

**Constitutional Law: Rights and Liberties**  
**Political Science 312**  
**Spring 2007**

Tuesday and Thursday  
12:30 to 1:45, 206 Kinard

Instructor: Dr. Michael Lipscomb  
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Office Hours: Tuesday, 11:00 to  
12:30; Wednesday, 2:00 to 3:30;  
and by appointment.

### **I. Goals of the Course**

This course surveys the various histories of Supreme Court decisions that govern the status of our civil rights and civil liberties in the United States. Such a survey requires thinking on two levels. On the one hand, we will become familiar with the internal logic of the law as it develops through the Supreme Court's affirmations and reinterpretations of the Bill of Rights and the 14<sup>th</sup> Amendment. On the other hand, we will pay attention to how these histories of decisions are always entwined with the broader political, economic, and cultural realities in which they are contested.

Students are expected to contribute to class discussions on a regular basis, and everyone will have a chance to apply their knowledge and analytical abilities in Moot Court in the later part of the semester

### **II. Required Text**

Epstein and Walker. *Constitutional Law for a Changing America: Rights, Liberties and Justice*. Sixth Edition. Congressional Quarterly Press (2007).

### **III. Assignments**

- 1) **Attendance is not optional** and will be taken daily. I will excuse absences because of religious holidays, but it is your responsibility to inform me that this is the reason for your absence. I will also excuse absences caused by sickness or family emergency if you provide me with proper written documentation.
- 2) You are expected to have completed all **reading** assignments before you come to class.
- 3) To make sure that you keep up with and understand the readings, you will be given **pop quizzes and briefing exercises** throughout the semester.
- 4) You will be graded on both the frequency and quality of your **participation in class discussions and class exercises**.
- 5) You will take a **midterm**.
- 6) You will take a **final** during the final exam period at the end of the semester.
- 7) **All students will participate in Moot Court**. A hypothetical Supreme Court case will be given to everyone in the class. Everyone will then be divided into two groups, lawyers and judges. The lawyers will, in turn, be divided into plaintiffs and defendants. One week before oral arguments, each lawyer will submit a written petition that outlines and provides evidence for his or her client's position. The petition is to be about 5 pages (12 point font, double-spaced, normal margins). Copies of the petition must be submitted to both the instructor and to each justice. After hearing oral arguments, the court will announce its decision, and each judge will hand in a 5 page (12 point font, double-spaced, normal margins) written opinion. We will discuss this assignment in greater detail during the semester.

- 8) **All written work will be penalized half a letter grade (four points) for each day that it is late. This policy will be strictly enforced.**

NOTE ON PLAGIARISM AND ACADEMIC DISHONESTY: Any act of plagiarism or academic dishonesty will result in an “F” for the course and will lead to appropriate administrative action. Ignorance as to what constitutes plagiarism or other forms of academic dishonesty is not a valid excuse for such transgressions. For clarification about matters of academic dishonesty, students should consult Section V of the **Student Conduct Code** in the **Student Handbook**. For specific questions about plagiarism, the Writing Center, located on the second floor of Bancroft, is an excellent resource. The Center’s web page ([www.Winthrop.edu/wcenter](http://www.Winthrop.edu/wcenter)) has specific links that can help you with questions about how to cite source material and how to avoid plagiarism. Your instructor is more than glad to talk to you about these matters.

#### IV. Final Grade Distribution

Pop Quizzes/Briefing	
Exercises	20%
Participation	10%
Midterm	20%
Final	20%
Moot Court (Oral)	10%
Moot Court (written)	20%

#### V. Grading Criteria For Written Work

I will grade your written work consistent with the General Education Writing Competency Rubric developed by the English Department. This rubric may be accessed through the General Education homepage. Across the University, and specifically in this class, writing competency is expected and taken very seriously. A student and a citizen who cannot write competently can neither think clearly nor communicate effectively.

#### VI. Schedule

**Note on schedule:** the instructor reserves the right to make changes to this schedule as he sees fit, depending on the unfolding needs of the class. Any such changes will be announced in class, and it is the sole responsibility of the student to be aware of such changes. Specific reading assignments will be announced at the end of each class.

Date	Assignment
January 9	Introduction
January 11	Epstein and Walker (EW), 1 – 22
January 16	Epstein and Walker (EW), 22 – 48
January 18	Epstein and Walker (EW), 22 – 48
January 23	EW, 49 – 60
January 25	EW, 60 – 70
January 30	EW, 71 – 92
February 1	<b>Catch-up</b>
February 6	EW, 95 – 120
February 8	EW, 121 – 138
February 13	EW, 138 – 177
February 15	EW, 177 – 209, <b>Moot Court Assignment handed out in class</b>
February 20	EW, 210 – 239
February 22	EW, 239 – 275
February 27	EW, 275 – 313

March 1	<b>Catch-up</b>
March 6	Review
March 8	<b>Midterm</b>
March 13	<b>Spring Break</b>
March 15	<b>Spring Break</b>
March 20	EW, 412 – 436
March 22	EW, 436 – 471
March 27	EW, 475 – 526, <b>Attorney's Moot Court Petitions Due.</b>
March 29	EW, 526 – 548
April 3	EW, 549 – 578
April 5	EW, 578 – 614
April 10	EW, 617 – 660
April 12	EW, 660 – 686
April 17	EW, 686 – 737, EW, 738 – 788
April 19	<b>Moot Court</b>
May 1	<b>Final</b>

**The Final Exam for this class is scheduled for 11:30 on Tuesday, May 1. The final must be taken on this date unless you have two other exams on the same day. Travel plans are NOT a legitimate excuse for rescheduling the exam.**