

**WESTERN STATE UNIVERSITY
COLLEGE OF LAW**

**CONSTITUTIONAL LAW II
Professor Brower
Spring 2012**

Syllabus

Texts

Required Texts: Chemerinsky, Constitutional Law 3rd Ed. (2009)
Recommended Text: Chemerinsky, Constitutional Law Principles & Policies
3rd Ed.

The required text is to be brought to all classes. The reading assignments listed below refer to the Chemerinsky casebook. Students should also read the corresponding pages in the Supplement, if any. Additional handouts may be assigned at the professor's election. I strongly suggest that you read the accompanying pages in the Chemerinsky hornbook before class and with your required reading.

Course Coverage

The purpose of the course is to explore the nature and extent of individual liberties within the federal constitutional structure. We will cover such topics as Fundamental liberties under the Due Process and Equal Protection provisions of the constitution. We will also consider the First Amendment protections of Freedom of Speech and Religion.

Examinations and Grading

Each student will receive a numeric grade for the course based on the following scale: 4.0 - 0.0. Course grades will be based on the final examination and successful completion of other exercises that may possibly be given throughout the semester.

Written Exercises: There may be mandatory, graded, written exercises and/or exams throughout the semester. Failure to satisfactorily complete all these assignments will result in a lowering of your final course grade by 0.3 – 0.4 depending on the original grade. For example, if your grade would ordinarily have been 3.3 in the course, you will receive a 3.0; if your grade would have been a 2.7, you will receive a 2.3.

Midterm and Final Exam: The midterm will count as 25% of your final course grade. Format and date to be announced.

The three-hour final examination will count 75% of the course grade. The final exam will consist of a multiple-choice section that counts for 25% of the course grade, and an essay section that counts for 50% of the course grade.

Class Participation: Normally, class participation will not count towards the overall course grade. However, consistent lack of preparation over the semester may result in a reduction of up to 10% of the overall course grade.

Copies of my previous examinations will be available in the library on reserve. Students are encouraged to take practice examinations. I will be happy to review practice examinations in my office during office hours.

Office Hours

I will be available for office hours by appointment, dates and times to be determined during the first week of classes. Please make appointments with the receptionists at the Third Floor. Please do not contact me to schedule appointments. If you have scheduled an appointment and need to cancel, please call them as soon as possible. Other students may be waiting for appointments and may be able to take your slot. You may make telephone appointments, if you cannot make scheduled office hours.

My email is: tbrower@wsulaw.edu

Attendance and Participation

Legal Education is a cooperative venture. My commitment to you is to be as prepared as possible for every class session, to have read and thought about the material in advance of the class, and to participate fully in the classroom. I expect no less of you than I do of myself. I do not expect you to know the answer to every question; I do expect that you will use your best efforts.

A seating chart will be distributed at the beginning of the first class. Please print your name legibly in the seat you choose for your permanent seat. If you wish to change your seat, please notify me so that the seating chart can be adjusted accordingly.

I strongly encourage you to choose a seat near the front of the classroom. Educational studies show that students sitting near the front benefit most from the classroom experience. Because all students will be required to participate, your seat choice will not enhance or reduce the likelihood of your being chosen to recite in class. Because I make every effort to learn the names of each student in my classes, your choice of seat will not assure you of anonymity either.

Classes begin promptly at the scheduled time. Please be in your seat for the start of class. Students who arrive late disrupt the learning process for others. If you are unavoidably late, please enter quietly through the rear entrance and take your assigned seat.

I will take attendance at the beginning of each class. ***In accordance with the wsu student handbook, if you miss more than four classes, you will be academically dismissed from the course.*** Additionally, if you arrive late or depart early without permission, you may be marked absent for the entire session..

Reading Assignments

<u>TOPIC</u>	<u>PAGES</u> (all pages are for the main text. Students should also read the corresponding pages in the hornbook, and any supplemental material, if assigned. Pages in parentheses are recommended, not required)
Fundamental Liberties: privacy, reproductive and medical autonomy, sexual autonomy, other liberties	943-956, 964-972 977-1010, 1028-1029, 1030-1036 1040-1054, (1054-1055), 1056-1069, 1080-1085, 1151-1160
Freedom of Speech: Introduction and preliminary issues	1205-1207, (1207-1213). 1214-1221, 1232-1239, 1247-1268, 1276-1288, 1294-1302
Content-based restrictions	1321-1324, 1342-1361, 1375-1376, 1378-1383, 1386-1396, 1400-1417, 1428-1442, 1445-1451
Symbolic communication	1494-1504
Content-neutral restrictions	1531-1562, 1566-1568, 1576-1596
Other issues in speech	1603-1625
Freedom of religion: introduction and preliminary issues	1665-1666, (1666-1668), 1668-1675
Free Exercise	1675-1685, (1685-1691), 1691-1695, 1699-1702
Establishment	(1703-1708), 1708-1731, 1745-1771, 1785-1804
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<u>FINAL EXAM</u>	<u>Cumulative from beginning of semester</u>