

Gender Law Seminar

Professor Korzec
Spring 2014

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Open Office Hours

Monday and Wednesday 5:00-6:00 p.m.

Other times by appointment

Please feel free to stop by, write or call to discuss the class or to schedule an appointment.

- I. Text: Bowman, et. al.: Feminist Jurisprudence (West 4th ed. 2011)

- II. Grading:
Class participation: 20%
Presentation: 20%
Paper: 60%
(This includes the paper topic, research outline, and paper)

- III. Concept and goals

This seminar is designed to examine the role of gender in various areas of the law. Students will analyze the law's traditional view of the role of gender, the changing legal status of women and the development of a constitutional standard of review of gender discrimination through cases, statutes, and commentary. Although students should have a general familiarity with the substantive areas covered (e.g. constitutional, family, and criminal law), this course will offer the opportunity to engage in a more critical analysis of the role of gender in these and other areas.

The goals of this course are:

1. To provide an opportunity for students to examine the roles and relations of women and men as regulated by law and analyzed by contemporary legal scholars.
2. To improve students' research, writing and analytical skills by requiring a major presentation and paper.

The class format will be a combination of lecture, discussion, and student-led class presentations. The first part of the semester will consist of lecture and discussion on the role of gender in selected substantive areas based on the topics covered in the course text. I will take primary responsibility for leading these discussions. The last part of the

semester will consist of student-led discussions of paper topics.

IV. Assignments and Grades

1. Weekly assignment - students are expected to complete the reading assignments from the text and any supplemental materials. Consistently active class participation demonstrating you have read and thought about the issues raised in the assignment is expected.
2. Semester assignment - each student will write a paper in law review format on a topic relevant to the subject matter of the course. The paper should be approximately 25 pages including footnotes. The paper is to be a substantial writing project, prepared solely by you for this seminar. It should involve significant research and analysis, and is to have a substantial component of your own thinking. Further discussion about formal requirements of the paper, research techniques and writing process will occur both in class and in individual meetings.

V. Class Presentations

Class presentation should be approximately one hour including the author's presentation, and class discussion and questions following the presentation. Presentations will be based on your papers but you should limit the focus to specific areas and not cover all issues raised in the paper. I will put on reserve any articles, statutes or other materials you believe would be helpful for students to read prior to your presentation. You should also review your casebook materials on the presentation topic.

All students are to read the assigned materials prior to each week's presentation. The quality of the class presentations depends upon the informed participation of the entire class. In addition, some of you may use this phase of the course as an opportunity to improve your grade for class participation.

Suggestions Regarding Papers

1. Introduction: State the thesis of your paper in the first or second paragraph of the introduction. Let the reader know the organization of your paper. Use the introduction to signal your direction, and use headings and transition sentences in the body.
2. Paragraph thoughtfully. Begin a paragraph with a topic sentence. Support it with authority, illustrations, explication. A paragraph should have at least two or three sentences in it to flesh out the main thought. Consider dividing long paragraphs into several separate ones for clarity.
3. All citations must be in proper form. For those papers in which you cite some non-traditional sources, make note of how to cite conversations and unpublished works, and how to use "supra."

CRITERIA FOR GRADING RESEARCH PAPERS

The research paper for this course should be in the format of a law review comment with footnotes. Such comments usually begin with an introduction, which identifies the issues addressed in the comment and which also may identify the author's hypothesis and conclusions as are developed in the comment.

Your paper may be inter-disciplinary (including analysis of scientific and/or technological issues related to the legal issues addressed in your paper), but it is not required to be inter-disciplinary. If your paper is inter-disciplinary, your paper should analyze the relevant scientific/technological issues after the Introduction section of your paper and before the sections analyzing the relevant legal issues. Your paper may develop a particular hypothesis or theory, but should do so in a balanced approach (as opposed to the one-sided approach characteristic of an appellate brief).

I give a grade of A or A- to a paper only if it incorporates substantial original creative thinking and analysis by the author (this type of material is what is usually found in a publishable law review article or comment) and also meets the other criteria set forth below for a satisfactory legal research paper. Please note that mandatory grading guidelines require seminar classes to average between 3.0 and 3.67.

The other criteria for a satisfactory research paper are:

(1) Quality of research: The paper must reflect thorough and rigorous research of the subject matter, citing and satisfactorily discussing all relevant authorities and the latest trends and interpretations of the relevant law. The paper also must focus only on relevant issues and authorities, avoiding discussion of irrelevant issues and authorities.

(2) Quality of analysis: The paper must thoroughly analyze the issues relevant to the paper's subject matter, presenting a discussion of all reasonable positions on the relevant issues. If the paper advocates a particular position or hypothesis, the paper must analyze reasonable opposing positions or hypotheses.

(3) Clarity of Writing: The paper must clearly set forth and develop the subject matter of the paper and any proposals or hypotheses of the author. The paper must be written in a clear manner, and the paper's conclusions and opinions must be well-supported by explicit and clear analysis.

(4) Organization: The paper must be well-organized, in the format of a law review comment or article, allowing a reader of the paper to understand the subject matter of the paper and the author's hypotheses and positions.

(5) Proper Citations: The paper must show a good faith and substantial compliance with proper citation form.

Order of Assignments

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| 1/16 | I | Constitutional Equality
pp. 26-95
Think about a paper topic. |
| 1/23 | II | Feminist Legal Theory
pp. 96-129; 132-150; 170-176; 186-207
Paper topic due in class |
| 1/30 | III | Employment Issues
pp. 847-868 |
| 2/6 | IV | Sexual Harassment, Sexuality, Stereotyping
pp. 912-960 |
| 2/13 | V | Women and the Legal Profession
pp. 961-1006
Research outline due in class |
| 2/20 | VI | Education Issues
pp. 758-799 |
| 2/27 | | Conference |
| 3/6 | VII | RESEARCH DAY |
| 3/13 | | Presentations |
| 3/20 | | Spring Break |
| 3/27-4/10 | | Presentations |
| 4/17 | | RESEARCH DAY |
| 4/24 | | Presentations
Papers are due in class at 9:00 a.m. |