



LAW 210: Fundamentals of the U.S. Legal System

Fall 2021

Tuesdays and Thursdays, 2:00-3:40 p.m.

General Information

Instructor: Donald Scotten
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USC Technology Support Links

[Blackboard help for students](#)

[Software available to USC Campus](#)

Course Description

Prerequisite(s): None

Units: (4)

The ultimate objective of this course is to demonstrate the distinct American method of making, finding and enforcing law. This course introduces students to legal concepts, principles and procedures that serve as the foundations for the United States legal system. The focus will be on the institutions, structures and actors that comprise the legal system and regulate the legal and social relations among Americans and resolve their conflicting interests. By necessity, the course paints with a broad brush as the U.S. legal system is extremely complex, highly dynamic and varies considerably across jurisdictions.

This course satisfies the **GE-H, Traditions and Historical Foundations** requirement. For this course to satisfy the requirement, the course also will examine the historical development of the U.S. legal system.

Learning Objectives

This course has three overarching learning outcomes:

- 1) Become familiar with the concept of the rule of law, including its history and significant political and judicial figures who have shaped its meaning in America, including the principles of:
 - a. Accessibility
 - b. Accountability
 - c. Fair and impartial process
 - d. Equal application
- 2) Learn to read and analyze primary source materials, including the U.S. Constitution and decisions of the U.S. Supreme Court, from the time of this nation's founding to the present day; understand the continuity between the founding documents and today's political and legal controversies; accurately describe key elements of the Constitution and of Supreme Court decisions and evaluate them with respect to the rule of law.
- 3) Understand, and analyze with respect to the rule of law, basic aspects of the U.S. legal system, including:
 - a. The different roles and responsibilities of trial courts, appellate courts, and supreme courts;
 - b. Commonalities and differences between the criminal and civil justice systems;
 - c. The separation of powers and the role of an independent federal judiciary in maintaining checks and balances on each branch and source of power;
 - d. Federalism and the role of state law and state courts; and
 - e. The supremacy of the U.S. Constitution as a source of American law.

Required Textbook and Supplementary Reading

Fundamentals of the U.S. Legal System, by Donald M. Scotten (Great River Learning Publishing, 2021).

- *This is a digital textbook that can be purchased directly from the publisher or through the campus bookstore. If you purchase directly from the publisher, the price will be cheaper.*
- *To purchase directly from the publisher, please visit www.grlcontent.com. You will find a link at the bottom right of this webpage to guide you.*
- *I ensured that the textbook would be reasonably priced, so it is available for \$85.00 from the publisher.*

Course Policies

- Active participation in class discussions and class activities is expected.
- Regular and punctual attendance in class is required.
- Students are expected to have read the assigned readings for each class.
- If students are experiencing any difficulties in the course, they are encouraged to speak with the

teaching assistants for help.

Class Format

Each class generally will include a short presentation of material, discussion, and collaborative problem solving related to the assigned topic.

Any materials used in class will be posted on Blackboard.

Reading Assignments

Reading assignments will be paced to match our progress in class.

Please [click here](#) to access the reading assignments.

Grading Breakdown & Description of Assignments

Assessment Item	%
Chapter Quizzes <i>You only need to score at least 60% on these quizzes to earn full credit.</i>	15%
Problem Sets <i>(3) x 5% Each</i>	15%
Short Paper <i>No more than 3 pages.</i>	15%
Discussion Sections Participation <i>(3) x 5% Each</i>	15%
Test #1 (Midterm)	20%
Test #2 (End of term)	20%
Total	100%

Chapter Quizzes:

- Each textbook chapter includes a quiz at the end consisting of approximately 5-7 multiple-choice questions. With a few exceptions, students must complete these quizzes each week. The purpose of these quizzes is to encourage you to keep up with the reading throughout the semester and ensure that you have a basic grasp of the material. Given this, *so long as you score at least 60% on the quizzes and complete them on time, you will earn full credit on them, that is, a score of 100%.*
- **Students may discuss the quiz questions with each other, but must complete their own quiz.**

Problem Sets:

- There will be 3 problem sets assigned over the course of the semester. The problems will require students to apply the concepts learned in the course to a specific factual situation and then provide a resolution to the problem. The problem sets will require approximately 1-2 pages of analysis.

- Students may discuss the problems with each other, but must draft their own answers.

Short Paper:

- A short paper will be assigned that will address a contemporary legal issue and require students to analyze the issue using the concepts discussed in the course. The paper should be approximately 2-3 pages in length.
- Students may discuss the paper topic with each other, but must draft their own paper.

Tests:

- There will be two tests: one in the middle of the semester and one at the end. Each test will include both multiple-choice and short answer questions. The short answer questions will be very similar to those appearing in the problem sets described below.
- Students may not collaborate on the tests.

Discussion Sections:

- Three classes will be Discussion Sections. For these classes, students will be assigned into smaller groups that will discuss in detail a particular Supreme Court case. Students will be expected to have read the case and be prepared to discuss it.

Course Topics

The following topics will be covered during the course:

- The Mixed System of Code-Based and Common Law
- Federalism - Distribution of Legislative Powers
- Federalism and One Nation
- Federal Legislative Power
- Federal Executive Power
- Federal Judicial Power
- The American Judiciary and Judicial Systems
- Civil Procedure
- Criminal Procedure
- The American System of Legal Education
- Personal Jurisdiction of State and Federal Courts
- Individual Rights and Liberties - Due Process
- Individual Rights and Liberties- Equal Protection
- Individual Rights and Liberties - Freedom of Speech
- Contracts and Torts

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” <https://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, <http://policy.usc.edu/scientific-misconduct>.

Support Systems

Student Counseling Services (SCS) - (213) 740-7711 – 24/7 on call

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention. <https://engemannshc.usc.edu/counseling/>

National Suicide Prevention Lifeline - 1-800-273-8255

Provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week. <http://www.suicidepreventionlifeline.org>

Relationship & Sexual Violence Prevention Services (RSVP) - (213) 740-4900 - 24/7 on call

Free and confidential therapy services, workshops, and training for situations related to gender-based harm. <https://studenthealth.usc.edu/sexual-assault/>

Sexual Assault Resource Center

For more information about how to get help or help a survivor, rights, reporting options, and additional resources, visit the website: <http://sarc.usc.edu/>

Office of Equity and Diversity (OED)/Title IX compliance – (213) 740-5086

Works with faculty, staff, visitors, applicants, and students around issues of protected class. <https://equity.usc.edu/>

Bias Assessment Response and Support

Incidents of bias, hate crimes and microaggressions need to be reported allowing for appropriate investigation and response. <https://studentaffairs.usc.edu/bias-assessment-response-support/>

Student Support & Advocacy – (213) 821-4710

Assists students and families in resolving complex issues adversely affecting their success as a student EX: personal, financial, and academic. <https://studentaffairs.usc.edu/ssa/>

Diversity at USC

Tab for Events, Programs and Training, Task Force (including representatives for each school), Chronology, Participate, Resources for Students. <https://diversity.usc.edu/>