

CONSTITUTIONAL LAW I

UNIVERSITY OF BALTIMORE SCHOOL OF LAW SPRING 2020

Course: Constitutional Law I (4 credits)
650
319

Instructor: Professor Mortimer Sellers
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Office Hours: Monday: 3:20pm – 4:20pm; Wednesday: 3:20pm – 4:20pm

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Course Days/Time: Monday and Wednesday / 1:30pm – 3:20pm

Location: TBA

Course Description:

An introduction to the structure of the U.S. Constitution and the powers, rights, and liberties it defines. Topics include judicial review; limitations on judicial power; nature of and separation of powers; federalism, including the Commerce Clause and the 10th Amendment; state action; procedural and substantive due process; and equal protection.

Course Materials:

Stone, Seidman, Sunstein, Tushnet, and Karlan, *Constitutional Law*. 7th edition. Aspen Publishers (2013).

Student Learning Outcomes:

Students will learn the basic principles, doctrine, and history of the United States Constitution. They will become proficient in discerning the constitutional structure and interpretation best suited to forming a more perfect Union, establishing Justice, insuring domestic Tranquility, providing for the common defense, promoting the general welfare, and securing the Blessings of Liberty to all those within the jurisdiction of the Constitution of the United States of America.

Grades:

Grades will be based on the final examination, but class participation may affect a student's grade by up to one grade level. Participation will be valued for knowledge, lucidity and preparation.

Course Expectations:

American Bar Association Standards for Law Schools establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately one hour of classroom instruction and two hours of out-of-class work for each credit earned in a class, or an equivalent amount of work for other academic activities, such as simulations, externships, clinical supervision, co-curricular activities, and other academic work leading to the award of credit hours.

Students are expected to complete all reading assignments before class and to participate consistently in class discussion to demonstrate their grasp, understanding, and reflection on the law and principles raised by the assigned reading.

Attendance:

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below may be compelled to withdraw from the course, or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

Regular Semester Hours		
Credit Hours	Meetings Per Week	
	1	2
2	2 absences	5 absences
3	2 absences	5 absences
4	--	5 absences

Course Website:

This course has a TWEN page that links to this syllabus, announcements, the class assignments, and other class materials. You are responsible for self-enrolling in the TWEN page and for checking it regularly for course information.

Computers:

Students may use laptop computers for class related purposes.

Class Cancellation:

If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

Academic Integrity:

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or School of Law. Violations of academic integrity include, but are not limited to: cheating, plagiarism, misuse of materials, inappropriate communication about exams, use of unauthorized materials and technology, misrepresentation of any academic matter, including attendance, and impeding the Honor Code process. The School of Law Honor Code and information about the process is available at http://law.ubalt.edu/academics/policiesandprocedures/honor_code/.

Course Evaluations

It is a requirement of this course that students complete a course evaluation. The evaluation will be available later in the semester and is entirely anonymous. Faculty members will not have access to the feedback provided on course evaluations until after all grades are submitted.

Title IX Sexual Misconduct and Nondiscrimination Policy:

The University of Baltimore's Sexual Misconduct and Nondiscrimination policy is compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the university any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB's nondiscrimination policies can be found at: <http://www.ubalt.edu/titleix>.

Disability Policy:

If you are a student with a documented disability who requires an accommodation for academic programs, exams, or access to the University's facilities, please contact the Office of Academic Affairs, at ublacadaff@ubalt.edu or (410) 837-4468.

CONSTITUTIONAL LAW/ SCHEDULE OF CLASSES

Week 1	Monday, January 13 Wednesday, January 15	A More Perfect Union (The Constitution of the United States)
Monday, January 20 ML King Day No Class		
Week 2	Wednesday, January 22	The Judicial Power (Article III, Article VI)
Week 3	Monday, January 27 Wednesday, January 29	Constraints on the Judiciary (Article III, Article V)
Week 4	Monday, February 3 Wednesday, February 5	Federal Power (Article I, Article VI, Amendment XIV)
Week 5	Monday, February 10 Wednesday, February 12	State Power (Article I(10), Article IV, Amendments X, XI)
Week 6	Monday, February 17 Wednesday, February 19	Congressional Power (Article I(8), Amendment XIV)
Week 7	Monday, February 24 Wednesday, February 26	In-class Midterm Presidential Power (Article II)
Week 8	Monday, March 2 Wednesday, March 4	The Separation of Powers (Articles I, II, III)
Week 9	Monday, March 9 Wednesday, March 11	The Equal Protection of the Laws (Amendments XIII, XIV)
SPRING BREAK MARCH 16-20, 2020		
Week 10	Monday, March 23 Wednesday, March 25	Improper Discrimination (Amendments XIII, XIV, XV)
Week 11	Monday, March 30 Wednesday, April 1	Fundamental Rights (Article I(9), Amendments IX, XIV)
Week 12	Monday, April 6 Wednesday, April 8	Due Process of Law (Amendment V, XIV)
Week 13	Monday, April 13 Wednesday, April 15	The Right to Privacy (Amendments IV, IX, XIV)
Week 14	Monday, April 20 Wednesday, April 22	The Blessings of Liberty (Preamble)
Week 15	Monday, April 27	Last Class – Liberty and Justice for all (the Constitution of the United States)

**CONSTITUTIONAL LAW
CLASS ASSIGNMENTS**

Week 1A	pp. xli-lvi: The Constitution
Week 1B	pp. 1-25: The Framing
Week 2A	pp. 25-48: Judicial Review
Week 3A	pp. 48-72: Precedent
Week 3B	pp. 82-106: Cases or Controversies
Week 4A	pp. 121-148: Political Questions
Week 4B	pp. 159-185: Federalism
Week 5A	pp. 185-212: The Commerce Clause
Week 5B	pp. 212-239: State Sovereignty
Week 6A	pp. 293-320: Legislative Power
Week 6B	pp. 325-351: Limits on Legislative Power
Week 7A	pp. 367-392: Executive Power
Week 7B	pp. 392-416: Limits on Executive Power
Week 8A	pp. 424-451: Administrative Agencies
Week 8B	pp. 455-482: Private Power
Week 9A	pp. 453-478: Racial Discrimination
Week 9B	pp. 478-503: Desegregation
Week 10A	pp. 503-528: Heightened Scrutiny
Week 10B	pp. 562-591: Affirmative Action
Week 11A	pp. 721-750: Liberty
Week 11B	pp. 750-776: Substantive Due Process
Week 12A	pp. 776-799: Fundamental Interests
Week 12B	pp. 841-860: Abortion
Week 13A	pp. 873-892; 922-932: Sexuality
Week 13B	pp. 953-973: Procedural Due Process
Week 14A	pp. 973-1001: The Contracts Clause
Week 14B	A More Perfect Union
Week 15A	Summary and Conclusion