Current Developments in American Law:

Election Law

Instructor: Steven J. Macias
Email: smacias@siu.edu
Office: 234
Phone: 618-536-8464

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. Because this is a presidential election year, I expect that many current events will make for ideal examples along the way.

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. 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

Course Materials
Required:

Recommended Supplements:
Tokaji, Election Law in a Nutshell (West 2013) [West] [Amazon]
Hasen, Legislation, Statutory Interpretation, and Election Law: Examples & Explanations (Wolters Kluwer 2014) [WK] [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 a 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. One 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, three to four 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. It will most likely focus on the material in Week 5.

**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 5.

**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.

**Week 1/Module 1: June 13–June 19**
- Read all of Chapter 1, pp. 1–104
- Watch class lectures
- Engage in discussion
- Take Quiz 1

**Week 2/Module 2: June 20–June 26**
- Read all of Chapter 2, pp. 105–60
- Read all of Chapter 3, pp. 161–224
- Watch class lectures
- Engage in discussion
- Take Quiz 2
Week 3/Module 3: June 27–July 3
- Read all of Chapter 4, pp. 225–64
- Read part of Chapter 5, pp. 265–76 (§ A), 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 4–July 10
- Read part of Chapter 6, pp. 441–547 (§§ C–D)
- Watch class lectures
- Engage in discussion
- Take Quiz 4

Week 5/Module 5: July 11–July 17
- 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 18–July 24
- 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 25–July 31
- 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: August 1–August 2
- Review your class notes
- Engage in wrap-up discussions
- Ask clarification questions
IMPORTANT DATES *

Full Session Courses Begin .................................................. 06/13/2016
Last day to add a class (without Dean’s permission): .............. 06/19/2016
Last day to withdraw completely and receive a 100% refund: ...... 06/26/2016
Last day to drop a course using SalukiNet: ............................ 07/17/2016

Commencement: ................................................................. 08/04/2016-08/05/2016

Note: For outreach, internet, and short course drop/add dates, visit Registrar’s Academic webpage http://registrar.siu.edu/

SUMMER SEMESTER HOLIDAYS

Independence Day Holiday 07/04/2016

WITHDRAWAL POLICY ~ Undergraduate only

Students who officially register for a session may not withdraw merely by the stopping of attendance. An official withdrawal form needs to be initiated by the student and processed by the University. For the proper procedures to follow when dropping courses and when withdrawing from the University, please visit http://registrar.siu.edu/catalog/undergraduatecatalog.html

INCOMPLETE POLICY ~ Undergraduate only

An INC is assigned when, for reasons beyond their control, students engaged in passing work are unable to complete all class assignments. An INC must be changed to a completed grade within one semester following the term in which the course was taken, or graduation, whichever occurs first. Should the student fail to complete the course within the time period designated, that is, by no later than the end of the semester following the term in which the course was taken, or graduation, whichever occurs first, the incomplete will be converted to a grade of F and the grade will be computed in the student’s grade point average. For more information please visit: http://registrar.siu.edu/grades/incomplete.html

REPEAT POLICY

An undergraduate student may, for the purpose of raising a grade, enroll in a course for credit no more than two times (two total enrollments) unless otherwise noted in the course description. For students receiving a letter grade of A,B,C,D, or F, the course repetition must occur at Southern Illinois University Carbondale. Only the most recent (last) grade will be calculated in the overall GPA and count toward hours earned. See full policy at http://registrar.siu.edu/catalog/undergraduatecatalog.html

GRADUATE POLICIES

Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please visit http://gradschool.siu.edu/about-us/grad-catalog/index.html

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 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/

PLAGIARISM

Student Conduct Code  http://srr.siu.edu/student_conduct_code/

MORRIS LIBRARY HOURS
http://www.lib.siu.edu/about

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

SAKIL 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

EMERGENCY PROCEDURES

Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. We ask that you become familiar with the SIU Emergency Response Plan and Building Emergency Response Team (BERT) programs. 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 at www.dps.siu.edu (disaster drop down) and the Emergency Response Guidance pamphlet. 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.

INCLUSIVE EXCELLENCE

SIU contains people from all walks of life, from many different cultures and subcultures, and representing all strata of society, nationalities, ethnicities, lifestyles, and affiliations. Learning from and working with people who differ is an important part of education as well an essential preparation for any career. For more information please visit: http://www.inclusiveexcellence.siu.edu/

LEARNING AND SUPPORT SERVICES

Help is within reach. Learning support services offers 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/

AFFIRMATIVE ACTION & EQUAL OPPORTUNITY

Our office's main focus is to ensure that the university complies with federal and state equity policies and handles reporting and investigating of discrimination cases. For more information visit: http://diversity.siu.edu/

Additional Resources Available:

SALUKINET: https://salukinet.siu.edu/cp/home/displaylogin

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

PROVOST & VICE CHANCELLOR: http://pvcaa.siu.edu/

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