

Working Course Outline/Syllabus

Institution: Southern Methodist University

FOUNDATIONS OF THE AMERICAN LEGAL SYSTEM HDDR 6305, Section 775

Thomas L. Hartsell, Jr.

May Term Wednesdays: 6:00 P.M. – 10:15 P.M.

Course Information

INSTRUCTOR: Thomas L. Hartsell, Jr.
SMU office phone: 972-473-3439
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I do not have set school office hours, but I will be happy to set a mutually convenient time to discuss any matter in person or by phone. My office is located in Room 118 in Building 3.

REQUIRED TEXTS:

LAW 101, Everything You Need To Know About the American Legal System, 3rd Edition, by Jay M. Freidman (Oxford University Press, 2006) (ISBN 978-0-19-539513-6).

Additional materials in the form of articles, statutes and role-plays will be distributed throughout the class.

SUGGESTED TEXT:

Black's Law Dictionary (pocket edition)

CATALOG DESCRIPTION: The structure and procedures of the United States court system will be studied with a particular emphasis on how methods of alternative dispute resolution augment, coordinate and sometimes clash with the goals of traditional litigation. Students will learn legal concepts and terminology essential to successfully working within the field of dispute resolution and will be introduced to basic legal skills. These legal skills include legal reasoning, interpreting case law, statutes and administrative codes, as well as receiving a primer on research materials and tools used by judges and lawyers to evaluate the merits of a legal dispute.

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Key Learning Objectives	How Achieved
Upon successful completion of this course, the student will be able to demonstrate knowledge and application of legal terminology and principles.	Textbooks and distributed materials will be studied to acquaint students with legal terminology and principles.
Students will learn to recognize and analyze legal issues.	Textbook and distributed materials will be used to identify legal issues and strategies for analyzing and resolving them.
Students will understand the basic foundation of the American Legal System and the roll alternative dispute resolution plays in our system.	Textbook and distributed materials will acquaint students with the basics of our system and the roll alternative dispute resolution plays in the system. Use of role-plays will give students a more personal and better understanding of how alternative dispute resolution can be effectively implemented within the American Legal System.

ATTENDANCE POLICY Attendance is crucial and class participation will be factored into the final grade.

- Your Instructor should be given 24 hours' notice of any absence whenever possible
- If a student must miss one class, it is the student's responsibility to get all material and assignments covered during their absence.
- A student's final grade will be impacted if two absences occur.
- A student missing more than two classes may, at your Instructor's discretion:
 - receive a grade of Incomplete if the requirements to do so have been met (see the policy on Grades of Incomplete contained in this syllabus)
 - receive a failing grade for the course
 - drop or withdraw from the course. (This option may have a financial and/or financial aid impact. Student should refer to the Add/Drop Policy and the Withdrawal Policy for the Counseling program which can be found at <http://smu.edu/education/counseling/AcademicCalendar2012-12.asp> then consult with the Program Specialist if they believe this option is a possibility.)

EVALUATION/GRADING POLICY 1/4 of the final grade will be based on a written midterm examination. 1/4 of the final grade will be based on a group research project which shall include a paper and class presentation. 1/4 of the final grade will be based on a written final examination. 1/4 of the final grade will be based on attendance and class participation. I use the following grading system.

Grade	Performance Description	Range	GPA	Points
A	Exceptional	93 – 100	4.0	12.0
A-	High Pass	90 – 92	3.7	11.1
B+		87 – 89	3.3	9.9
B	Pass	83 – 86	3.0	9.0
B-		80 – 82	2.7	8.1
C+	Failure, any C or below	77 – 79	2.3	6.9
C		79	2.0	6.0
C-		73 – 76	1.7	5.1
D+		76	1.3	3.9
D		70 – 72	1.0	3.0
D-		72	0.7	2.1
F		67 – 69	0.0	0.0
		63 – 66 60 – 62 59 >		

Class Participation & Readings Assessment

	Needs Improve. 80-82	Developing 83-89	Accomplished 90-92	Exemplary 93-100	Score
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Preparation for class/class discussion/writing assignments	Does not ask questions or make comments that indicate familiarity with topics for class; turns in most writing assignments	Rarely asks questions or makes comments that indicate familiarity with the topics prepared for class; turns in all writing assignments	Occasionally asks questions or makes observations that indicate reflections, some knowledge or readings for class; turns in all writing assignments	Regularly asks questions or makes observations that indicate reflection, knowledge or readings for class; turns in all writing assignments	
Small group participation	Does not participate in small groups in class	Does not actively participate in small groups in class	Participates actively in small groups in class	Participates actively and provides leadership in small groups in class	
Class absences	Misses class often	Misses no more than 2 classes w/o prior arrangement	Misses 1 class with prior arrangement	Attends class regularly (no missed classes)	

You should be prepared to discuss the material assigned from the course texts for each class including the legal principles and cases presented in the text. Under the table of contents for each chapter the author lists multiple questions that you will be expected to correctly answer in class and on your examinations.

RESEARCH PROJECT AND PAPER EVALUATION

Student(s) posed a focused question or topic involving them in challenging research.	Student(s) gathered information from a variety of relevant sources—direct, print and electronic and effectively analyzed the information collected	Student(s) logically organized the product and made good connections among ideas	Student(s) documented sources with some care, Sources are cited, both in-text/in-product and on Works-Cited/Works-Consulted pages/slides. Few errors noted.	Student(s) effectively communicated the results of research to the audience
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Each of the five areas of evaluation will receive a separate score for a maximum total possible score of 100 points.

- Exceptional: 20 points
- Good: 18 points
- Average: 15 points
- Poor: 12 points

CLASS PRESENTATIONS AND PAPER: Class presentations should be upbeat, creative and exciting. They are a combination of information, presentation, performance and enthusiasm. The other students should both learn and enjoy.

An outline or summary must be given to each member of the class the day of presentation. It is up to the student presenters to decide what additional information he/she

wishes to reproduce and distribute to the class.

If an outside resource person is to be used, furnish the Professor the name and a one-sentence biography one week before class. Arrange to greet and introduce all resource people. At least one-half of the session must be a student presentation.

Resource people have a tendency to cover fully and in detail their own area of competence. Therefore, discover this area in advance and make sure relevant material will be covered during the class. This is essential.

Outside resource people have a tendency to ramble and use more time than is assigned to them. **THERE IS ALWAYS MORE MATERIAL THAN CAN BE COVERED. THE TRICK IS TO PICK OUT THE TRULY RELEVANT MATERIAL AND PRESENT IT.**

Each presentation is scheduled for forty-five minutes student Presentation and Discussion. It is the student's responsibility to secure a substitute if the student cannot make the Presentation. The student should arrange for the substitute and call the professor. The student must begin and end promptly.

The paper shall follow APA formatting and shall be doubled spaced. You may use both sides of the page to print your papers.

Mid Term and Final Exams

Each exam will include 25 true/ false, multiple-choice and short answer questions worth 4 point each. Please refer to the rubrics listed below regarding grading standards and point distributions.

The professor will construct all exams utilizing best practices for validity and reliability, and will perform an item-analysis after each examination to evaluate student performance related to question clarity and other threats to item validity.

<i>Cognitive Domain</i>	<i>Objectives</i>	<i>Material Covered/Content Distribution</i> Textbook reading and related lecture	<i>Evaluation</i> 0 – 4 point
Knowledge	Recognize key legal terms, concepts and rules Recall concepts and rules	Chapters 1 -9, materials including statutes, covered and discussed in class	4 points earned per correct question
Comprehension	Identify best response and approaches to nuanced questions and scenarios	Chapters 1 -9, materials including statutes, covered and discussed in class	4 points earned per correct question
Application	Apply the terms, concepts and rules correctly to scenarios or questions presented	Chapters 1 -9, materials including statutes, covered and discussed in class	4 points earned per correct question

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STUDENT DROP POLICY If you are unable to complete this course or will miss 3 or more classes, it is **YOUR RESPONSIBILITY** to withdraw formally from the course.

STUDENT HONOR CODE Students are reminded of the SMU Honor Code as referenced in the *Student Handbook*. Intellectual integrity and academic honesty are both the foundation and the goals for this program. Please reference and review the university policies on the responsibilities, policies, and penalties regarding academic honesty.

http://www.smu.edu/studentlife/PCL_05_HC.asp

Class Decorum

- Be punctual, class begins on time.
- Breaks will be granted, but the student is expected to be back on time.
- Do not read newspapers, books for other classes, or other outside reading material during class.
- Attendance is mandatory and roll will be taken.
- Be quiet if you arrive late for class when you enter the classroom.
- If you have to leave class early let me know before class begins.
- Beepers and cellular phones are to be turned off during class.
- Be prepared to participate.
- Professional respect and courtesy is expected.

Disability Accommodations Students needing academic accommodations for a disability must first contact Disability Accommodations & Success Strategies (DASS) at 214-768-1470 or www.smu.edu/alec/dass.asp to verify the disability and establish eligibility for accommodations. They should then schedule an appointment with the professor to make appropriate arrangements. (See University Policy No. 2.4; an attachment describes the DASS procedures and relocated office.)

Religious Observance Religiously observant students wishing to be absent on the holidays that require missing class should notify their professors in writing at the beginning of the semester, and should discuss with them, in advance, acceptable ways of making up any work missed because of absence. (See University Policy No. 1.9.)

Statement on Confidentiality and Emotional Safety:

In order to provide a safe learning environment for students in the class and to protect the confidentiality of practice clients and class members, students will discuss case material and other's personal information, reactions, etc. only while in class or privately with other current class members. It is the responsibility of each class member to treat classmates with respect and integrity, thus providing emotional safety for each other during class activities.

SMU Fall 2009 Emergency Preparedness

As part of the federal government response to the H1N1 (Swine Flu) virus, the Department of Health and Human Services issued a nationwide public health emergency preparedness declaration on April 26, 2009. The declaration was renewed on July 23, 2009 and is currently in force. For the semester ahead, there is concern that the level and intensity of flu cases could increase substantially.

- 1) For updates on the campus-wide status of flu conditions at SMU, please visit <http://www.smu.edu>.
- 2) If flu conditions require cancellation of a class session or other changes for this course, an email will be sent to all class members.
- 3) In the event of a major campus emergency at SMU, course requirements, deadlines, and grading percentages are subject to changes that may be necessitated by a revised semester calendar or other circumstances beyond the instructor's control.

Grade of Incomplete

A student may receive a grade of I (Incomplete) if at least 50 percent of the course requirements have been completed with passing grades, but for some justifiable reason, acceptable to the instructor, the student has been unable to complete the full requirements of the course. At the time a grade of I is given, the instructor must stipulate in writing to the student and to the University registrar the requirements and completion date that are to be met and the grade that will be given if the requirements are not met by the completion date. The maximum period of time allowed to clear the Incomplete grade normally is 12 months. If the Incomplete grade is not cleared by the date set by the instructor or by the end of the 12-month Policies and Procedures 25 deadline, the grade of I will be changed to the grade provided by the instructor at the time the Incomplete grade was assigned or to a grade of F if no alternate grade was provided. The grade of I is not given in lieu of a grade of F or W, or other grade, each of which is prescribed for other specific circumstances.

If the student's work is incomplete, poor quality and not acceptable, a grade of F will be given. The grade of I does not authorize a student to attend the course during a later term. Graduation candidates must clear all Incomplete grades prior to the deadline in the Official University Calendar, which may allow less time than 12 months. Failure to do so can result in removal from the degree candidacy list and/or conversion of the grade of I to the grade indicated by the instructor at the time the grade of I was given.

For graduate students, a maximum of two (six hours) concurrently held grades of Incomplete in courses other than thesis is allowed. If this maximum is reached, the student will be allowed to take only one three-hour course per term until the Incomplete total is reduced. Students who accumulate a total of three grades of Incomplete in courses other than thesis will be put on probation and not allowed to enroll further until the total is reduced.

COURSE OUTLINE

<u>DATE</u>	<u>CLASS NO.</u>	<u>TOPIC</u>
01/22/14	1	Overview of Class, Syllabus, Assignments Founding Father's Video, Legislative Experience Exercise – create legislation that addresses mediation for all federal civil cases Please print out and bring to class a copy of the U.S. Constitution including all 27 Amendments. A copy can be printed from this website: http://www.usconstitution.net/const.html

Research Assignment: Prepare a group research paper and presentation on an Article of the U.S. Constitution or an Amendment thereto including significant legal decisions discussing and interpreting the Article or Amendment. (Each group will be required to advise the instructor of the Article/Amendment chosen by the next class. If the same Article is chosen by more than one group preference will be given to the group that first provided notification or their selected Article.)

01/29/2014	2	Chapters 1,2 Constitutional Law Video Constitutional Law Issue Discussion – class to determine issue to research, discuss and argue. Homework assignment – research constitutional issue
02/05/2014	3	Chapter 3 Supreme Court Video Constitutional Law Issue – group discussions
02/12/2014	4	Chapter 4 Class Action Film Students assigned Supreme Court Judges/Argument roles Homework assignment – prepare for roles
02/19/2014	5	Supreme Court Biographies Supreme Court Argument/Decision Midterm Exam
02/26/2014	6	Chapter 5, mediation role-play
03/05/2014	7	Chapter 6, arbitration role-play
03/12/2014	8	Chapter 7, mediation role-play
03/19/2014	9	Chapters 8 & 9, Research Project Presentations

03/26/2014

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Research Project Presentations/Final Exam