

# CONSTITUTIONAL LAW II

LAW 513-1

SPRING 2018

MARTIN LEVY

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## **THE PROFESSOR**

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**NOTE FROM THE PROFESSOR:**

Web Sites for course: [www.profmlevy.com](http://www.profmlevy.com); West “Twen;”

## COURSE BOOKS & MATERIAL

### REQUIRED MATERIALS:

1. Levy, Jackson, *Constitutional Law, Cases and Materials, 2<sup>nd</sup> Edition*, ASPEN (2017) ISBN: 9781454839057\*
2. Levy, Jackson, *2017 Supplement.*, ASPEN (2016) This will be published and made available Online, by the start of class. You will be informed as to how to download and print it, please remember that it is copyright material. The Casebook should be updated wherever the Supplement so instructs.

\*These materials will be available from the TSU Bookstore. This was a **brand new 2016 2<sup>nd</sup> edition** of this book, replacing the previous edition . Please note, as per ASPEN: **This is a hardbound book with print ISBN 978-1-4548-3905-7. When students purchase the book, they also receive a free download of the book through a free software called Adobe Digital Editions. Digital access codes will be included in the book shrink wrap.**

3. Sullivan, Feldman, *First Amendment Law*, 6<sup>th</sup> Edition, (Foundation) 2016.

### SUGGESTED MATERIALS:

1. Tribe, *American Constitutional Law*, Foundation.
2. This subject matter abounds with numerous and specific articles detailing most every aspect of the field. From time to time I will be suggesting several articles in class for your individual exploration. Should you feel the need for further insight "let your mind do the walking" in the library, for this mental "exercise" will be quite rewarding.

## **COURSE DESCRIPTION, LEARNING OBJECTIVES & STUDENT LEARNING OUTCOMES**

A study of the United States Constitution including judicial review, national power, state power, executive and congressional relations, substantive due process, procedural due process, equal protection and the First Amendment.

This is the initial offering of this course with 2<sup>ND</sup> Edition of a Casebook I have published with ASPEN. Any publication of this kind is truly a work in progress. As with the West editions, this edition allows me to add text and background materials to support the cases presented in the 1<sup>st</sup> Edition. If the cases are the “heart” of the materials, I have hopefully added the “soul.” I have also been able to update the materials with cases from the intervening Supreme Court terms. **This ASPEN edition is updated by a 2016 Supplement. These materials are available for download at my West Twen Site. You may print them and should automatically insert them into the Casebook wherever the Supplement so indicates.** This process allows updating without any additional student cost, so please remember that the materials are copyrighted.

A word of explanation concerning this effort and these materials is appropriate. I am committed to this work in order to unify classroom presentation with materials that reflect my approach to this subject matter. My in-class presentation and this book might be considered unique, for example, in commencing the course with a study in constitutional decision making before coverage of the conventional case law. These materials, including several significant law review articles, are detailed in the syllabus below as “Constitutional Interpretation: A Head Start.” Though the book is and will be available to the market as a whole, my commitment to this endeavor is based upon my hope that the integration provided by such will be beneficial to my students. Let me thank you in advance for working with me on developing this casebook. I think you will find the coordination of materials and class discussion of significant benefit. Feel free to provide open and robust feedback in regard to your opinions of the materials and my design of the course. One luxury of having a casebook published by your Instructor is that the Table of Contents automatically becomes your syllabus, though I do repeat it below for your convenience.

The student should be advised that because of the voluminous materials and ever expanding nature of the field known as "Constitutional Law," inclusion of all materials that could be covered in the course is extremely difficult. In response to this circumstance the Law School added a second required course, Constitutional Law II, to cover individual rights with the addition of First Amendment, Free Speech and Religion, coverage. Because these materials are not covered in my casebook, a second book has been assigned for this coverage.\*

As you might well assume by now, the course as presently structured will carry a substantial reading load for the student, and it is expected that this will be handled in a professional manner.

## **GRADING**

There will be a comprehensive final examination. The instructor reserves the right to have a "mid-term" examination, with its relative weight to be announced at that time. Please note that the Instructor reserves the right to hold additional examinations as may be deemed necessary. Students will be notified of the value of these exams at said time.

## **ACCOMMODATIONS**

Accommodation will be provided and administered as dictated by the Dean's office. If you require accommodation please provide approval and guidelines from the Dean's office.

## **PARTICIPATION, ATTENDANCE & PROFESSIONALISM**

Because verbal articulation of ones' ideas is an essential commodity in the practice of law, class participation is encouraged. With such in mind both the quality and quantity of class participation will be evaluated and applied as an *added* value of up to **two (2)** points in determination of your final grade. Further to such, the Instructor may assign specific class sessions for students participation, which may be applied as up to 10% of the "Professor's" final grade.

**ATTENDANCE:** Will be applied as required for a 3 hour class via a sign-in roll sheet disseminated at the commencement of class.

## **POLICIES & PROCEDURES**

All policies and procedures relative to this course are articulated in the Law School Student Rules. All such rules will be complied with by both students and the Instructor.

# ACADEMIC CALENDAR

## ACADEMIC CALENDAR 2017 – 2018

### **2017 (SEVENTY DAYS OF CLASSES)**

Orientation Monday-Friday August 14-18, 2017

**First Day of Class Monday August 21, 2017**

Last Day to ADD/DROP Friday August 25, 2017

**Labor Day (NO CLASSES) Monday September 4, 2017**

*Purge of all unpaid course selections Thursday September 20, 2017*

Mid Term Examinations Mon – Fri October 16-20, 2017

**VETERANS DAY (NO CLASSES) Friday November 10, 2017 (tentative)**

**Thanksgiving Holiday Thurs – Fri November 23-24, 2017**

Last Day of Classes Thursday November 30, 2017

Last Day to Drop a Class Thursday November 30, 2017

First Year Professors' Grades due Thursday November 30, 2017

Reading Period (NO CLASS) Friday - Sunday December 1-3, 2017

Final Examinations Mon – Fri December 4 -Dec. 15, 2017

Commencement Saturday December 16, 2017

### **SPRING SEMESTER 2018 (SEVENTY DAYS OF CLASSES)**

School Opens Tuesday January 2, 2018

First Day of Class Monday January 8, 2018

Last Day to ADD/DROP Friday January 12, 2018

**M L K Holiday (No Classes) Monday January 15, 2018**

*Purge of all unpaid course selections Wednesday February 7, 2018*

**President's Day Holiday (No Classes) Monday February 19, 2018**

Mid Term Examinations Mon – Fri March 5– 9, 2018

Spring Break Mon – Fri March 12 – 16, 2018

**Good Friday (No Classes) Friday March 30, 2018**

Last Day of Classes Wednesday April 25, 2018

Last Day to Drop a Class Wednesday April 25, 2018

First Year Professors' Grades due Wednesday April 25, 2018

Reading Period (**No Classes**) Thur. – Sun April 26 - 29, 2018

Final Examinations Mon- Fri April 30 – May 11, 2018

Hooding Ceremony Friday May 11, 2018

Commencement Saturday May 12, 2018

**Please note that the calendar events and /or dates are subject to change.**

## READING ASSIGNMENTS

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\*\*Wherever an assignment is preceded by an (R), for READ ONLY, the student will be held responsible for only those items concerning said assignment that are discussed in class. The purpose of such is to facilitate and expedite material coverage.

\*All materials reference the Levy, Jackson casebook, except First Amendment materials which reference the second assigned text: Sullivan, Feldman, **First Amendment Law**, 6<sup>th</sup> edition (Foundation) 2016, & 2017 Supplement.

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