Law 200 Law and Society  
Syllabus: Fall 2019

This syllabus includes basic readings for the course – particularly the cases we will be discussing. Additional readings shedding light on the interaction between such decisions and the lives we live – society, however you define it – will be added. We will also be using video material. Laptops are permitted, but you have no reasonable expectation of privacy on what you’re looking at during class (see Katz v. United States).

Professor Susan R. Estrich  
USC Gould School of Law, Room 462  
213.740.7578, sestrich@law.usc.edu  
Office Hours: Mondays after class, by appointment

Class Meetings

<table>
<thead>
<tr>
<th>Lecture</th>
<th>Section #02603: Mon &amp; Wed</th>
<th>12:00-1:20pm, THH 301</th>
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<tbody>
<tr>
<td>Discussion 1</td>
<td>Section #02608: Mondays</td>
<td>2:00-2:50pm, WPH 107</td>
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<tr>
<td>Discussion 2</td>
<td>Section #02620: Mondays</td>
<td>2:00-2:50pm, THH 108</td>
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<td>Discussion 3</td>
<td>Section #02612: Wednesdays</td>
<td>2:00-2:50pm, WPH 205</td>
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<td>Discussion 4</td>
<td>Section #02662: Wednesdays</td>
<td>2:00-2:50pm, SOSB 52</td>
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<td>Discussion 5</td>
<td>Section #02606: Mondays</td>
<td>3:00-3:50pm, WPH 107</td>
</tr>
<tr>
<td>Discussion 6</td>
<td>Section #02611: Wednesdays</td>
<td>3:00-3:50pm, WPH 207</td>
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Assistant  
Kathy Susca, katherine.susca@gmail.com

Teaching Assistants

John Oltean, john.oltean.2020@lawmail.usc.edu  
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INTRODUCTION TO THE CLASS

This is not a course in political correctness. Hooray! I don’t expect to change your opinions on matters of faith. Your vote is yours. Your opinion is yours.

But I do expect you to think and to listen and to challenge yourself; I do expect you to push yourself, to stop calling names instead of thinking, to save Instagram for later. I do expect you to take our common project seriously. I want you to come out smarter on the other end. Without the rule of law, I don’t know who we are.

Sound boring? No. The only way to do any of this, it seems to me, is to think about problems you can understand, problems you face, the law as it defines your life and mine. Race and sex and gender. The first amendment and the license to lie. Does innocence matter?

This is not a history class. It’s not a theory class. General Education, for sure. It’s a class on how to think, how to observe, and how to push your brain as far as you can without ever calling anyone a name.

I expect you to show up. I expect you to try. I expect no less of the TA’s and of me. We will do our best. In good faith.
REQUIRED TEXT:
Course Reader – all readings are available on Blackboard

REQUIRED COURSEWORK:

a. Complete all readings and participate in class discussion.
b. Attend both lecture and discussion. Your attendance is recorded and counts for 10% of your grade.
c. Complete both the midterm exam (worth 30% of your grade) and the final exam (worth 30% of your grade). This is required for a passing grade.
d. Complete a 12-page analytical research paper (worth 30% of your grade) relating to a topic discussed in class, approaching it from a global perspective. Both primary and secondary sources are required. You must submit a 1-page proposal by October 21st, as well as a final draft by November 25th.

SCHEDULE:

Week 1 August 26
Introduction: The Rule of Law
a. The United States Constitution. 1787.

Week 2 August 28 & September 4
The Criminal Justice System

No Class September 2
Labor Day

Week 3 September 9 & September 11
The Right to Counsel

Week 4 September 16 & September 18
The Limits of Privacy
b. Olmstead v. United States, 277 U.S. 438 (1928) (Brandeis, J., dissenting opinion)
Week 5  September 23 & September 25
Family Law
c. In re Marriage of Lamusga, 88 P.3d 81 (Cal. 2004)

Week 6  September 30 & October 2
Parents and Children
b. Pierce v. Society of Sisters, 268 U.S. 510 (1925)
c. Prince v. Massachusetts, 321 U.S. 158 (1944)
d. Wisconsin v. Yoder, 406 U.S. 205 (1972)
Excerpt: “Dying and Living” (Ch 7, 179-217)

Week 7  October 7 & October 9
Students’ Rights in Schools
c. Morse v. Frederick, 551 U.S. 393 (2007)

Week 8  October 14 & October 16
***IN CLASS MIDTERM EXAM***

Week 9  October 21 & October 23
***ONE-PAGE RESEARCH PAPER PROPOSAL DUE OCT. 16***
Money in Politics
b. McConnell v WRTL and Citizens United (excerpt from casebook)
d. After Citizens United (excerpt from casebook)

Week 10  October 28 & October 30
Freedom of the Press
Week 11  November 4 & November 6

Freedom of Religion

Week 12  November 11 & November 13

Racial Equality

Week 13  November 18 & November 20

Gender Equality
c. Sex Equality & Sex Differences
  d. Sex preferences: Affirmative Action for Women

Week 14  November 25 (Monday)

***RESEARCH PAPER DUE***

The Limits of International Law
Excerpt: “International Law” (Ch 10, 213-237)

No Class  November 27 (Thursday)

Thanksgiving Holiday

Week 15  December 2 & December 4

Sexual Assault
a. Readings pending

Freedom of Speech
a. Readings pending

FINAL EXAM  December 13
11:00am – 1:00pm
THH 301
GRADING POLICY:

a. **General Grading System**
   Final Grades will be calculated as follows:
   - Participation: 10%
   - Paper: 30%
   - Midterm: 30%
   - Final: 30%
   - Total: 100%

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>A</td>
<td>94-100%</td>
</tr>
<tr>
<td>A-</td>
<td>90-93.9%</td>
</tr>
<tr>
<td>B+</td>
<td>87-89.9%</td>
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<tr>
<td>B</td>
<td>84-86.9%</td>
</tr>
<tr>
<td>B-</td>
<td>80-83.9%</td>
</tr>
<tr>
<td>C+</td>
<td>77-79.9%</td>
</tr>
<tr>
<td>C</td>
<td>74-76.9%</td>
</tr>
<tr>
<td>C-</td>
<td>70-73.9%</td>
</tr>
<tr>
<td>D</td>
<td>60-69.9%</td>
</tr>
<tr>
<td>F</td>
<td>59.9% and below</td>
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b. **Material Covered on Exams**
   - a. The **midterm exam** will cover material read and discussed during the first half of the semester.
   - b. The **final exam** is not comprehensive. It will cover only material read and discussed during the second half of the semester.

c. **Make-Up Exam Policy**
   - a. Unless you have an exam conflict (another exam at the *exact* same time), you will be expected to take the exam on the scheduled day, at the scheduled hour.
   - b. For those with an exam conflict, verified medical excuse, or emergency, there will be only one make-up exam scheduled during the days following the scheduled exam time. Since the midterm exams will be graded before the following lecture, there will be no make-up exam scheduled after that lecture.
   - c. If you know that you will be unable to take the exam on the scheduled day, you must inform your TA at least 72 hours before the scheduled test time. If you fail to do so, you must take the make-up exam at whatever time it is scheduled.
   - d. To receive a passing grade in this course, you must take both the midterm and the final.
   - e. Please note prior experience with the University Registration Office indicates that students who take the make-up final exam do not receive final semester grades until well after the semester’s end. During the interim, students’ transcripts reflect an Incomplete.
STATEMENT ON ACADEMIC CONDUCT AND SUPPORT SYSTEMS

Academic Conduct:

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in SCampus in Part B, Section 11, “Behavior Violating University Standards” policy.usc.edu/scampus-part-b. Other forms of academic dishonesty are equally unacceptable. See additional information in SCampus and university policies on scientific misconduct, policy.usc.edu/scientific-misconduct.

Support Systems:

Student Health Counseling Services - (213) 740-7711 – 24/7 on call engemannshc.usc.edu/counseling
Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention.

National Suicide Prevention Lifeline - 1 (800) 273-8255 – 24/7 on call suicidepreventionlifeline.org
Free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week.

Relationship and Sexual Violence Prevention Services (RSVP) - (213) 740-4900 – 24/7 on call engemannshc.usc.edu/rsvp
Free and confidential therapy services, workshops, and training for situations related to gender-based harm.

Office of Equity and Diversity (OED) | Title IX - (213) 740-5086 equity.usc.edu, titleix.usc.edu
Information about how to get help or help a survivor of harassment or discrimination, rights of protected classes, reporting options, and additional resources for students, faculty, staff, visitors, and applicants. The university prohibits discrimination or harassment based on the following protected characteristics: race, color, national origin, ancestry, religion, sex, gender, gender identity, gender expression, sexual orientation, age, physical disability, medical condition, mental disability, marital status, pregnancy, veteran status, genetic information, and any other characteristic which may be specified in applicable laws and governmental regulations.

Bias Assessment Response and Support - (213) 740-2421 studentaffairs.usc.edu/bias-assessment-response-support
Avenue to report incidents of bias, hate crimes, and microaggressions for appropriate investigation and response.

The Office of Disability Services and Programs - (213) 740-0776 dsp.usc.edu
Support and accommodations for students with disabilities. Services include assistance in providing readers/notetakers/interpreters, special accommodations for test taking needs, assistance with architectural barriers, assistive technology, and support for individual needs.
USC Support and Advocacy - (213) 821-4710
studentaffairs.usc.edu/ssa
Assists students and families in resolving complex personal, financial, and academic issues adversely affecting their success as a student.

Diversity at USC - (213) 740-2101
diversity.usc.edu
Information on events, programs and training, the Provost’s Diversity and Inclusion Council, Diversity Liaisons for each academic school, chronology, participation, and various resources for students.

USC Emergency - UPC: (213) 740-4321, HSC: (323) 442-1000 – 24/7 on call
dps.usc.edu, emergency.usc.edu
Emergency assistance and avenue to report a crime. Latest updates regarding safety, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible.

USC Department of Public Safety - UPC: (213) 740-6000, HSC: (323) 442-120 – 24/7 on call
dps.usc.edu
Non-emergency assistance or information.