Meeting Place and Times: Room 202
Mondays and Wednesdays, 9-10:15 am
Fridays, 9-9:50 am

Contact Info: Office 238
Office phone: 453-8743
E-mail: cbuys@siu.edu
Office Hours: MW 10:30-11:30 am or by appointment

Course Description and Objectives:
The U.S. Constitution is not only the basis for our legal system, but is part of our culture as well. In this course, students will become familiar with the structure and text of the Constitution of the United States and how it has been interpreted by the U.S. Supreme Court to resolve some of the most difficult legal questions of the times. During the first half of the course, we will concentrate on the respective powers of the three branches of the federal government, the Legislature, the Executive, and the Judiciary, as well as the division of power between the state and federal governments. During the second half of the course, we will focus on some of the individual rights protected by the U.S. Constitution, particularly equal protection and due process.

When you have completed this course, you should be able to:
1. Identify the respective powers of the three branches of federal government, the areas of overlap between these powers, and the resulting tensions;
2. Analyze whether particular governmental actions violate principles of separation of powers or federalism;
3. Identify and analyze the scope of many of the individual rights protected by the Fourteenth Amendment to the U.S. Constitution;
4. Construct a constitutional law argument using various sources and doctrines common to U.S. Supreme Court jurisprudence; and
5. Intelligently discuss some of the political or policy considerations that drive the development of constitutional law and the decision-making of the U.S. Supreme Court.

Required Reading:
Most of the reading assignments for this course will be drawn from Calvin Massey, AMERICAN CONSTITUTIONAL LAW: POWERS AND LIBERTIES (4th ed. 2013) [hereinafter Massey]. Newer case excerpts, reading assignments and other assigned activities for the course will be posted on the class TWEN page at appropriate times or distributed in class.

Other Helpful Resources:
Each year, students ask for recommendations of secondary materials to consult to help them understand difficult aspects of constitutional law. Here are a few suggestions:
Erwin Chemerinsky’s treatise, CONSTITUTIONAL LAW (Aspen 4th ed. 2011)
Attanasio & Goldstein, UNDERSTANDING CONSTITUTIONAL LAW (4th ed. 2011)

For practice questions and answers, students may wish to consult:
Brannon Denning, THE GLANNON GUIDE TO CONSTITUTIONAL LAW
Ides & May, CONSTITUTIONAL LAW EXAMPLES AND EXPLANATIONS
Prygoski & Ray, QUICK REVIEW: CONSTITUTIONAL LAW
McGreal & Eads, CONSTITUTIONAL LAW Q&A

These resources are optional and you do not need to buy them. Some are available in the library; others I am willing to lend from my collection.

**Reading Assignments:**
Your first reading assignment for Monday, Aug. 24 is to read the U.S. Constitution, preamble, art. I-VI, and Amendments I-X (Massey, pp. xxxvii-xlvii), and to begin reading Massey, Chapter One.
Also read the article, “What Really Makes Teams Work” on TWEN.

**Course Structure and Teaching Methodology:**

*Team-Based Learning:*

Lawyers routinely collaborate with others to solve legal problems in both public and private practice. The ability to work well with others is an important skill that leads to successful careers. Moreover, studies have repeatedly shown that higher learning outcomes result when resources are pooled. Accordingly, we will follow a teaching method called Team-Based Learning (TBL) this semester to enhance your learning and improve your collaboration skills.

*Law Firms:*

During the first class, I will assign you to a “law firm” consisting of approximately five students. You will work in your law firm throughout the semester. You will be responsible to and for each other and for making the group work effectively. During the first week, I will ask you to design guidelines regarding how your law firm will function during the semester. If you have problems with your firm, I expect you to work it out in a professional and civil manner and to treat one another as you would wish to be treated. If the problem is not resolved using these team guidelines, you may talk with me and I will try to suggest ways for you and your teammates to resolve the issue.

In TBL, there will be fewer lectures by the professor as compared to many of your other classes. The course is divided into seven units. For each unit, you are expected to have carefully read the cases and other material outside of class in preparation for in-class quizzes and work with your group to apply what you have learned to hypothetical problems that I have designed to test your understanding of the material and its application to new fact patterns.
Grading and Evaluation:

Your grade will be based on four components: (1) your combined score on closed-book Readiness Assessment Tests (RATs), which are primarily multiple choice-based and are taken individually (one quiz for each unit; lowest score dropped), (2) your law firm score based on group quiz scores and other group work, (3) your individual score on a closed-book non-cumulative final exam, and (4) your score on a peer assessment of your contributions to the group. You will also be expected to complete other writing assignments that will be graded on an S/U basis. You must receive an “S” on these assignments to receive credit. The final exam is scheduled for Thursday, Dec. 17, 2015 at 8:15 a.m.

As a general rule, RATs will be taken individually in class using Scantron technology, so bring a #2 pencil with you to class. Immediately after the individual RAT, your law firm will take the RAT again as a group using a scratch off card. 3 points are allocated for a correct answer on the first try; 1 point is allocated for a correct answer on the second try. We will then review the RAT together in class. If your law firm disagrees with the correct answer, the law firm may file an appeal (no individual appeals are allowed). Appeals are for the purpose of enhancing your understanding of the material and ensuring the RATs are fair. An appeal must be in writing and must be supported by reference to class materials. Unless otherwise instructed, RATs must be submitted to Professor Buys by email within 24 hours. An appeal will be granted in my discretion if it demonstrates that the reading material or the question or answer were ambiguous or incorrect. All RATs must be returned to me at the end of the class period, except that your group may retain one copy of the RAT for a short period of time for purposes of writing the appeal. No copies of the RAT may be made.

If the appeal is based on ambiguity of the question or answer, you must identify the source of the ambiguity and offer an alternative wording that would avoid the ambiguity. If the appeal is based on either inadequacy in the reading material or in the “correct” answer, you must state the reason(s) for disagreeing with the “correct” answer, provide specific references from the reading material to support your position and explain why another answer is at least as good or better.

When an appeal is granted on a question the law firm has missed, the points missed will be added to the group score and to the individual score of any member of the group who missed that question. Only those groups that file an appeal may gain additional points. Group member(s) who had the original answer correct will still receive credit for that question.

The relative weight of the graded components will be as follows:

<table>
<thead>
<tr>
<th>Component</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual performance on RATs and other assignments</td>
<td>25%</td>
</tr>
<tr>
<td>Final Exam</td>
<td>30%</td>
</tr>
<tr>
<td>Team performance on RATs and other group work</td>
<td>30%</td>
</tr>
<tr>
<td>Peer Assessment</td>
<td>15%</td>
</tr>
</tbody>
</table>

Total = 100%
**Application Activities:**

Following each RAT, we will engage in one or more application activities that will allow you to further apply and deepen your understanding of the material for that unit. You will likely be assigned material to prepare individually outside of class, but most of these activities will be done together in your law firm in class. I will try hard to minimize the amount of time your law firm will need to meet outside of class. I will give feedback on these activities, but most of them will not be graded. However, failure to turn in a satisfactory assignment in a timely manner will result in a grade reduction.

**Administrative Matters:**

Each law firm will have a folder where you will keep a copy of your firm’s operating guidelines, your attendance records, and other relevant papers. Before each class begins, one member of your group should pick up the folder from me. Each member is responsible for initialing the attendance sheet.

**Attendance Policy:**

You are expected to attend class regularly and to be on time. Being on time demonstrates respect for the professor and your classmates and minimizes disruptions to the class. If for some unavoidable reason you are late to class, you will be asked to sing a ditty, recite a short poem, or contribute $.50 towards an end of the semester snack.

If you must be absent on a day when a quiz is being given, that quiz normally will be the one that is dropped. However, if extraordinary circumstances are present, you may contact me to discuss whether other arrangements may be made for the quiz.

In accordance with the law school rules, you may be absent up to eight times without a grade or other penalty by the professor. However, if you do not attend regularly and contribute to your group, it will be negatively reflected in your final grade on your peer assessment. Attendance will be taken in the group each day of class and turned in to me in the group folder at the end of class. Absences in excess of the allowable number will be dealt with in accordance with the law school rules.

**Make-up Classes**

To ensure compliance with ABA Standard 304, this class is required to hold an additional class session or require an out-of-class assignment to make up for holidays on Labor Day (Monday, Sep. 7) and Veterans Day (Wednesday, Nov. 11). More information regarding these make-up sessions will be provided in class.

**Class Recordings**

The class will not be recorded unless special arrangements are made with the professor and IT department at least 24 hours in advance.
**TWEN (The West Education Network):**
You should register for this course on TWEN no later than the first week of classes. I will post the syllabus and reading assignments on TWEN, as well as other relevant class readings and material. Therefore, you are expected to check TWEN regularly and are responsible for any materials posted on TWEN. I will also periodically send class-related e-mails to the address you list on TWEN, so be sure you list an e-mail address that you check regularly.

**Classroom Etiquette:**
Please be courteous and respectful to the others in the classroom by keeping distractions to a minimum, turning off any noise-making devices, and giving the class your full attention. Unless otherwise instructed, you may use laptops in the classroom for note-taking and class-related tasks. However, other uses of technological devices are likely to be distracting and possibly even offensive to other persons in the classroom and are therefore prohibited. If I believe there is a problem with improper laptop usage in class, I reserve the right to ban the use of laptops.

**Students with Disabilities**
Disability Support Services provides the required academic and programmatic support services to students with permanent and temporary disabilities. DSS provides centralized coordination and referral services. To utilize DSS services, students must come to the DSS to open cases. The process involves interviews, reviews of student-supplied documentation, and completion of Disability Accommodation Agreements. [http://disabilityservices.siu.edu/](http://disabilityservices.siu.edu/). Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreement to the School of Law Registrar’s Office to ensure the School of Law provides the proper classroom and examination accommodations.

**Saluki Cares**
The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-5714, or siucares@siu.edu, [http://salukicares.siu.edu/index.html](http://salukicares.siu.edu/index.html). At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is judiray@siu.edu, and her phone number is 618-453-3135.

**Emergency Procedures**
Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT’s website at [www.bert.siu.edu](http://www.bert.siu.edu), Department of Safety’s website [www.dps.siu.edu](http://www.dps.siu.edu) (disaster drop down) and in Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.
Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.