

Course: CJ 204, sec. A, item #5027, Spring, 2011 (April 4 – June 17, 2011)

Course Title: Constitutional Law

Class Hours: MW 5:30-7:40 p.m.

Classroom: D103

Office: C-207

Office Hours: By appointment

Instructor Name and Credentials: Michael S. Brown, esq., Ph.D., J.D.

Email Address: mibrown@bellevuecollege.edu

Course Materials:

Required:

Hames, Joanne Banker, and Yvonne Ekern. *Constitutional Law: Principles and Practice*. Delmar/Cengage Learning, 2005.

Optional/recommended:

Hacker, Diana. *A Writer's Reference*. Boston: Bedford/St. Martin's (latest edition).

Course Description:

This is a hands-on course combining readings, lectures, discussions, and small and large group activities during class times. We will look at theories about constitutional law, statutes, and case law. We will also learn formal analytical techniques by critically reading and briefing case law.

Netiquette:

It is critical that you include in the subject line of all emails you send to me 1) an identification of both the class and the matter to which the note pertains (example: NOT “question”; BUT “CJ 204, Week 4 quiz,” tc.). Not knowing what it is about or what information it contains will only cause me – as well as you – delays. Also, if you do not receive a reply from me within 24 hours (longer on weekends/holidays), it could mean that, for whatever reason, I did not receive your email. In this case, please feel free to send the same note to me again to make sure that I am aware that you are trying to contact me. Strict adherence to these guidelines is critical, as I often receive dozens of emails in a single day, and your email will easily become invisible if you do not identify it according to these rules. You are responsible for confirming receipt of any email. Consequences for any glitches resulting from not following these or any other instructions are your responsibility.

Course Grading:

Research paper:	100 points total
Mid-term exam	50 points
Final exam	50 points
Weekly quizzes	10 points each
Journal	50 points
Participation	Please see policies under “Participation”
Court Visit	25 points

Grading Scale:

A 93-100; A- 90-92; B+ 87-89; B 83-86; B- 80-82; C+ 77-79; C 73-76; C- 70-72; D+ 67-69; D 60-66; F 0-59.

Exams (50 points each):

There are two exams: 1) a mid-term exam (50 points) and 2) a final exam (50 points). Each exam consists of 1) multiple choice portion (20 points) and an essay portion (30 points). We will have both 1) a study guide and b) a practice exam approximately during the week prior to the respective exam dates.

Weekly Quizzes (10 points each):

There will be a quiz on Friday of each week covering everything we have done for that week. The quizzes consist of 10 multiple choice questions. As long as you have come to class, taken notes, and otherwise abided by the syllabus, you should do well; the quizzes are designed to be easy, and there are no trick questions. If you do not come to class and/or do course work, they will be very challenging.

Research Paper Project (100 points total):

This project consists of several parts: 1) topic proposal during Week 3 (not graded) 2) a presentation (a) 2 min. oral and b) written) during Week 4 (50 points) 3) draft to Turnitin.com during Week 10 (10 points) and 2) the final paper during Week 11 (40 points).

Additional, detailed guidelines will be distributed in class.

Journal (50 points total):

The Journal consists mainly of keeping yourself organized. The Journal consists of separate sections: 1) all lecture notes 2) all class discussion notes 3) all film notes 4) all presentation notes 5) all returned, graded work and 6) reflections in a 3-ring binder. The first 5 parts are things you should be doing anyway; you do not have to do anything beyond attending class and keeping track of everything you have done.

The first 5 parts of the journal do not require that you do anything beyond coming to class, participating in discussions, and keeping all of your course materials. The 6th part, the reflections, requires that you react, in a free-form, subjective manner, upon what we have studied during the current week. A strong reflection entry is between 1/3 and 1 page in length (typed or handwritten). The entry is not simply a log of what we have done; instead, it is your subjective reaction, i.e., what you think about the topic we have studied for that week.

The grading criteria for the journal are: 1) complete set of all 6 of the foregoing parts 2) clear organization of each of the 6 parts. Everything must have a date. If there is no date, the entry will not receive credit.

Do not lose your journal! If you lose it (lost or stolen) and cannot submit it, you will get a 0 and lose 50 points outright!

Court Visit Assignment (25 points total):

You will submit an informal paper describing your visit to a series of criminal prosecutions. The instructor will distribute detailed guidelines.

Participation (variable):

“Participation” consists of point deductions for conduct that detracts from the classroom learning environment and/or from academic integrity. There are no additional points for the participation component of the grade, but there may be deductions.

Extra Credit:

There is no extra credit in this class unless further announced.

Keeping Track of Your Work:

You must save all of your work and keep track of it for your own records. If you cannot submit all or part of an assignment because of an accidental loss, etc., this will not excuse a late or missing assignment; if I don’t have it, I can’t grade it.

Turnitin.com:

All students will set up their own Turnitin.com account by Wednesday of Week 2. All written assignments must be submitted by the due date and time 1) to Turnitin.com and 2) in hard copy. Additional, detailed instructions will be distributed in class.

Technical problems:

Technical problems – including computer-related, printer-related, etc. – do not excuse late submissions. If you are experiencing technical difficulties, the resource to consult is the Help Desk or other formal sources dedicated to dealing with such issues.

Late Assignments:

Unless I indicate otherwise, all assignments are due no later than class time. At any point thereafter, there is a minimum one grade deduction. There is also a one grade deduction for each calendar day that an assignment is late. Example: A student turns in her paper on Monday even though the due date was the previous Friday. It is three calendar days late. The paper, which would otherwise have received an “A,” becomes a “D” after the three letter grade deduction for being late three calendar days. If she turns it in on Tuesday, it is four days late and the grade becomes an “F” (although a grade of an F may result, depending on whether it is a good faith effort, it may still receive some points at the instructor’s discretion).

Assignment Submission Guidelines:

I will not accept anything through e-mail.

I will not grade partial assignments. I will grade only what you submit in its entirety, i.e., the assignment must be complete at the time of submission. You may not submit it in separate pieces. If you turn in an assignment in more than one piece, I will grade only the first piece, and I will not consider anything else for a grade.

Writing Proficiency:

I will grade you on grammar, punctuation, spelling, and all other aspects of writing on 1) the Court Visit Assignment 2) the written portion of the Presentation and 3) the

final draft of the Research Paper Project. If you have problems with writing, I strongly recommend that you explore various means for correcting them. One handy reference tool for catching the most common problems in writing is Diana Hacker's *A Writer's Reference*. I will also make my "Writing Tips" available to everyone before the due dates of the Research Paper Project. When I receive your papers, I will assume that you have carefully studied the "Writing Tips" and will grade down for problems in writing. If you have Spell Check and/or Grammar Check in your version of Word, *turn them on and use them consistently*. A paper that is an "A" in content may still receive a grade in the "C" range, for example, if the writing style is not competent. The fact that another professor in another class gives a paper a particular grade and/or does not penalize it for writing errors is no indication about the grade the paper will receive in this class.

Makeups:

You are entitled to two quiz makeups without having to give any kind of reason whatsoever. However, in order to request a makeup for a missed quiz, you must follow these guidelines: 1) emailed request to me at least 48 hours in advance with a) class name b) your name c) the week number of the quiz (e.g., "Week 2 quiz") and d) the date that you plan on taking the makeup. In addition, you must receive a written confirmation from me before you assume that the makeup will be ready for you. The absence of any of the foregoing can result in not taking the quiz and/or receiving a 0.

There are no retakes on quizzes. The last date to make up a missed quiz is on Wednesday of Week 11.

The syllabus quiz does not count towards the maximum number of makeup quizzes you may take.

Any exam makeup must occur no later than a Friday two weeks after the regular exam date. A request for a makeup exam must 1) be in writing and 2) specify the date, time, and place of the exam and 3) be confirmed in all respects by the instructor in writing no later than 48 hours prior to the proposed makeup exam date.

All other policies in this syllabus, including those on "emergencies," apply.

Emergencies:

There are exceptions on due dates and other class work for a legitimate "emergency." An "emergency" is a documented death in the family, physical or mental incapacitation, and/or work-related conflict. *Nothing else* is an "emergency" within the meaning of this syllabus.

You must document any "emergency." I will accept only official documentation on dated and signed letterhead hard copy. All such documentation must include a) legible name of the document's signer b) legible contact information c) identification of the period of the "emergency" and d) identification of you as the person affected by the "emergency." The documentation must be submitted according to the instructor's discretion. This paragraph notwithstanding, there are no promises or guarantees, and the instructor retains complete discretion.

Incompletes, Hardship Withdrawals, Medical Withdrawals:

There is no eligibility for a grade of Incomplete unless you have finished at least 90% of all course work up to the time that you make the request. The request must be in writing and have your name, course name/number, and a detailed explanation concerning why you will not be able to finish the remaining work. You must make the request no later than Wednesday of Week 9. I retain sole discretion, however, and will grant requests only on a case-by-case basis and with appropriate documentation.

There must be a legitimate medical or family emergency before I will grant a request for an Incomplete. However, there must be ample, written, documented proof of the emergency. You must attach the documentation to your written request for the Incomplete (see the section above about acceptable documentation for makeup requests). All supporting documentation must pertain to the period of the emergency.

Hardship and Medical Withdrawals are granted only in exceptional circumstances. In addition to other syllabus policies, there may be other requirements including, at a minimum, supporting, official documentation. However, there are no guarantees, and the instructor retains discretion about the grant of such withdrawals.

Academic Dishonesty and Plagiarism:

PENALTIES:

Penalty for first violation: 0 on the assignment without possibility of makeup on that assignment. Depending on the severity of the act of the academic dishonesty, the student may also receive a 0 on the Participation grade.

In addition, at the instructor's discretion and whether or not it is a first offense, the instructor may refer the incident to appropriate channels and/or take additional steps, which may result in one or more of the following: 1) suspension 2) expulsion 3) an academic "hold" on your record, preventing you from enrolling in future terms 5) failing grade and/or 6) permanent notation on the student's academic transcripts. There may be additional penalties on a case-by-case basis. **Do not risk your academic and professional career by cheating.**

DEFINITION OF ACADEMIC DISHONESTY:

All academic assignments are to be the work of the individual student. The following are some examples of dishonesty or unethical behavior:

Using another person's words, ideas, or results without giving proper credit to that person; giving the impression that it is the student's own work.

Any form of cheating on examinations.

Altering academic or clinical records.

Falsifying information for any assignments.

Partly or wholly completing an assignment(s) partially or wholly completed by another person or source.

Copying work or written text from a student, the internet, or any document without giving due credit to the source and/or overreliance on direct quotations in any written work and/or any other form of writing submitted with little evidence of originality.

Special accommodations:

Please make note of the following statement:

“The Disability Resource Center serves students with a wide array of learning challenges and disabilities. Please visit the DRC if you have any questions about classroom accommodations, whether you are a student or a faculty member.

If you are a student who has a disability or a learning challenge for which you have documentation or have seen someone for treatment and if you feel you may need accommodations in order to be successful in college, please contact the DRC staff as soon as possible.

The DRC office is located in B132 or you can call our reception desk at 425-564-2498. Deaf students can reach us by video phone at 425-440-2025 or by TTY at 425-564-4110. Please visit our website for application information into our program and other helpful links at www.bellevuecollege.edu/drc

Remember if you are someone who has either an apparent or non apparent disability and requires assistance in case of an emergency situation, such as a fire, earthquake, etc, please meet with your individual instructors to develop a safety plan within the first week of the quarter.”

Please also note that accommodations in this class do not apply retroactively, so please plan accordingly.

Etiquette for Exams:

There must be at least one seat between you and the next person during all exams, and I may, furthermore, rearrange seating at any time at my discretion. During exams, *all* desk space needs to be completely clear of *anything* except your exam and a pen or pencil. There is complete silence during all exams.

Misunderstandings about Course Policies and/or Syllabus:

It is the student’s responsibility to clarify any misunderstandings or confusion. Absence from class, coming to class late, and/or the like, resulting in not receiving instructions, etc. do not waive any syllabus policies. Except as otherwise specified in this syllabus, there will be no waiver of any policy herein.

Not following Instructions:

There is a minimum one grade deduction from any assignment for not following instructions (either written or announced in class. In either case, absence from class is not an excuse).

COURSE OUTLINE:

WEEK 1 (April 4, April 6)	<u>Introduction to Constitutional Law</u> (read text, Chapter 1) Monday: Introduction to the course and syllabus Wednesday: Introduction (cont'd); quizzes on 1) syllabus 2) Week 1
WEEK 2 (April 11, April 13)	<u>The Constitution and the Federal Government</u> (read text, Chapter 2) Monday: Lecture; discussion Wednesday: Lecture; Discussion; DUE: proof of Turnitin.com account (5 points);quiz
WEEK 3 (April 18, April 20)	<u>Due Process</u> (read text, Chapter 9) Monday: Lecture; discussion Wednesday: Lecture; Discussion; DUE: presentation topic approval; presentation signups; quiz
WEEK 4 (April 25, April 27)	<u>Presentations (no reading assignment this week; work on Project)</u> Monday: DUE: In-class presentations of Research Paper Project Wednesday: DUE: In-class presentations of Research Paper Project 1) to Turnitin.com and 2) hard copy of presentation, due by beginning of class on Wednesday; late unless both are timely submitted; quiz
WEEK 5 (May 2, May 4)	<u>Equal Protection</u> (read text, Chapter 8, pages 202 - 218) Monday: Lecture; discussion Wednesday: Lecture; Discussion; distribution of mid-term exam study guide; quiz
WEEK 6 (May 9, May 11)	<u>Equal Protection, continued</u> (read text, Chapter 8, pages 218 - 236) Monday: Lecture; discussion; practice exam Wednesday: Mid-Term Exam
WEEK 7 (May 16, May 18)	<u>Freedom of Expression</u> (read text, Chapter 11) Monday: Lecture; discussion Wednesday: Lecture; Discussion; quiz
WEEK 8 (May 23, May 25)	<u>Freedom of Religion</u> (read text, Chapter 12) Monday: Lecture; discussion Wednesday: Discussion; quiz

WEEK 9 (May 30, June 1)	<u><i>Right to Privacy</i> (read text, Chapter 13, pages 381 - 397)</u> Monday: Lecture; discussion; DUE: First draft of Research Paper Project to Turnitin.com (recommended; not required or graded) Wednesday: Lecture; Discussion, Court Visit Assignment; DUE: Court Visit Assignment; quiz
WEEK 10 (June 6, June 8)	<u><i>Right to Privacy, continued</i> (read text, Chapter 13, pages 398 - 427)</u> Monday: Lecture; discussion Wednesday: Lecture; distribution of study guide for Final Exam; DUE: Final draft of Research Paper Project 1) to Turnitin.com and 2) in hard copy, by beginning of class; last day for any makeups; quiz
WEEK 11 (June 13, June 15)	<u><i>Criminal Procedure</i> (read text, Chapter 14)</u> Monday: Lecture; discussion; practice exam Wednesday: Final exam

*This syllabus represents the proposed plan for this term. However, there may be changes according to unexpected circumstances, and students are responsible for inquiring about any updates in the event of their absence from class when any changes are announced.

**The instructor will not provide legal advice. The student understands that any comments on legal issues are understood to be purely hypothetical. The student also understands that, under no circumstances does enrollment in this class give rise to an attorney-client relationship or privileged communications.

***Class enrollment constitutes acceptance of syllabus policies.

Rev. 040411