

# **CONSTITUTIONAL LAW I**

## **Fall 2010**

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### **Course Description**

This course is the first part of a year-long examination of constitutional law. In the broadest general terms, our focus this semester will be on how the U.S. Constitution distributes powers among the branches of government and the Fourteenth Amendment's guarantee of equal protection. During the second semester, the course focuses on individual rights.

On any given day, the news is filled with stories that touch on issues we will discuss in this course. For example, did Congress exceed its constitutional authority when it enacted health care reform legislation? Do states violate equal protection under the federal Constitution by providing civil unions to gays and lesbians instead of allowing them to marry?

How are we to interpret the Constitution when confronted with situations the framers never imagined?

Over the next few months, we will examine cases and other materials to help us formulate answers to these questions and more. In this regard, students will develop their facility with the materials to learn and apply the doctrine in this area, and gain familiarity with various methods of interpreting the Constitution and the role of the courts in so doing.

### **General Information**

#### **Required texts:**

- Stone, et al., CONSTITUTIONAL LAW (6th Edition) (Aspen 2009)(**Casebook or "CB"**)
- Dorf, ed., CONSTITUTIONAL LAW STORIES (2d Edition) (Foundation Press 2009)(**"CLS"**)

**Course web page:**

I communicate to students through web page that is available on TWEN, the West Education Network. To access the site, go to [www.lawschool.westlaw.com](http://www.lawschool.westlaw.com), click the link for TWEN, and follow the directions to register. Make sure you use an email address that you check regularly for purposes of TWEN. Assignments and announcements –e.g., class cancellations, revisions to the syllabus -- will come to you through this web page. Therefore, signing up with TWEN is a must. If you have problems accessing or using TWEN, please contact your student Westlaw representative.

**Response Cards or “Clickers”**

As first year students, you will receive response cards, commonly known as “clickers,” which we will use during class. Register your clicker for this class **no later than August 25, 2010**, at the following link: <http://student.turningtechnologies.com/>.

You will need my email address in order to register: [verna.williams@uc.edu](mailto:verna.williams@uc.edu). The class for which you are registering is “Constitutional Law I.” If you have trouble with the registration process, please let me know as soon as possible.

Please bring your clickers with you to every class meeting.

**Office hours:**

Tuesdays and Thursdays: 3:00 – 4:00

I also am available by appointment. You may contact me either via email or phone.

**Course Requirements and Grading**

The majority of your grade will be based on a three-hour exam. Class participation and attendance also are essential. In addition, I will call on students randomly. If you are not prepared for a particular class, please let me know before class via email so that I will know not to call on you that day. This privilege is available no more than twice.

There may be times when attendance is not possible because of emergency or illness; in those instances, please inform me via email that you will be absent. Four unexcused absences – that is, without failing to notify me ahead of time -- during the semester will result in a lower final

grade in this course. Eight or more unexcused absences may result in your withdrawal from the course. Chronic absences and/or unpreparedness will result in a failing grade.

Although most of your grade will be based on your exam performance, I also will consider excellent class participation, preparation, and attendance, which may result in raising final grades as much as ½ a letter grade (e.g., from a B to a B+). Similarly, poor attendance, preparation, or class participation will lower final grades ½ a letter grade.

### **Reading Assignments**

Our work for the next few weeks appears below:

<b>I. The Role of the Supreme Court in the Constitutional Order</b>	
<b>Date</b>	<b>Assignment</b>
1. August 23	Origins of the U.S. Constitution: CB 8-14; Articles of Confederation (available on TWEN)
2. August 25	CB 14 – 26; U.S. Constitution (starting @ CB xliii)
3. August 30	The Basic Framework; <i>Marbury v. Madison</i> , CB 29 – 51; CLS 13-31
4. September 1	Judicial Review, continued; Sources of Judicial Decisions: CB 58-78; CLS 33-67
<b>5. September 6</b>	<b>No Class: Labor Day</b>
6. September 8	Political Control over the Court: CB 78-90