POL SCI 250 – LAW AND SOCIETY
University of Wisconsin-Milwaukee
Spring 2010
ONLINE EDITION

Professor Erin B. Kaheny
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Office Hours: Monday, 1-3 pm

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COURSE DESCRIPTION:
This online course provides a broad overview of American legal traditions, institutions, and processes. Topics examined in the course include: the nature and organization of law, legal theory, and the role of courts, judges, juries, and lawyers. Moreover, we will examine contemporary debates in law and society involving issues of race, gender, medicine, and corporations.

REQUIRED BOOK (AVAILABLE FOR PURCHASE AT THE UWM BOOKSTORE):

CLASS REQUIREMENTS AND POLICIES

General Class Conduct
It is imperative that you always maintain a professional tone in all online postings and that you keep your response in line with the question being asked. You should feel free to challenge the ideas expressed by those in the class, but discussion forums (described below) are not venues for personal attacks and non-scholarly commentary. Please take the time necessary to convey your ideas in a respectful and thoughtful manner. Failure to do so will result in a significant deduction in your discussion postings grade.

Class Structure
This class will be conducted exclusively online via Desire2Learn (D2L); there are no face-to-face class discussions. The course will be structured on a weekly basis. For our purposes, a given week begins on Monday at 12:00 am and ends on Sunday at 11:59 pm. The exams will be available online during the time periods specified in the relevant sections of this syllabus. Please note that the official time zone utilized for the purposes of this online class is the Central Time Zone.

Assigned Reading and Framing Notes
Our class will center on the assigned reading from the Samuels text. Some readings, however, are available via e-reserve through the UWM library. We will engage in detailed discussions of central questions raised in this reading throughout the semester. In addition, we will spend a fair amount of time debating contemporary issues in law and society.
As noted below, I have assigned reading for most weeks of the semester. Throughout the semester, I will post framing notes for the assigned reading associated with that week of class. These notes will be posted under “Content” on our D2L page and will highlight important themes, issues, and concepts in hopes of fitting the reading material into a broader framework. The notes will be available for your review by Monday evening of each week.

**Regular Weekly Discussion Questions & Postings (“Regular Weekly Posts”)**

With the exception of those weeks in which you are taking the mid-term or final examinations, the week of spring break, and the last week of classes, I will post one discussion question in the “Regular Weekly Discussion Forums” section of our D2L course page that is based on that week’s assigned reading. Each student will be required to respond directly to the question that I pose each week (“regular weekly posts”).

I expect you to seriously engage the assigned reading and to develop thoughtful remarks to the questions I pose. I suggest you think of these “posts” as short essay assignments. Consequently, your responses should be approximately two paragraphs (single-spaced) and should clearly indicate that you have read and thought about the assigned reading. These weekly posts will be assigned one of four grades (0, 50, 75, or 100%). In order to receive a 100%, you must submit a thoughtful response that thoroughly answers all parts of the question, is free of grammatical and spelling errors, is of a scholarly nature with a highly professional tone, and does not veer from the topic of the question posed. Simple bullet point posts will not suffice for this purpose. Further, your writing should be free of any online lingo, abbreviated words, contractions, and slang. Any reference to the assigned or outside reading must be properly cited with in-text parenthetical citations, and a references list should follow the body of the post, if applicable. I highly suggest that you type your posts using a word processing program and then copy and paste your remarks into D2L. Do not post your response as an attachment.

Your regular weekly discussion responses must be posted no later than **Friday at 11:59 pm** of the relevant week of the discussion. For example, regular weekly discussion responses for week 2 should be posted no later than Friday, February 5 at 11:59 pm. You should submit only one direct response to my regular weekly discussion question for grading purposes each week. If you submit two responses to the question, the TA will grade the first post only. Late responses (even by one minute) to the regular weekly discussion questions will be assigned a grade of zero. Students will, however, have the opportunity to drop two of their lowest grades (e.g., two zeros) in this category of postings (and in this category only).

**Reactions to the Posts of Other Students (“Reaction Posts”)**

In at least two separate weeks this semester, you must also post a response (approximately one paragraph, single-spaced) to a “regular” or “debate” posting (see below) of another student. These are referred to as “reaction posts.” Specifically, your “reaction post” should take the major point your peer expressed in his or her regular weekly or debate discussion post and elaborate on it or critique it in some way (positive critique is welcome). You may react and respond to multiple postings in a given week, and you may respond to more than two student postings over the semester. However, the TA will only grade one of your reactions per week and a total of two “reaction posts” per student this semester. Thus, you must indicate which of your reaction posts you would like graded. In order to do this, you should include “I submit this reaction post to be graded” in the first line of the text (not the subject line) in your reaction post. Responses to student postings (“reaction posts”) are due no later than **Sunday at 11:59 pm** of the relevant week of the discussion or debate. For example, if you would like to submit a graded reaction to a peer’s post during week 2, you must submit your reaction no later than Sunday, February 7 by 11:59 pm. In the event that you submit more than two reaction posts over the semester and do not indicate which two you want graded, the TA will grade the first two reactions (across separate weeks). Reaction posts will be assigned one of four grades (0, 50, 75, or 100%). Only those students who seriously engage the comments of another student in a meaningful and clear way (i.e., the student provides a well-developed
response that is free of spelling and grammatical errors) will receive full credit (i.e. 100%). Late reaction posts will not be accepted (i.e., they will be assigned a grade of zero).

**Debate Position Paper**

Each student will be randomly assigned to a particular side of one of five debate topics. Each student will be required to submit a “position paper” in which they offer, at least, three major arguments to support their assigned position. I expect all students to engage in research for the purposes of this assignment. Thus, any reference used in the development of a student’s paper should be cited in the body of the paper using in-text parenthetical citations. Each paper must also include a “references” list in which the student provides the full citations for the references cited. In order to receive a passing grade, students must cite at least four different scholarly sources (e.g., books, journal articles) in the body of their papers. The paper should be 2-3 pages (12-point font, double-spaced, one-inch margins). The cover page, references list, and any tables/figures are not included in this page limit. Your position paper (which must be submitted as a Microsoft Word document or PDF file) will be due in the D2L dropbox by 12:00 pm (noon) on Monday of the week of the debate. Late deductions (see below) will apply for any paper received after that time. Please make sure that the document name of your paper designates your last name, the topic, and whether you were assigned to the pro or con side.

Please note that the instructor will likely post at least one paper from each side of the debate to facilitate class discussion. It is essential that your paper is highly organized, free of spelling and grammatical errors, and uses citations whenever necessary (please see the warning on academic misconduct).

Your specific debate paper assignments will be posted on D2L.

**Debate Posts**

In each of the five weeks in which we hold an online debate, I will post a “debate discussion question” in a designated forum that will encourage further discussion of the debate topic. Each student is required to submit a direct response to the question that I pose in two separate debates this semester (“debate posts”). You may choose which of the two debates you participate in for this purpose. These responses are graded with the same criteria employed for your regular weekly discussion posts. Thus, you will receive a grade of 0, 50, 75, or 100% on your debate posts.

Debate posts are due by Friday at 11:59 pm of the week of the relevant debate. Since you have a fair number of opportunities to participate in online debates, late responses will not be accepted (i.e., they will receive a grade of zero). The TA will only grade one debate post per student in a given week and only two debate posts per student over the course of the semester. Consequently, it is your responsibility to denote which responses you submit for grading purposes via a note in the first line of the text of your response (e.g., “I submit the following debate post for grading”). If you submit more than two debate posts in a given week without this designation, the TA will grade your first post. If you submit more than two debate posts over the semester without a designation for which two you would like graded, the TA will grade the first two postings only (across separate debates).

**Exams**

There will be two exams in this course. Exam material will be drawn from the assigned reading, the discussion forums, and the online debates. Both exams will include a series of multiple choice and true/false questions and will be administered through our D2L Web page in a timed setting. The amount of time that will be allotted will be posted on D2L at least one day before the exam period begins.

The mid-term exam will be available online beginning Monday, March 15 at 12:00 am until Wednesday, March 17 at 11:59 pm. You may select the day and time in which you take the exam
within this time frame, but you are strongly advised to give yourself the full amount of time that I will permit in order to complete the exam.

The final exam will be available online beginning Monday, May 17 at 12:00 am until Wednesday, May 19 at 11:59 pm. Please note that the final exam will not be cumulative in nature. It will emphasize material covered since the mid-term examination.

Once you begin an exam, the clock begins, and you will have to complete the exam within a designated time limit. Thus, it is your responsibility to ensure that you have a secure Internet connection and proper testing environment before you begin the exam. Moreover, you will have a very limited amount of time to answer each question. Consequently, you should prepare for these online exams as you would a closed-book exam in a regular classroom environment. The exams are designed so that you will not have time to consult your notes or the book.

Make-up examinations will be allowed under very limited circumstances. In order to qualify for a make-up exam, you will have to supply documentation that demonstrates that you were not able to take the exam during the time frame offered due to an illness, family emergency, or a University-excused absence. Students who seek a make-up opportunity must make a reasonable effort to contact me in a timely fashion (no later than 24 hrs. after the last scheduled day of the exam).

**Grades**

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<tr>
<th>Assignment</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Mid-term exam</td>
<td>30%</td>
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<tr>
<td>Final exam</td>
<td>30%</td>
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<tr>
<td>Discussion postings (regular, reaction, &amp; debate posts)</td>
<td>30%</td>
</tr>
<tr>
<td>Debate position paper</td>
<td>10%</td>
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**Point Scale**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Score Range</th>
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<tbody>
<tr>
<td>A</td>
<td>93-100</td>
</tr>
<tr>
<td>A-</td>
<td>90-92</td>
</tr>
<tr>
<td>B+</td>
<td>87-89</td>
</tr>
<tr>
<td>B</td>
<td>83-86</td>
</tr>
<tr>
<td>B-</td>
<td>80-82</td>
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<tr>
<td>C+</td>
<td>77-79</td>
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<tr>
<td>C</td>
<td>73-76</td>
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<tr>
<td>C-</td>
<td>70-72</td>
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<tr>
<td>D+</td>
<td>67-69</td>
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<tr>
<td>D</td>
<td>63-66</td>
</tr>
<tr>
<td>D-</td>
<td>60-62</td>
</tr>
<tr>
<td>F</td>
<td>...-59</td>
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**Grading Concerns**

If you have questions or concerns regarding the grading of an assignment, please contact the TA within one week of receiving the grade. If you are not satisfied with the TA’s response, please contact the instructor. If you have questions or concerns regarding the exams, please first consult with the instructor.

**Academic Misconduct**

I do not tolerate acts of plagiarism or any forms of cheating. Students who are caught engaging in academic misconduct will receive an “F” (zero percentage points) for the assignment or exam. It is also possible that a student who is caught engaging in academic misconduct will receive an “F” for the course. If I suspect a case of academic misconduct, I will follow the academic misconduct and reporting policies of the University of Wisconsin-Milwaukee.

**Dropping the Course & Incompletes**

The decision to drop the course is the responsibility of the student, and each student should become familiar with all relevant drop deadlines (please see the UWM calendar for further details). An incomplete may be given to a student who is unable to complete the course requirements due to
extenuating circumstances (e.g., serious illness, injury, family emergency, etc.). Supporting
documentation is necessary to receive an incomplete.

**Late Assignment Policy & Penalties**
As noted above, late assignments with respect to regular discussion posts, reaction posts, and debate
discussion question posts will not be accepted (i.e., they will be assigned a grade of zero). Debate
position papers, however, will be graded if they are submitted after their due date/time. These
assignments will be subject to a ten percentage point deduction for each day they are late (including
weekends). Position papers submitted on the appropriate due date but after the designated time will be
treated as one day late.

**Student Accommodations**
If you will need accommodations in order to meet any of the requirements of this course, please contact
the instructor as soon as possible. Students should also contact a Student Accessibility Center (SAC)
counselor on campus (414) 229-6287.

**COURSE SCHEDULE**

**WEEK 1 (BEGINNING JANUARY 25): INTRODUCTION TO THE COURSE**
No assigned reading
- Students are required to post brief introductions by Friday, January 29 (See “Introductions”
discussion forum).

**WEEK 2 (BEGINNING FEBRUARY 1): INTRODUCTION TO THE STUDY OF LAW**
Read Samuels pgs. 1-27
- **PRACTICE QUIZ:** Students are required to take a practice online quiz by Sunday, February 7.

**WEEK 3 (BEGINNING FEBRUARY 8): LEGAL THEORY**
Read Samuels pgs. 28-56

**WEEK 4 (BEGINNING FEBRUARY 15): FOUNDATIONS OF THE AMERICAN LEGAL SYSTEM**
Read Samuels pgs. 57-84

**WEEK 5 (BEGINNING FEBRUARY 22): ORGANIZATION OF THE AMERICAN JUDICIAL SYSTEM**
Read Samuels pgs. 133-154

**WEEK 6 (BEGINNING MARCH 1): JURIES**
Read Samuels pgs. 154-162, A. Schefflin “Jury Nullification: The Right to Say No,” and A. Schefflin and

**WEEK 7 (BEGINNING MARCH 8): JUDGES, LEGAL REASONING, AND JUDICIAL DECISION MAKING**
reserve)

**WEEK 8 (BEGINNING MARCH 15): MID-TERM EXAM**
No assigned reading
The mid-term exam will be available online beginning Monday, March 15 at 12:00 am until
Wednesday, March 17 at 11:59 pm.
WEEK 9 (BEGINNING MARCH 22): SPRING BREAK
No assigned reading.

WEEK 10 (BEGINNING MARCH 29): LAWYERS AND LEGAL EDUCATION

WEEK 11 (BEGINNING APRIL 5): COURTS AND DISPUTE RESOLUTION
Read Samuels pgs. 169-193
- [Debate #1]: Alternative Dispute Resolution: Friend or Foe? (Position papers due to dropbox by Monday, April 5 at 12:00 pm (noon))

WEEK 12 (BEGINNING APRIL 12): LAW AND RACE
Read Samuels pgs. 265-289
- [Debate #2]: Is affirmative action for racial minorities necessary and/or desirable? (Position papers due to dropbox by Monday, April 12 at 12:00 pm (noon))

WEEK 13 (BEGINNING APRIL 19): LAW AND GENDER
Read Samuels pgs. 290-313
- [Debate #3]: Do we need an Equal Rights Amendment to the U.S. Constitution? (Position papers due to dropbox by Monday, April 19 at 12:00 pm (noon))

WEEK 14 (BEGINNING APRIL 26): LAW AND CLASS
Read Samuels pgs. 314-335

WEEK 15 (BEGINNING MAY 3): LAW AND MEDICINE
Read Samuels pgs. 336-355
- [Debate #4]: Did the Supreme Court reach the right decision in Gonzales, et al. v. Raich, et al. (2005)? (Position papers due to dropbox by Monday, May 3 at 12:00 pm (noon))

WEEK 16 (BEGINNING MAY 10): LAW AND CORPORATIONS
Read Samuels pgs. 356-375
- [Debate #5]: Do we need more tort reform in the U.S.? (Position papers due to dropbox by Monday, May 10 at 12:00 pm (noon))

WEEK 17: FINAL EXAM
No assigned reading
The final exam will be available online beginning Monday, May 17 at 12:00 am until Wednesday, May 19 at 11:59 pm.