

Law and Politics 790:106 Fall 2020

Prof. Wollenberg
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Office hours

I'll be available by appointment to meet virtually with you on Tuesdays, Thursdays, and Fridays between 11 am and 3 pm on Canvas Conferences. To set up an appointment, please go to calendly.com/ywollenberg. If you are not able to meet during any of those hours, please email me at wollen@polisci.rutgers.edu.

Teaching assistants

Michelle Irving michelle.irving@rutgers.edu (sections 01, 02, 03)

Jamel Love jamel.love@rutgers.edu (sections 09, 10, 11)

Sarah Nenadovic sarah.nenadovic@rutgers.edu (sections 04, 05, H1, R1)

Maria Wilson mkw78@scarletmail.rutgers.edu (sections 06, 07, 08)

Class description

This class will run mostly asynchronously, with OPTIONAL Zoom meetings roughly every other week. I will post all course material, including my video lectures, on Canvas. You will be able to fully participate in this course on an asynchronous basis.

I will hold live Zoom meetings on Sept. 2, the first day, and then on Tuesday, Sept. 8, at 10:30 am. (Since Monday, Sept. 7 is a holiday, Monday classes will be held on Tuesday at Rutgers.) I will then hold live Zoom meetings roughly every other Monday at 10:30 am. These are not required. I will record the sessions and post them with the course material. The meetings should take about 20 minutes during which I will give an overview of the week's materials and answer questions about the previous week's materials.

Course materials will be presented each week in **Modules** on Canvas. Each module will contain the required readings, videos, and assessments for that week.

In addition, each of you is a member of a recitation section, which will be taught by one of our Teaching Assistants. Section meetings will be asynchronous. In addition to the required readings and videos, you must participate in a discussion forum for each of the six recitations. **We will not have a Zoom meeting during weeks when you have recitations.**

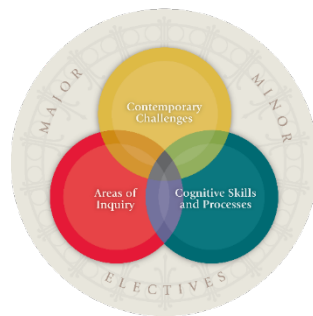
Teaching Assistants run recitation section meetings as well as grade your discussion posts and final paper. They are highly qualified, and I could not run this course without them. You should show them the same degree of respect as you do for me.

Learning Objectives

This class is designed to introduce you to the study of law and the courts as an integral part of the political process in the United States. By the end of the semester, each of you should understand the history and principles of the US Constitution, the structure and function of US court systems, the process for selecting judges and justices, how the Supreme Court in particular functions and makes decisions, what factors influence legal decisions, how to interpret Supreme Court decisions, and the on-going debate on the proper role of the Court in a democratic political system.

This course also fulfills the following Core Curriculum requirements:

SCL, HST: Areas of Inquiry: Social and Analysis



Required resources

No textbook required. All readings can be found in the Files section on Canvas.

Course requirements

Quizzes. You'll take an online quiz each week, except for the first week. Each quiz will cover the material in that module and will be worth 3.6

points each. You will be able to find the quizzes in the relevant module as well as in the Quizzes section. They will be due the Monday of the following week. For example, the first quiz will cover the material from the week of Sept. 7 through Sept. 11. It will be due on Monday, Sept. 14.

Discussion posts. You will be responsible for one discussion post in each of six forums. More details and a rubric will be given to you soon. Each post is worth 5 points.

Writing assignment. You will write one paper, to be due at the end of the semester. Details and a rubric for this will also be provided. The paper is worth 20 points.

To summarize, your course grade will be determined as follows:

Quizzes	50%
Discussion posts	30%
Writing assignment	20%

There is no midterm or final exam.

COVID-19

We are experiencing an unprecedented series of events thanks to the coronavirus pandemic. While I expect you to take this course seriously, I understand that you are humans first, and students second. If you become ill, please let me know as soon as possible so we can figure out the best way for you to complete the course successfully.

Academic integrity

Cheating on tests or plagiarizing materials in your papers is not acceptable. It is dishonest to cheat on a test or to submit a paper that has been copied, even partially, from someone else's work. All suspected cases of cheating or plagiarism will be reported to the Office of Student Conduct and may result in severe penalties. The university's policy on academic integrity is available at <http://academicintegrity.rutgers.edu>.

Disability accommodation

Rutgers University welcomes students with disabilities into all educational programs. In order to receive consideration for reasonable accommodations, you must contact the Office of Disability Services at <http://ods.rutgers.edu>.

Zoom meeting on Monday at 10:30 am

- “The Selection of Judges”

Oct. 26-30

History of Supreme Court Decision-Making

Recitations

- *McCulloch v. Maryland*
- *Lochner v. New York*
- *West Coast Hotel v. Parrish*
- *Youngstown Sheet & Tube v. Sawyer*
- *US v. Nixon*
- *Clinton v. Jones*
- *Trump v. Vance*

Nov. 2-6

Criminal Law

Zoom meeting on Monday at 10:30 am

- “Color of Justice,” in *The New Jim Crow*, M. Alexander

Nov. 9-13

Civil Litigation

Recitations

- “Trial Courts: Civil Cases and Litigation,” *The Judicial Process*
- “The McDonald’s Coffee Lawsuit”

Nov. 16-20

Equal Protection

Zoom meeting on Monday at 10:30 am

- “Equal Protection and Tiers of Scrutiny”
- *Plessy v. Ferguson*
- *Brown v. Board of Education*
- *Obergefell v. Hodges*
- *Bostock v. Clayton County*

Nov. 23-27

Free Speech

Recitations

- *A Short & Happy Guide to the First Amendment*
- *Schenck v. US*
- *Brandenburg v. Ohio*
- *New York Times v. US*
- *Knight Institute v. Trump*

Nov. 30-Dec. 4 **Freedom of Religion**
Zoom meeting on Monday at 10:30 am

- "Establishment Clause"
- "Free Exercise"
- *Sherbert v. Verner*
- *Employment Division v. Smith*
- *Burwell v. Hobby Lobby*

Dec. 7-10 **Reproductive Rights**
Zoom meeting on Monday at 10:30 am

- *Roe v. Wade*
- *Planned Parenthood v. Casey*
- *Whole Woman's Health v. Hellerstedt*

Reporting discrimination or harassment

Rutgers faculty are committed to helping create a safe learning environment for all students and for the university. If you have experienced any form of gender or sex-based discrimination or harassment, including sexual assault, sexual harassment, relationship violence, or stalking, know that help and support are available. Rutgers has staff members trained to support survivors in navigating campus life, accessing health and counseling services, providing academic and housing accommodations, and more. The University strongly encourages all students to report any such incidents to the University. Please be aware that all Rutgers employees (other than those designated as confidential resources such as advocates, counselors, clergy and healthcare providers as listed in Appendix A to [Policy 10.3.12](#)) are required to report information about such discrimination and harassment to the University. This means that **if you tell a faculty member about a situation of sexual harassment or sexual violence, or other related misconduct, the faculty member must share that information with the University's Title IX Coordinator.** If you wish to speak to a confidential employee who does not have this reporting responsibility, you can find a list of resources in Appendix A to University Policy 10.3.12. For more information about your options at

Rutgers, please visit endsexualviolence.rutgers.edu

Student-Wellness Services

Counseling, ADAP & Psychiatric Services (CAPS)

(848) 932-7884 / 17 Senior Street,

www.rhscaps.rutgers.edu/

CAPS is a University mental health support service that includes counseling, alcohol and other drug assistance, and psychiatric services staffed by a team of professional within Rutgers Health services to support students' efforts to succeed at Rutgers University. CAPS offers a variety of services that include: individual therapy, group therapy and workshops, crisis intervention, referral to specialists in the community and consultation and collaboration with campus partners.

Violence Prevention & Victim Assistance (VPVA)

(848) 932-1181 / 3 Bartlett Street

www.vpva.rutgers.edu/

The Office for Violence Prevention and Victim Assistance provides confidential crisis intervention, counseling and advocacy for victims of sexual and relationship violence and stalking to students, staff and faculty. To reach staff during office hours when the university is open or to reach an advocate after hours, call 848-932-1181.