Meeting Place and Times: Room 202
Mondays and Wednesdays, 11 am - 12:15 pm
Fridays, 11-11:50 am

Contact Info: Office 238
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Office Hours: TBD (always available 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.

This course will also help you develop other skills necessary to be an effective lawyer, including:
1. Interpersonal skills necessary to work effectively as a member of a team; and
2. Independent learning skills necessary to be a life-long learner.

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. 2012)

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 completely optional and you do not need to buy them.

Reading Assignments:
Your first reading assignment for Monday, Aug. 22 is to read the U.S. Constitution, preamble, art. I-VI, and Amendments I-X (Massey, pp. xxxvii-xlviii), and to begin reading Massey, Chapter One. Also read the article, “Effective vs. Ineffective Teams” (there is both a copy of the article and a web link to the original article on the class TWEN page).

There is a tentative schedule of reading assignments and activities for the entire semester posted on the class TWEN page. This schedule is subject to change as developments occur during the semester. You will be given notice if the schedule changes.

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.

TEAM = Together everyone achieves more.

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 are each 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 (more information will be distributed in class). 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 some of your other classes. Instead, we will spend time working on application activities that apply the rules we derive from the Constitution and the Supreme Court’s case law to new factual scenarios.

The course is divided into six units. For each unit, you are expected to have carefully read the assigned 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, which are 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, most of which will be graded on an S/U basis. You must receive an “S” on these assignments to receive credit. Any late assignment will result in a deduction of points from the final examination score. Likewise, failure to follow class rules may result in a reduction in your grade or withdrawal from the course.

The final exam is scheduled for Thursday, Dec. 8, 2016 at 1:15 p.m.

The relative weight of the graded components will be negotiated in class based on the following possible grade weights:

- Individual performance on RATs and other assignments: 25-40%
- Final Exam: 25-40%
- Team performance on RATs and other group work: 20-35%
- Peer Assessment: 10-15%

Total must equal 100%

**Readiness Assessment Tests**

As the name suggests, Readiness Assessment Tests (RATs) are given to gauge your understanding of the material you have read and prepared for class. As a result, they are usually administered at the beginning of a unit rather than at the end. Because one of the goals of this course is to prepare you to be a life-long, independent learner, this is a good way for you to assess your ability learn new legal material on your own and to develop any needed skills. RATs will primarily test the assigned readings for the new unit, but may include material from previous units.
As a general rule, RATs will be taken individually in class using Scantron technology, so bring a #2 pencil with you to class on the days when quizzes are scheduled. 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 a group 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, appeals 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.

Application Activities:

Following each RAT, the class will engage in one or more application activities that will allow you to further apply the material you have read to new factual scenarios 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 be required 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 law firm, 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.

**Workload Expectations:**
The American Bar Association (ABA) standards for accrediting law schools contain a formula for calculating the amount of work required to earn one hour of law school credit. Pursuant to these standards, each credit hour should reasonably approximate one hour of in-class instruction and two hours of out-of-class work per week for fifteen weeks. Accordingly, for this four-credit-hour class, you should spend at least four hours per week in class and eight hours per week preparing for class or engaging in other class-related activities.

**Make-up Classes**
To ensure compliance with ABA Standard 304, this class is required to hold additional class sessions or to engage in out-of-class assignments to make up for holidays on Labor Day (Monday, Sep. 5) and Veterans Day (Friday, 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 in advance. If you wish to record the class using your own recording device, you must obtain the advance permission of the professor.

**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 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.

During this class, we will discuss many topics on which personal and political views are likely to vary greatly. In order to test ideas, I strongly encourage open discussion and the expression of different viewpoints. However, I also expect professional, respectful, and courteous behavior and commentary at all times.

**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. If you have any questions about emergency procedures, please contact Judi Ray (judiray@siu.edu).