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San José State University
CASA/Justice Studies
JS 12, Introduction to Legal Studies, Section 1, Fall, 2016

Course and Contact Information

Instructor:	Edith Kinney, J.D., Ph.D.
Office Location:	MacQuarrie Hall 525A
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Email:	edith.kinney@sjsu.edu
Office Hours:	Tuesday / Thursday 2-3 and virtual-office hours by appointment
Class Days/Time:	Tuesday / Thursday, 4:30-5:45
Classroom:	Dwight Bentel Hall 133
JS Competency Area:	Support Course

Course Format

Course materials such as syllabus, handouts, notes, assignment instructions, etc. can be found on [Canvas Learning Management System course login website](http://sjsu.instructure.com) at <http://sjsu.instructure.com>. You are responsible for regularly checking with the messaging system through [MySJSU](http://my.sjsu.edu) at <http://my.sjsu.edu> (or other communication system as indicated by the instructor) to learn of any updates.

Course Description

The course presents historical and modern perspectives of the theories and structures of law, and provides an overview of the economic and sociological challenges to law making. This course also examines the nexus between law, social change, and dispute resolution.

Course Learning Outcomes (CLO) (Required)

Upon successful completion of this course, students will be able to:

- CLO 1** - Demonstrate a general understanding of the fundamental influences society has on the law.

- CLO 2** - Demonstrate knowledge of legislative, administrative and judicial law making, as well as a general understanding of the law making processes.

- CLO 3** - Develop an understanding of methods for analyzing the legal and social controls and dispute resolution.

- CLO 4** - Understand the various aspects of the legal profession and methods for legal research.

CLO 5 - Students should read, write, and contribute to discussion at a skilled and capable level.

Required Texts/Readings

Textbook

Lippman, M. R. (2015). *Law and Society*. Thousand Oaks, CA: Sage Publications Inc. ISBN: 9781412987547
The textbook is available to rent online, and will be available at the bookstore.

Other Readings

Supplemental readings assigned by topic will be posted on the Canvas website. Reading schedule is subject to change to facilitate class discussion, address current events, accommodate guest speakers, etc.

Technology Requirements

Students will need access to the Internet to complete readings and activities online, and to submit assignments and exams on the course website on Canvas. Students may use electronic devices in class to access readings, but must stay on task; students using computers and electronic devices during class will be “on call” to respond to questions.

Library Liaison

For help with library resources and library research (including the use of databases and online research materials—such as journal search engines), students are strongly encouraged to contact the Justice Studies Library Liaison: **Silke Higgins**, MLIS, Academic Liaison Librarian
4th Floor, King Library / Phone: 408-808-2118 / Email: silke.higgins@sjsu.edu

Course Requirements and Assignments

A student’s final grade is based on completion of several assignments and activities, including written assignments, in-class discussion and presentation, and online activities. Evaluation shall consist of Canvas Discussions / Activity Posts (20%), Quizzes on readings and current events discussed in class (5%), a Law in Action Research Project (10%), a Midterm Exam (25%), a Final Exam (30%), and Participation in class and online activities (10%). Examinations consist of multiple choice, definition, short answer and essay questions derived from the reading assignments, online activities, and class lecture.

Missed exams or assignments may only be made-up with proper documentation of illness, incapacity and/or prior and valid notification and reason for absence.

Final Examination

The final exam will be comprehensive, and will include multiple choice, definitions, and essay answers. The final exam is scheduled for Monday, December 19 from 9:45 a.m. – 12:00 p.m.

Grading Information

Determination of Grades

Writing assignments will be graded on a 100-point scale and evaluated on content, clarity, and thoroughness. See Canvas for a detailed rubric and writing resources. Students must submit all assignments online at the

Canvas website. Grades are determined based on quizzes, one midterm examination, online activities and Discussions on Canvas Discussions, a Law in Action Research Project, participation in class and online, and a final examination. Students should read and follow instructions carefully, and review/edit assignments. Points will be deducted for incorrect grammar and spelling. Late work will not be accepted unless the student has made prior arrangements with the professor, or in cases of documented emergency.

Missed exams or assignments may only be made-up with proper documentation of illness, incapacity and/or prior and valid notification and reason for absence.

Each assignment/exam shall consist of 100 points and weighted as follows:

Grade Item	Weight
Canvas Discussion / Activity Posts (CLOs 1-5)	20%
Quizzes (CLOs 1-3, 5)	5%
Law in Action Research Project (CLOs 1-5)	10%
Midterm Examination (CLOs 1-3, 5)	25%
Participation in Class and Online Activities	10%
Final Examination (CLOs 1-5)	30%
Total	100%

Canvas Discussion / Activity Posts (20% of final grade)

Canvas Discussion / Activity Posts allow students to explore case studies, current events, documentaries, investigations, and debates in the field of Sexuality & Justice. Students should review the materials and provide original analysis in a post that links the issues to course readings and discussion themes. Students must complete at least three Canvas Discussion posts.

Quizzes (5% of final grade)

Students are expected to complete readings before the class session indicated on the course schedule. Students should come to class prepared to discuss the assigned readings such that class time is not wasted, and we can engage the material together. Though readings are not a graded assignment per se, prepare for quizzes on assigned reading.

Law in Action Research Project (10% of final grade)

Students will research a legal problem and create a project or presentation examining a current event or topic that illustrates the relationship between law, society, and justice. Projects will be evaluated based on the quality and organization of writing, legal analysis and application. Students are encouraged to develop different formats for presenting their project, including multimedia, short films, websites, etc. Instructions and a rubric will be provided in class.

Midterm Examination (25% of final grade)

Students' grasp of the material will be assessed by a midterm examination comprised of multiple choice, definitions, short answer, and essay-style questions. More information and guidance on how to best review for the exam will be provided in class.

Participation (10% of final grade)

Critical reading, thinking, and writing involve a number of practical skills. These skills must be practiced to be

developed and maintained. Students are expected to keep up with class reading, and to attend all class meetings well prepared to contribute to the classroom exchange of ideas and information. Active participation (both in class and online) is essential in order to succeed in JS 12.

Final Examination (30% of final grade)

The final examination will be comprehensive, and will be comprised of multiple choice, definitions, short answer, and essay-style questions. The final exam is scheduled on Monday, December 19 from 2:45-5:00 p.m.

Extra Credit

Extra credit opportunities, including lectures, films, workshops, and on- and off-campus opportunities will be announced throughout the semester in class and via email. Check our course Canvas website for updates. To receive extra participation credit, students must write a 1-2 page reflection paper relating the event / activity to course themes. Upload extra credit submissions to Canvas before the last day of instruction.

Grading Information

This course will be using the +/- system on final grades based on the following percentages:

98-100:	A+	77-79:	C+
94-97:	A	74-76:	C
90-93:	A-	70-73:	C-
87-89:	B+	67-69:	D+
84-86:	B	64-66:	D
80-83:	B-	60-63:	D-
		0-59:	F

A "C" or higher is required to receive credit for this course toward a Justice Studies or Forensic Science Major.

SJSU Workload Expectations

SJSU classes are designed such that in order to be successful, it is expected that students will spend a minimum of forty-five hours for each unit of credit (normally *three hours per unit per week*), including preparing for class, participating in course activities, completing assignments, and so on. More details about student workload can be found in [University Policy S12-3](http://www.sjsu.edu/senate/docs/S12-3.pdf) at <http://www.sjsu.edu/senate/docs/S12-3.pdf>.

Academic Integrity and Plagiarism

Students should review SJSU's **Academic Integrity** policy:

www.sjsu.edu/studentconduct/docs/Academic_Integrity_Policy_S07-2.pdf

Your own commitment to learning, as evidenced by your enrollment at San Jose State University and the University's integrity policy, require you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development.

The University will not tolerate instances of academic dishonesty. Cheating on exams or plagiarism (presenting the work of another as your own, or the use of another person's ideas without giving proper credit) will result in a failing grade and sanctions by the University. Students must complete all assignments unless otherwise specified. If you would like to include in your assignment any material you have previously submitted for credit, or plan to submit for another class, please note that the SJSU Academic Policy F06-1 requires approval of instructors.

Classroom Protocol

1. This course depends on participation, discussion, and interaction. Students are expected to be on time to class out of respect for your colleagues and instructor. Prepare for class to ensure you can contribute to discussion and debate.
2. Please turn off/mute all cell phones and other devices. Computers and electronic devices may only be used for note taking and accessing electronic readings. Students using electronic devices will be “on call” to answer questions and look up pertinent research questions online.
3. All classroom participants are expected to foster an environment that encourages participation, rather than silencing others (be respectful to one another, do not insult or intimidate others, evaluate alternative views with an open mind). We will discuss ground rules and develop classroom standards of conduct at the beginning of the semester.
4. Students are expected to complete all readings and assignments by the dates indicated on the syllabus. Be sure to check the course Canvas website regularly for updates.
5. Students are responsible for any and all notes and materials missed in their absence.
6. Readings about law, discrimination, violence, and injustice can be challenging intellectually, personally, and emotionally. All students are encouraged to engage in self-care. This means that if particular topics or course materials raise emotional or other personal issues, you can simply choose not to speak or to leave the room without being questioned or penalized. Should you have any questions or concerns, free to contact the professor in person or anonymously (e.g., a note slipped under Dr. Kinney’s office door of 525A MacQuarrie Hall).

If you or a friend is in need of emotional support, please visit SJSU’s Counseling and Psychological Services (CAPS) www.sjsu.edu/counseling service. Phone: (408) 924-5910. Location: Student Wellness Center, Room 300.

University Policies

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. will be available on Office of Graduate and Undergraduate Programs’ [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/>”

Consent for Recording of Class and Public Sharing of Instructor Material

[University Policy S12-7](http://www.sjsu.edu/senate/docs/S12-7.pdf), <http://www.sjsu.edu/senate/docs/S12-7.pdf>, requires students to obtain instructor’s permission to record the course and the following items to be included in the syllabus:
“Common courtesy and professional behavior dictate that you notify someone when you are recording him/her. You must obtain the instructor’s written/emailed permission to make audio or video recordings in this class. Such permission allows the recordings to be used for your private, study purposes only. The recordings are the intellectual property of the instructor; you have not been given any rights to reproduce or distribute the material.”

JS 12 / Introduction to Legal Studies, Fall 2016, Course Schedule

This schedule is subject to change and revision; updates will be announced on Canvas.

Course Schedule

Week	Date	Topics, Readings, Assignments, Deadlines
	Thursday 8/25	<p>Reading: Syllabus</p> <p>California Bar Association, “When You Turn 18...,” http://www.calbar.ca.gov/Portals/0/documents/ConsumerInformation/2014_18_English_2014-R.pdf</p> <p>Introduction: <i>Introduction; Syllabus; Class Mechanics; Class Policy and Procedures; the Syllabus; What is Law?</i></p>
1	Tuesday 8/30	<p>Reading: United States Constitution and Bill of Rights</p> <p>Lippman, Chapter 1 – <i>An Introduction to Law & Society</i></p> <p>Lecture & Discussion: <i>What is the Law? Characteristics of Culture and Their Relationship to Law; Beliefs, Values, Norms, Symbols, Technology and Language</i></p>
1	Thursday 9/1	<p>Reading: Lippman, Chapter 1 – <i>An Introduction to Law & Society</i></p> <p>Packer, “Two Models of the Criminal Process” (excerpts)</p> <p>In-Class Video and Discussion:</p> <p>Frontline, <i>The Confessions</i></p> <p>Assignment: Canvas Discussion on <i>The Confessions</i> due online before 9/6 class</p>
2	Tuesday 9/6	<p>Reading: Lippman, Chapter 3 – <i>The Structure and Function of Courts, Legislatures, and Administrative Agencies</i> (read pgs. 69 – 92).</p>
2	Thursday 9/8	<p>Reading: Lippman, Chapter 3 – <i>The Structure and Function of Courts, Legislatures, and Administrative Agencies</i></p> <p>Lecture & Discussion: <i>Common law; Precedent and Stare Decisis; Sources of law; Sources of Individual Rights (Bill of Rights); Judicial Review</i></p>

Week	Date	Topics, Readings, Assignments, Deadlines
3	Tuesday 9/13	<p>Reading: United States Constitution and Bill of Rights</p> <p>Galanter, “Why the Haves Come Out Ahead”</p> <p>Lecture & Discussion: <i>Law, Money, and Power in Politics and the Civil Justice System; Access to Justice</i></p>
3	Thursday 9/15	<p>Reading: United States Constitution and Bill of Rights</p> <p>Video and Canvas Assignment: Constitution Day Activity Frontline, <i>Justice for Sale</i>, http://video.pbs.org/video/1418584020/ Post your response to the <i>Justice For Sale?</i> Canvas Discussion Board before class meets on 2/17</p>
4	Tuesday 9/20	<p>Reading: Lippman, Chapter 9, “Law & Social Control”</p> <p>Lecture & Discussion: <i>Law & Social Control; Introduction to the Criminal Justice System; Mass Incarceration; Zero Tolerance and Broken Windows Policing</i></p> <p>“Java Jive: Genealogy of a Juridical Icon,” in <i>Distorting the Law: Politics, Media, and the Litigation Crisis</i>, McCann & Haltom</p> <p>Lecture & Discussion: <i>What is Justice? Dispute Pyramid; Legal Realism; Law and Power; Civil Justice System</i></p> <p>Lecture & Discussion: <i>Punishment and Social Control; Prisons; California’s Correctional Crisis</i></p>
4	Thursday 9/22	<p>Reading: Stevenson, <i>Just Mercy</i>, Introduction, Ch. 1-3.</p> <p>Guest Lawyer - Class Activity: “Negotiated Justice”</p>
5	Tuesday 9/27	<p>Reading: <i>Gideon v. Wainwright</i> and the Right to Counsel (Canvas)</p>

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Week	Date	Topics, Readings, Assignments, Deadlines
5	Thursday 9/29	<p>Reading: <i>Mapp v. Ohio</i>, <i>Miranda v. Ohio</i>, additional selected cases on Canvas Excerpts from <i>The Illustrated Guide to Criminal Procedure</i></p> <p>Lecture & Discussion: <i>Purpose of Criminal Procedure Law; Sources of Criminal Procedure law; Search & Seizure and the Fourth Amendment; Stop & Frisk; Arrest; Searches (Reasonable Expectation of Privacy; Exceptions to the Warrant Requirement)</i></p>
6	Tuesday 10/4	<p><u>Class Activity: Contemporary Challenges in Criminal Justice and Corrections</u></p> <p>Readings: Michelle Alexander, "A System of Racial and Social Control," Frontline, <i>Locked Up in America</i>, http://www.pbs.org/wgbh/pages/frontline/criminal-justice/locked-up-in-america/michelle-alexander-a-system-of-racial-and-social-control/</p> <p>Podcast: Life of the Law, #7, "Felony Factory"; Life of the Law, #2, "Jailhouse Lawyers"</p> <p>Lecture & Discussion: <i>Punishment and Social Control; Prisons; California's Correctional Crisis</i></p>
6	Thursday 10/6	<p><i>Just Mercy</i> – Campus Reading Program Activity</p> <p>Podcast: Life of the Law, Podcast 42, "In the Name of the Father" on the Scottsboro Boys</p>
7	Tuesday 10/11	<u>Midterm Examination</u>
7	Thursday 10/13	<p>Reading: Lippman, "Capital Punishment" in Ch. 9 of <i>Law and Society</i> (319 – 330)</p> <p>Podcast: Death Penalty Information Center, Podcast Episode 15: Supreme Court</p>
8	Tuesday 10/18	<p>Reading: <i>Just Mercy</i> (cont'd)</p> <p>Lecture & Discussion: <i>Death Penalty in the Courts; Interpreting the 8th Amendment; Cruel and Unusual Punishment; Abolition Movements</i></p>

Week	Date	Topics, Readings, Assignments, Deadlines
8	Thursday 10/20	<p>Reading: <i>Case Study:</i> Capital Punishment in California – Courts, Cases and Controversies Readings & Discussion on Canvas</p> <p>Podcasts and Canvas Discussion Activity NPR: Listen to a brief podcast describing the evolution of Supreme Court Justice Blackmun’s stance on the Death Penalty: http://www.npr.org/templates/story/story.php?storyId=1749684</p> <p>Life of the Law, “One Reporter on California’s Death Row,” http://www.lifeofthelaw.org/reporter-on-death-row-2/?s=podcast</p> <p>Lecture & Discussion: <i>Capital Punishment; Lethal Execution; Innocence Projects; Exonerations</i></p>
9	Tuesday 10/25	Class Debate: Human Trafficking Law, Policy, and Advocacy
9	Thursday 10/27	<p>Human Rights Lecture</p> <p>Canvas Reading & Activity: Mobilizing Workers’ Rights</p>
10	Tuesday 11/1	<p>Reading: Laura Beth Nielsen, “Situating Legal Consciousness: Experiences and Attitudes of Ordinary Citizens about Law and Street Harassment,” 34 LAW & SOCIETY REVIEW, 1055 – 1089 (2000)</p> <p>Lecture & Discussion: <i>Legal Consciousness; Street Harassment; First Amendment; Civil Rights and Personal Safety in Public Spaces</i></p>
10	Thursday 11/3	<p>Reading: Juries Lippman Ch. 8, “Juries”</p> <p>American Bar Association, Public Education: <i>Law & the Courts</i> - Vol. 3 Juries</p> <p><i>Before the Law</i>, “The Jury in a Historical and Cultural Context,” (408-413); “Trial by Jury in the United States,” Alexis de Tocqueville, <i>Before the Law</i> (419 – 421).</p> <p>Lecture & Discussion: <i>Trial by Ordeal; Trials, Juries and Jury Selection; Jury Service as Civic Duty and Civil Right; Defining a “Jury of One’s Peers”</i></p>
11	Tuesday	Reading: Jury Selection and Discrimination

Week	Date	Topics, Readings, Assignments, Deadlines
	11/8	<p>Equal Justice Initiative (2010) "Illegal Racial Discrimination in Jury Selection: A Continuing Legacy" (excerpts)</p> <p>Podcast: Life of the Law, "Jury Nullification," http://www.lifeofthelaw.org/jury-nullification/?s=podcast</p> <p>Lecture & Discussion: <i>Juries; Race, Sex, Sexual Orientation Discrimination in Jury Selection; Jury Nullification</i></p>
11	Thursday 11/10	Film and Class Activity – TBA
12	Tuesday 11/15	<p>Reading: Social Problems, Justice, and Collaborative Courts Smith, "Mental Illness, Homelessness, Drug Addiction: Do These Sound Like Crimes? Why are we letting these serious social problems be handled by the criminal justice system?" <i>The Nation</i>, 10/9/14</p> <p>Canvas Discussion Activity: Read the Smith article and watch the following videos, then participate in a Canvas Discussion about the de/merits of collaborative courts in the criminal justice system.</p> <p>A Psychotic Episode Shouldn't End in a Jail Cell</p> <p>Jail Time Is a Terrible Way to Treat Substance Abuse</p> <p>When Not Having a Roof Over Your Head Is a Crime</p> <p>Lecture & Discussion: <i>Discussion of 4/9 Human Rights Lecture; Revolving Door of the Criminal Justice System; Collaborative Courts</i></p>
12	Thursday 11/17	<p>Reading: Open Society Foundation, "Law and Policy Affecting Sex Work," http://www.opensocietyfoundations.org/sites/default/files/sex-work-laws-policies-20120713.pdf</p> <p>Canvas Readings: Selected readings and legal advocacy materials regarding prostitution, sex work, and trafficking</p> <p>Lecture & Discussion: <i>Policing Vice; What is a Vice Crime? Prostitution and Commercialized Vice</i></p> <p>Class Debate: Should Prostitution be a Crime?</p>
13	Tuesday 11/22	<p>Reading: Noy Thrupkaew, Sept. 16, 2009, "The Crusade Against Sex Trafficking," http://www.thenation.com/article/crusade-against-sex-trafficking#</p> <p>Lecture & Discussion: <i>Raids, Rescues, Rights, and Wrongs: Human Trafficking</i></p>

Week	Date	Topics, Readings, Assignments, Deadlines
		<i>Campaigns in the U.S. and Thailand</i>
13	Thursday 11/24	<u>Thanksgiving Break</u>
14	Tuesday 11/29	<u>Reading:</u> <i>The Law and Social Change – Brown v. Board of Education</i> , the Courts, and School Desegregation
14	Thursday 12/1	<u>Reading:</u> Lippman, <i>Law and Society</i> , Ch. 10 (excerpt) <u>Canvas Readings:</u> Selected Cases and Legal Advocacy Campaign Materials <u>Lecture & Discussion:</u> <i>The Law and Social Change – Women’s Rights, the Right to Privacy, and Reproductive Justice; LGBTQI Rights</i>
15	Tuesday 12/6	<u>Class Activity: Mobilizing Rights</u> <u>Canvas Readings:</u> Selected Cases and Legal Advocacy Campaign Materials <u>Lecture & Discussion:</u> <i>Sexual Privacy; LGBT Rights in the Courts; Strategic Litigation; Cultural Conflict in the Courts; International movements</i>
15	Thursday 12/8	<u>Final Examination Review</u> <u>Class Activity: Law in Action</u>
Final Exam	Monday 12/9	<u>Final Examination</u> 9:45 a.m. – 12:00 p.m.