COURSE OBJECTIVE:
This course introduces students to the development of Supreme Court policies of civil rights and liberties through its interpretation of the United States Constitution. This knowledge will provide a foundation enabling students to better understand and critically evaluate our form of government, and the political nature of the judicial process. Specifically, this course is designed to familiarize students with the behavior of the Court, through its written decisions, and its relationship to American society.

COURSE REQUIREMENTS:
Students are required to read the assignments, complete and turn in all assigned case briefs, be prepared for recitation and discussion, attend class on time and for the duration of the class, and participate in class discussions, utilize Turning Point Clickers, and have laptops and cell phones off. Three examinations will be given. The exams will not be cumulative examinations. Each exam is worth 100 points. The average of all briefs, pop quizzes, and recitations and class participation (see below) are worth 100 points. The grades will be computed from the total of these grades as follows:

<table>
<thead>
<tr>
<th>ASSIGNMENT</th>
<th>TOTAL POINTS</th>
<th>SCHEDULED DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exam #1 = 100 pts</td>
<td>358-400 = A</td>
<td>September 26, 2013</td>
</tr>
<tr>
<td>Exam #2 = 100 pts</td>
<td>318-357 = B</td>
<td>October 26, 2013</td>
</tr>
<tr>
<td>Exam #3 = 100 pts</td>
<td>278-317 = C</td>
<td>December 10, 2013 3:00pm</td>
</tr>
<tr>
<td>Brfs/Rtn/Prtpn/Qzzs/</td>
<td>238-277 = D</td>
<td></td>
</tr>
<tr>
<td>Part. = 100 pts</td>
<td>Below 238= F</td>
<td></td>
</tr>
</tbody>
</table>

The exams are scheduled for September 26, October 26, and the University prescribed final examination date which is Tuesday December 10, 3:00pm-5:00pm. Makeup examinations will be only for those absences necessitated by a legitimate emergency. Students must contact the instructor prior to the examination for an excused absence. Make-up Exams will be entirely essay. **There are no make-ups available for briefs, quizzes, or recitation (see below).**


REQUIRED TEXT:
COURSE OUTLINE

I. Overview of the Courts, Epstein and Walker, pp. 3-46
   1. (1,2,3,4) Marbury v. Madison 1803
   2. Ex Parte McCullough 1869

II. Nationalization of the Bill of Rights
   1. (1) Barron v. Baltimore 1833
   2. Adamson v. California* 1947 (note the dissent of Black)
   3. Palko v. Connecticut 1937
   4. (3) Hurtado v. California 1884
   5. (4) Duncan v. Louisiana 1968

III. First Amendment Freedoms
   A. Religious Freedom
      A1. Free Exercise Clause
         1. Cantwell v. Connecticut 1940
         2. Sherbert v. Verner 1963
         3. Wisconsin v. Yoder 1972
         4. Employment Division v. Smith 1990
         5. City of Boerne v. Flores 1997
      A2. Establishment Clause
         1. Edwards v. Aguillard 1987
         3. Hosanna-Tabor Church v. EEOC (2012)
         4. Lee v. Weisman 1992
      Van Orden v. Perry 2005
   B. Internal Security
      1. Schenck v. United States 1919
      2. Abrams v. United States 1919 (Dissent of Holmes)
      4. Dennis v. United States 1951
      5. Brandenburg v. Ohio 1969
   C. Protest, Speech and Association
      3. Tinker v. Des Moines 1969
      4. Snyder v. Phelps 2011
      1. Morse v. Frederick 2007
   D. Freedom of the Press
      1. Near v. Minnesota 1931

Be sure to read the relevant material from Epstein and Walker for each of the topics listed below.
E. Libel & Falsity
   (1) Hustler Magazine v. Falwell 1988
F. Obscenity
   (2) Roth v. United States 1957
   (3) Miller v. California 1973
   9
   US v. Williams 2008
   Brown v. Entertainment Merchants Association 2011
   FCC v. Fox (2012)

IV. Rights to Keep and Bear Arms
   District of Columbia v. Heller 2008
   (4) McDonald v. Chicago 2010*

V. Privacy Issues
   (1) Griswold v. Connecticut 1965
   (2) Roe V. Wade 1973
   Planned Parenthood v. Casey 1992
   (3) Lawrence v. Texas 2003
   (4) Cruzan v. Director, Missouri Dept. of Health 1990

VI. Rights of the Accused
   A. Search and Seizure
      (1) United States v Jones 2012
      (2) Safford Unified School District v. Redding 2009
      11
      (3) Terry v. Ohio 1968
      Katz v. United States 1967
      (4) Illinois v. Gates 1983
   B. Exclusionary Rule
      (1) Mapp v. Ohio 1961
      (2) United States v. Leon 1984
      12
      (3) Herring v. United States 2009
   C. Self Incrimination
      (4) Miranda v. Arizona 1966
      (1) Escobedo v. Illinois 1964
      (2) Missourri v. Seibert 2004
   D. Right to Counsel
      13
      (3) Powell v. Alabama 1932
      (4) Gideon v. Wainwright 1963
   E. Juries
      (1) Blakley v. Washington 2004*
      (2) Batson V. Kentucky 1986
      14
      (3) Sheppard v. Maxwell 1966
      (4) Richmond Newspapers, Inc. v. Virginia 1980
F. Cruel and Unusual Punishment
   (1) Gregg v. Georgia 1976
   (2) Miller v. Alabama 2012*
   (3) Ewing v. California 2003*
   (4) Atkins v. Virginia 2002

VII. Equal Protection of the Laws
A. Race
   (1) Plessy v. Ferguson 1896
      Sweatt v. Painter 1950
   (2) Brown v. Board of Education I 1954
      Brown v. Board of Education II 1955
      Parents Involved in Community Schools v. Seattle School District No. 1 &
      Meredith v. Jefferson County Board of Education 2007
   (3) Loving v. Virginia 1967
   (4) Shelly v. Kraemer 1948
      Moose Lodge #107 v. Ivis 1972
B. Gender
   (1) Reed v. Reed 1971
   (2) Craig v. Boren 1976
   (3) US v. Virginia 1996
C. Sexual Orientation
   Romer v. Evans 1996
   (4) U. S. v. Windsor 2013*
D. Remedies: The Civil Rights Act of 1964 and Affirmative Action
   (1) Regents v. Bakke 1978
   (2) Grutter v. Bollinger 2003
      Fisher v. University of Texas at Austin 2013*

VIII. Political Equality, etc.
   (3) Shelby Country v. Holder 2013*
   (4) South Carolina v. Katzenbach 1966
      Citizens United v. Federal Election Commission 2010
DECIPHERING YOUR SYLLABUS

All the cases you are responsible to read are listed. This is not a listing of all cases you are to know. All cases referenced either in the syllabus or in the lecture are your responsibility. Each student is assigned to a group. The numbers appearing before the cases in bold represent the group to which you are assigned (see below). If you are assigned to group number 1, you must brief and turn in all cases preceded by a 1. Group number 2 will brief only those preceded by the number 2, etc. The groups are assigned alphabetically as follows:

- **Group 1** - Names beginning with A through F
- **Group 2** - Names beginning with G through K
- **Group 3** - Names beginning with L through P
- **Group 4** - Names beginning with R through W

Students will be notified during lecture which cases will be covered the following class period. You must read all the cases, not merely those you brief. Any student may be called upon to discuss the case, not just those assigned to brief it. Those cases on the syllabus that are followed by an “*” are not in the textbook. You can access the cases through the library using the US Reports, the US Supreme Court Reports-Lawyers’ Edition, the Supreme Court Reporter, or through Lexis-Nexis Academic Universe, a computer-based legal service available through the LSU Library Homepage at www.lib.lsu.edu. At the homepage, click on Indexes and Databases under Electronic Resources, then select Academic Universe from the panel choices. In Academic Universe, select “Federal Case Law” which allows you to select by citation or by party. You can also access the cases through Findlaw at [http://www.findlaw.com/casecode/supreme.html](http://www.findlaw.com/casecode/supreme.html). There are two case briefs requiring this search for each group.

Those cases that are in bold must be briefed and posted to Moodle prior to class on the day those cases are to be reviewed. Twenty briefs are required of each student according to the syllabus. Turning Point clickers will be utilized to record attendance and to facilitate participation. The devices can be purchased in the union. The following URL [http://grok.lsu.edu/Categories.aspx?parentCategoryid=991](http://grok.lsu.edu/Categories.aspx?parentCategoryid=991) provides information on the registration and use of your TurningPoint Clicker. You must obtain and register your clicker by 9:00am Thursday August 29. Pop quizzes will be given in class through the Turning Point clickers to ensure that all cases are read, not merely the ones for which you are individually responsible. Additionally, recitation (discussing cases individually with students) will be used in class. Each student will have 3 or 4 opportunities throughout the semester and will be graded for his or her response. Punctuality and attendance are important. All briefs must be posted to Moodle by 8:00am on the day the brief will be discussed. Briefs may not be accepted late. Pop quizzes will begin promptly at the beginning of class and students arriving late will have no additional time. There are no make-ups for either briefs or quiz grades. If you are absent when a brief is required, a quiz given or on the day your name is called for recitation, you will receive a zero. The only exceptions are for students who qualify under PS-22. The lowest five grades of the brief/quiz grades will be dropped. Your brief/participation/recitation/quiz grade will be computed on the average of the remaining grades.