State and Local Government, Law 585
Monday & Wednesday, 4:30-5:45 p.m., Fall 2017
Lesar Law Building Room 206

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Introduction

Welcome to the Law School’s course on State and Local Government. This is only
the fourth time that I have taught the class, but I have much experience practicing in
some of the areas we will discuss. I am therefore confident that we will learn much
this semester.

Historically, Professor Tom Britton taught this course. He has been a great help to
me in preparing for this semester. In fact, I have largely plagiarized his old syllabus.
So when you see him please give him your thanks!

I. Scope of the Course:

This course provides an introduction to the law related to state government, the
state/federal relationship, and other subdivisions of state and local government
including counties, townships, municipalities and special local government units.
The course will focus on the powers and duties of these various government entities
and questions of jurisdiction. Examples and problems will be drawn largely from
the Illinois experience. The course will be especially useful to those who plan to
practice in small to medium sized cities and whose practice is likely to include
representation of governmental bodies.

II. Class Management:

There is NO required textbook in this class. Instead, I will post materials on TWEN
that you must read and prepare for class. Therefore, you must sign up and use
TWEN. That will also be the most common means that I will use to communicate
with you. All students are required to read the entire assignment and participate in
class discussion.

III. Grading:

For the first time, this class is taught as a *senior seminar*. That means that you will be graded on written work, not an examination. I will expect you to submit a final product that is at least twenty-five (25) pages in length (including footnotes). The paper must of publishable quality. This means that if you write something at the last minute or if you submit something that is substandard, you will not pass the course. Since many (if not all of you) need credit in this course to graduate, I strongly recommend that you devote adequate time to this course. (See the law school rules on seminar courses.)

You will be required to submit a paper topic no later than September 5 (day after Labor Day), and an outline by September 25; a solid first draft by October 30; and the final draft by *Friday, November 24, 2017 (11:59 p.m.*) At the November 27 & 29 classes (the last 2 classes), each of you will present your paper to the entire class. ATTENDANCE AT THOSE CLASSES IS MANDATORY.

IV. Attendance and Preparation. I do not have tenure and I really like this job. The Law School rules require that I take attendance. Therefore, attendance will be taken daily on an attendance sheet circulated during class. If you are unprepared for class, please advise me of that fact before class commences. I believe that you will learn valuable material even if you are unprepared for the class. Therefore, I prefer that you attend even if you are not prepared. By letting me know in advance that you are not prepared, I can avoid humiliating you by calling on you. However, do not let this happen very often or I will revoke your privilege. If you do not so inform me in advance of class, your genuine signature on the attendance sheet will constitute a representation that you have read the assigned material and are prepared to discuss the material in an intelligent fashion. The presence or absence of your genuine signature on the attendance sheet will also constitute a conclusive presumption of your presence or absence during that class period. Under the rules of the School of Law, you are entitled to **accumulate no more than six (6) absences in this class.** If you have more than six (6) absences, as reflected on the attendance sheets, you will be withdrawn from the class. I reserve the right to require greater evidence of preparation--*e.g.*, written briefs, if the level of class preparation becomes unsatisfactory.

PLEASE NOTE that ABA Standard 310 requires that I assign at least 2 hours of preparation for each 50 minute class. Since our classes meet 75 minutes per class,
Standard 310 requires that I assign at least 3 hours of work to prepare for each class. I believe that the assignments in this class will meet the expectations of this ABA Standard.

V. Tentative Schedule:

Due to the Solar Eclipse (August 21) and Labor Day (September 4) we will miss and must make up two classes. We will make up the classes through personal meetings that I will hold with each of you to discuss such things as your paper topic, your outline, etc.

August 23
Review of Syllabus
Opening discussion

August 28
Organization of Government:
Section I, posted on TWEN
Introduction
State Government
Units of Local Government
Equal Protection and Due Process

OTHER IMPORTANT STUFF:

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, Department of Safety’s website 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.

**DISABILITY ACCOMMODATION POLICY:** 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.