Current Developments in American Law:

**Election Law**

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**Description**
Election Law is a regular offering at many law schools. The course combines issues of both a constitutional and a statutory nature. Much of the course will be devoted to voting rights and the rights of political parties, which implicate the constitutional concepts of due process, equal protection, freedom of speech, and freedom of expressive association. Likewise, we will consider the constitutional powers of Congress to enforce both the Fourteenth and Fifteenth Amendments. We will also consider the rights and duties that arise under the Voting Rights Act and other relevant federal and state statutes. Even though this is not an election year, there are major voting rights cases making their way through the lower federal courts, as well as cases on the Supreme Court’s docket, that will make for good current-events discussions.

**Format**
This course is an asynchronous distance education course. All instruction and course materials are delivered online via SIUonline (“D2L”). To access D2L, go to [https://online.siu.edu](https://online.siu.edu). If you need assistance accessing D2L, please call (618) 453-1024 or email mycourse@siu.edu. The benefits of this format are that it offers flexibility and autonomy to students, mimicking law practice. However, these benefits make it easy for a student to fall behind. Therefore, it is important to stay organized and keep on schedule with the readings and assignments. You should expect to spend at least the same amount of time as you would on any other three-credit course if not more as you navigate the online process for the first time.

**Technical Assistance:**
Should you require help with the online format, please visit: [http://cte.siu.edu/idblog/student-resources/online-student-success-guide](http://cte.siu.edu/idblog/student-resources/online-student-success-guide)

**Course Materials**
**Required:**
Dimino, Smith & Solimine, *2016 Casebook Supplement*

**Recommended Supplements:**
Tokaji, *Election Law in a Nutshell*, 2nd ed. (West 2017) [West] [Amazon]  
Dimino et al., *Understanding Election Law and Voting Rights* (CAP 2017) [CAP] [Amazon]  
**Assessment**
Weekly Quizzes: 25%
Discussion Participation: 25%
Final Exam (take-home): 50%

**Administrative Assistant**
Susan McLaren, susanw@law.siu.edu
Office: 243
Please contact Susan if I am unavailable and she will relay any messages to me.

**Attendance**
Attendance will be based on you regularly logging into the course and actively participating in course discussions. D2L records how long you spend on each part of the course.

**Learning Objectives**
A student who successfully completes this course should be able to:
- Describe Election Law as a subcategory of more general areas of constitutional law namely, Equal Protection, Due Process, Speech, and Association.
- Intelligently discuss Election Law as primarily concerned with individual rights or political structure or both.
- Identify the categories of individuals who can and cannot be excluded from voting and the reasons why, including the application of the appropriate level of scrutiny.
- Explain the concept of “one person, one vote,” and apply it to various hypothetical situations.
- Recognize and explain the Voting Rights Act of 1965 as an exercise of Congress’s Enforcement Clause powers under the Reconstruction Amendments.
- Explain the role of political parties within the constitutional structure.
- Recognize and explain the constitutional difficulties inherent in the regulation of the electoral process, especially those caused by the First Amendment.
- Recognize and explain the legal controversies involved in campaign finance regulation, including the major cases that define the field.
- Describe the sorts of legal issues might arise on Election Day involving the actual casting of ballots.
- Explain what legal remedies might or might not be available to an aggrieved candidate after the election.
- Discuss intelligently what aspects of the electoral system ought to be regulated by federal law, whether constitutional or statutory, and what aspects ought to be left to the political process.

**Quizzes**
You will take a 30-minute quiz each week based on the readings, the lectures, and the discussion questions. You will have access to the quiz beginning on Friday of each week and it must be completed by Sunday, the final day of each module. Once you begin the quiz, you will not be able to pause your time, so make sure that you are ready to devote a full, uninterrupted 30 minutes to it.
Discussions
Each week, two to three students will be responsible for leading our discussions. Responses must show evidence that you have read the material, listened to the lectures, and thought deliberately about the material. Although we will have weekly discussion leaders, everyone is expected to regularly participate.

A lengthier writing assignment that satisfies the Writing-Across-the-Curriculum requirement will also be counted in the discussion portion of the grade. More details of that assignment will be forthcoming.

Final Examination
The final exam will consist of a twenty-four-hour take-home paper. You may take the exam between August 3 and August 4.

Workload Expectations
The American Bar Association (“ABA”) law-school-accreditation standards contain a formula for calculating the amount of work that constitutes one credit hour. According to the general requirement of Standard 310, “a ‘credit hour’ is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks (including one week for final exams) or the equivalent amount of work over a different amount of time.” Since this is a 3-credit hour class given over seven-and-a-half weeks, we will essentially have to double the amount of time worked each week. All told, applying the ABA standard to the number of credits offered for this class, you should plan on spending a total of 18 hours per week (6 in online instruction and 12 preparing on your own) on course-related work.

Reading Assignments
When less than the full chapter has been assigned, I have listed the assigned sections and/or cases in addition to the page numbers. ***Always read the corresponding pages of the casebook supplement, even if not specifically indicated***

Week 1/Module 1: June 12–June 18
- Read all of Chapter 1, pp. 1–104
- Watch class lectures
- Engage in discussion
- Take Quiz 1

Week 2/Module 2: June 19–June 25
- Read all of Chapter 2, pp. 105–60
- Read all of Chapter 3, pp. 161–224 [as amended by Supp. 5–15]
- Watch class lectures
- Engage in discussion
- Take Quiz 2
Week 3/Module 3: June 26–July 2
  - Read all of Chapter 4, pp. 225–64
  - Read part of Chapter 5, pp. 265–76 (§ A; part of § B), 300–17 (§ C, Thornburg only), 354–85 (§ E), 404–17 (§ F, Bartlett only)
  - Watch class lectures
  - Engage in discussion
  - Take Quiz 3

Week 4/Module 4: July 3–July 9
  - Read all of Chapter 6, pp. 419–547
  - Watch class lectures
  - Engage in discussion
  - Take Quiz 4

Week 5/Module 5: July 10–July 16
  - Read part of Chapter 8, pp. 571–74 (§ A), 602–77 (§§ C–D), 756–86 (§ I)
  - Watch class lectures
  - Engage in discussion
  - Take Quiz 5
  - Work on WAC Assignment

Week 6/Module 6: July 17–July 23
  - Read part of Chapter 9, pp. 787–829 (§§ A–B), 895–923 (§ D, Bellotti & Austin), 941–83 (§ D, Citizens United), 996–1010 (§ F)
  - Watch class lectures
  - Engage in discussion
  - Take Quiz 6

Week 7/Module 7: July 24–July 30
  - Read all of Chapter 10, pp. 1031–62
  - Read all of Chapter 11, pp. 1063–97
  - Read all of Chapter 12, pp. 1099–1177
  - Watch class lectures
  - Engage in discussion
  - Take Quiz 7
Week 8/Review: July 31–August 1
- Review your class notes
- Engage in wrap-up discussions
- Ask clarification questions

Final Exam: August 3–August 4
- Take-home exam
- To be completed on the day of your choosing
IMPORTANT DATES*
Semester Classes Begin: ..............................................06/12/2017
Last day to add full-term course (without Dean’s signature): ...........06/18/2017
Last day to withdraw from the University with a full refund: ..........06/23/2017
Last day to drop a full-term course for a credit/refund: ..............06/25/2017
Last day to drop a full-term course (W grade, no refund): ..........07/16/2017
Final examinations: ..................................................08/03−08/04/2017

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at http://registrar.siu.edu/calendars. For add/drop dates that apply to shorter-than-full-term courses, please see the Schedule of Classes search results at http://registrar.siu.edu/schedule/class/index.php

SUMMER SEMESTER HOLIDAYS
Independence Day Holiday 07/04/2017

withdrawal Policy ~ Undergraduate only
Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar’s office. For the proper procedures to follow when dropping courses and when withdrawing from SIU visit: http://registrar.siu.edu/students/withdrawal.php

INCOMPLETE POLICY~ Undergraduate only
An INC grade may be assigned when, for reasons beyond their control, students engaged in passing work are unable to complete all class assignments for the course. An INC must be changed to a completed grade within one full semester (undergraduates), and one full year (graduate students), from the close of the term in which the course was taken or graduation, whichever occurs first. Should the student fail to complete the remaining course requirements within the time period designated, the incomplete will be converted to a grade of F and such grade will be computed in the student’s grade point average. For more information visit: http://registrar.siu.edu/grades/incomplete.php

REPEAT POLICY
An undergraduate student may, for the purpose of raising a grade, enroll in a course for credit more than once. For students receiving a letter grade of A, B, C, D, or F, the course repetition must occur at Southern Illinois University Carbondale. Effective for courses taken Summer 2013 or later, only the most recent (last) grade will be calculated in the overall GPA and count toward hours earned. This policy will be applied to all transferrable credit in that only the last grade will be used to calculate grade point average. Only those courses taken at the same institution are considered repeats under this policy. See full policy at http://registrar.siu.edu/students/repeatclasses.php

GRADUATE POLICIES
Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog at http://gradschool.siu.edu/about-us/grad-catalog/

DISABILITY 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 contact DSS to open cases. The process involves interviews, reviews of student-supplied documentation, and completion of Disability Accommodation Agreements. http://disabilityservices.siu.edu/

PLAGIARISM
See the Student Conduct Code http://srr.siu.edu/student-conduct-code/

MORRIS LIBRARY HOURS: http://libguides.lib.siu.edu/hours

ADVISEMENT: http://advisement.siu.edu/

SAFETY AWARENESS FACTS AND EDUCATION
Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: http://safe.siu.edu

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: call(618) 453-1492, email siucares@siu.edu, or http://salukicares.siu.edu/

SIU’S EARLY WARNING INTERVENTION PROGRAM (EWIP)
Students enrolled in courses participating in SIU’s Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the Core Curriculum’s Overview webpage: http://corecurriculum.siu.edu/program-overview/

EMERGENCY PROCEDURES
We ask that you become familiar with Emergency Preparedness @ SIU. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and though text and email alerts. To register for alerts visit: http://emergency.siu.edu/

STUDENT MULTICULTURAL RESOURCE CENTER
The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in Grinnell Commons, to see the resources available and discover ways you can get involved on the campus. Visit us at http://inclusiveexcellence.siu.edu/

LEARNING AND SUPPORT SERVICES
Help is within reach. Learning support services offer free tutoring on campus and math labs. To find more information please visit the Center for Learning and Support Services website:
Tutoring: http://tutoring.siu.edu/
Math Labs: http://math.siu.edu/courses/course-help.php

WRITING CENTER
The Writing Center offers free tutoring services to all SIU students and faculty. To find a Center or Schedule an appointment please visit: http://write.siu.edu/

DIVERSITY
Southern Illinois University Carbondale’s goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: http://diversity.siu.edu/

MILITARY COMMUNITY
There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at http://veterans.siu.edu/

SIU ONLINE: https://online.siu.edu/

Need help with an issue? Please visit SALUKI SOLUTION FINDER at http://solutionfinder.siu.edu/

Office of the Provost http://pvcaa.siu.edu/ Summer 2017