (Weeks 6 and 7)
   Assigned reading: Text, Chapters 5 and 9

**Weeks 8 – 10: Criminal Law: Crime, Process, and Punishment**

Crime: Criminal Law (Weeks 8 and 9)
   Assigned reading: Text, Chapter 4

Process and Punishment: Criminal Procedure (Weeks 9 and 10)
   Assigned reading: Text, Chapter 10

**Final Exam, Thursday, June 11, 2:45 – 4:45pm**

+Specific pages for reading assignments will be provided in class, and posted on Blackboard thereafter