



LGST 2500 - Introduction to Legal Studies

Semester and Year: Fall 2017

Welcome to the Department of History and Political Science! We are home to five majors, including [History](#), [Political Science](#), [Philosophy](#), [International Studies](#), and [Legal Studies](#) as well as the [MS in National Security Affairs and International Relations](#). In addition, we host two academic teams: the [Nova International Relations Association](#) (NIRA), which serves as NSU's [Model United Nations team](#) and the [NSU Mock Trial team](#)! Follow us on social media: [Instagram](#), [Facebook](#), and [Twitter](#).

I. Course Information

Course: LGST 2500 - Introduction to Legal Studies

Semester Credit Hours: 3.0

Course CRN and Section: 20508 - DA1

Semester and Year: Fall 2017

Course Start and End Dates: 08/21/2017 - 12/10/2017

Building and Room: Parker Building - 254

II. Instructor Information

Professor: Stephen Ross Levitt

Email: levitts@nova.edu

Phone: 9542628210

Office Hours:

Day	Time	Location
T	3:05pm - 3:45pm	Mailman 222
W	4:10pm - 5:50pm	Mailman 222
R	3:10pm - 5:50pm	Mailman 222

Students may write me an email and meet outside of office hours if I am free-- or have a telephone conversation-- etc.

III. Class Schedule and Location

Day	Date	Time	Location	Building/Room
TR	08/22/2017 - 10/05/2017	2:30 PM - 3:45 PM	Ft Lauderdale/Davie Campus	Parker Building-254
R	10/12/2017 - 10/12/2017	1:00 PM - 3:00 PM	Ft Lauderdale/Davie Campus	Parker Building-254
TR	10/17/2017 - 11/30/2017	2:30 PM - 3:45 PM	Ft Lauderdale/Davie Campus	Parker Building-254

R	12/07/2017 - 12/07/2017	1:00 PM - 3:00 PM	Ft Lauderdale/Davie Campus	Parker Building- 254
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IV. Course Description

This course provides an introduction to the structure and basic decisional processes of the American legal system, as well as a study of the historical and social development of the legal profession in America from the colonial period to the present. Particular focus is on examination of the central issues and processes of the legal system from the perspective of their everyday working relationships and how courts work.

Prerequisite: COMP 1500 or COMP 1500H. Frequency: Every Fall and Winter.

V. Course Objectives / Learning Outcomes

- 1) Describe the components of the American legal system.
- 2) Explain key historical concepts as well and current trends within the legal profession and legal education.
- 3) Evaluate the elements and significance of complex legal and historical materials.
- 4) Describe the positive and negative facets of working as an attorney in the U.S. today.

VI. Materials and Resources

Book Url: [NSU Book Store](#)

Section Required Texts and Material:

Frank A. Schubert, Introduction to Law and the Legal System (11th edition)

Wadsworth, Cengage Learning, 2015.

ISBN: 978-1-285-43825-2

VII. Course Requirements

Your performance in this course is based upon the following criteria:

i. Keeping up with the lectures and assignments is critical.

Students need to read the textbook very thoroughly and keep up with lectures. There is not a lot of reading to do each week, but rather the student needs to read each case carefully. We will be looking at cases and it is important for students to come to class prepared. This means that the student has read the case and thought about the facts, the trial history, the legal issues raised, and the court's decision.

ii. Quizzes need to be done on time in class.

Quizzes illustrate to the professor that the student has understood the work and can respond quickly and competently to simple questions related to the lecture and reading materials.

iii. Reading email regularly.

Students should read their NSU email and Blackboard course component email at least two times each week in general, and this should be always the night before class. Students need to use their NSU email accounts when sending the professor emails.

iv. Footnotes and bibliography. (in-paragraph citations)

Proper documentation (footnotes and a bibliography) of sources is crucial for writing good term papers.

All papers in this course need a bibliography and footnotes. For the purposes of this course, if the student needs to cite a specific passage in a case, it is acceptable to cite the textbook with the page number. A student does not have to provide the legal citation at this point.

v. Late Papers will be penalized.

Late papers will be penalized up to 10% per week.

vi. Movie rental

Students might have to rent a video from a store or get a video from a library. My advice is to arrange for this well in advance. If you know that you will be unable under any circumstances to rent a video or have access to a public library, let me know early on in the course so that we can make alternate plans.

vii. Sending essays by email

If you send an essay by email make sure you print out a copy and keep it on hand should I need it. If a paper is sent to the wrong email address, it might not be counted. Therefore, remember to send yourself a copy as proof. Essays may be uploaded to Blackboard.

viii. Just in case you need to know- Weeks 3 and 4 are key!

Weeks 3 and 4 (sources of American law) are the pivotal weeks in terms of understanding the essence of this course. Try to make sure that you give these weeks the attention they deserve.

ix. THERE IS A BLACKBOARD COMPONENT THAT ACCOMPANIES THIS COURSE. YOU NEED TO LEARN TO WORK WITH BLACKBOARD.**x. Papers cannot be accepted after the final examination.**

Please do not send work after the final examination or after grades have been submitted. This is too late. The time to submit work is during the semester. I am sorry that I have to put this statement in my syllabus.

xi. The course schedule is ambitious

The course schedule is ambitious. Therefore, I have left on the course schedule a few catch-up days. However, it is possible that as many as two or three cases will be struck from the reading list—with appropriate notice- if we don't have time to complete them. Obviously if we don't get to discuss a case during class lectures, it won't be covered on quizzes or exams, as this might be unfair.

VIII. Course Schedule and Topic Outline

Class schedule subject to modification, but not without prior notification.

Course Schedule:

Week 1: Tuesday August 22	Introduction - Chapter 1 Read: Miller v. Alabama, pp. 16 to 19 Read also the discussion from 19 to 26
Thursday August 24	E. I Du Pont de Nemours & Co., Inc. v. Christopher, page 568-570 This case may be found also at: http://college.cengage.com/polisci/schubert/law_legal_process/9e/assets/students/retired_cases/schubert_9e_retired_cases_01.pdf
Week 2: Tuesday August 29	Continuation with Du Pont, plus Ethics and Professional Responsibility Codes for Lawyers and Judges, pp. 77 to 79 General Discussion
Thursday August 31	Hugh M. Caperton v. A. T. Massey Coal Company, pp 79 to 82. This is very specific reading related to the issue of Judges and Ethics
Week 3: Tuesday Sept. 5	Institutional Sources of American Law- Part I 1. Textbook Chapter 3: Looking at Legislation, pp. 89-93 2. National Federation of Independent Business v. Kathleen Sebelius, pp. 93 to 96
Thursday Sept 7	Institutional Sources of American Law Part II Looking at Stare Decisis and Holding, 103-104 State v. Butler, pp.104 to 107

Week 4: Tuesday Sept 12	Institutional Sources of American Law - Part III Precedent Continued , Prospective and Retroactive Application of Law, Absence of Precedent 1. Dempsey v. Allstate Insurance Company, 107 -110 2. Strunk v. Strunk, pp. 110 to 113
Thursday Sept 14	Institutional Sources of Law- Part IV Precedent and conflict of laws Hubbard Manufacturing, pp. 114-115
Week 5: Tuesday Sept 19	Judicial System- Chapter 4 Subject Matter jurisdiction and Long Arm Statutes 1. Ronald A. Sobada v. Hero Decks, A Division of Parody Productions, LLC, pp. 133-135
Thursday Sept 21	U.S. District Courts, Threshold Issues and the Erie Doctrine 1. St. James Apartments, LLC v. Coinmach Corporation, pp. 138-140 2. Charles and April Land v. Yamaha Motor Corporation, pp. 145 to 146
Week 6: Tuesday Sept 26	Civil Procedure - Chapter 5 Hiring A Lawyer and fees Joy Salmon v. Virginia Atkinson, pp. 156-158
Thursday Sept 28	Methods of Service Pleadings and Methods of Service Robert Johnson v. Cintas Corporation and United Healthcare, pp. 162 to 164 Communicative Privileges State of Utah v. Travis Dee Timmermann, pp. 173-176
Week 7 Tuesday October 3	Additur and Remittur Tammy Lou Fontenot v. Taser International Inc., pp 178-181
Thursday October 5	Review for examination [Because of the hurricane this review period was used for lectures.]
Week 8: October 12	Mid-Term Examination - Thursday October 12, 1 to 3 pm. Note the slight Time Difference Because of the hurricane, we used one hour of the examination for lectures. Students wrote two essays in class and took home the remaining two essays.

Week 9: Tuesday October 17	Judicial Remedies - Chapter 7 Common Law Remedies such as Compensatory Damages, and Equitable Remedies 1. Macomber v. Dillman, pp. 227 to 230 2. Campbell Soup Company v. Wentz, pp. 243 to 244
Thursday October 19	This provides us with one hour so that the mid-term examination can be returned and I can review the examination with students.
Week 10: Tuesday October 24	Criminal Law Part I- Introductions, mens rea and actus reus 1. State of Kansas v. Dinh Loc Ta pp. 258-261 2. State v. Gordon, pp. 263-266
Thursday October 26	Criminal Law- Part II- Problems of Intent and Duress 1. Commonwealth v. Berggren, p 268-269 2. United States v. Juan Donaldo Perdomo-Espana, pp. 272 to 274 3. United States v. Scott, pp. 275- 277
Week 11: Tuesday October 31	Criminal Law Part III- The Exclusionary rule and the Right to Counsel 1. Illinois v. Roy 1. Caballes, pp 293-294 2. United States v. Cuauhtemoc Gonzalez-Lopez, pp. 296-297
Thursday Nov. 2	This session is being left for catching up—probably we will need more time with the criminal law cases.
Week 12: Tuesday Nov. 7	Contracts- Part I- Chapter 10 1. Introduction and History of Contract Law, pp. 360 to 368 2. Al Cea and Laura Cea v. Roger Hoffman, pp. 368 to 371
Thursday November 9	Contracts, Part II 1. Carter v. Matthews, pp. 373 to 374 2. Anthony A. Labriola v. Pollard Group Inc. Can be found at the following site: http://www.cengage.com/cgi-wadsworth/course_products_wp.pl?fid=M63&product_isbn_isbn=9780495899334&chapter_number=10&resource_id=21&altname=Additional%20Cases
Week 13: Tuesday November 14	Contracts- Part III-Chapter 10 1. Gregory D. Hanks v. Powder Ridge, pp. 380 to 382 2. Carolina Pride Carwash, Inc. v. Tim Kendrick, pp. 384-385
Thursday November 16	1. Nicolaos Terzis v. Pompano Paint, pp. 388-389 2. Macke Company v. Pizza of Gaithersburg, pp. 394-395

Week 14: Tuesday Nov. 21	Torts- Part I- Chapter 11 1. Estate of Berthiaume v. Pratt, M.D., pp. 407-409
Thursday Nov. 23	Holiday: THANKSGIVING (no class!!)
Week 15: Tuesday Nov. 28	Torts—Part 11 Defamation 1. James Ryan v. Fox Television Stations, pp. 417-422
Thursday Nov. 30	Torts- Part III- Chapter 11- 1. Alfred L. Baker v. East Coast Properties, pp. 432--435
Week 16: Thursday December 7	Final Examination from 1 pm. to 3 pm. Note the slight time difference from class time.

IX. Assignments

Below are the assignments required in this course as well as associated rubrics:

Please Note the assignments are listed in Section XI Grading Criteria below:

- 1. Final Examination**
- 2. Mid-term Examination**
- 3. Quizzes**
- 4. Briefs**

WRITING “RULES” For Political Science, as well as History and Legal Studies

1- Avoid informality, colloquial language, and emotional statements:

Informality is something that should be reserved for creative writing or your blog. In other words, your writing should sound different than your speech.

Colloquial language should also be reserved for conversations with your friends. Don't tell me that “Orwell really got screwed” or that “Marx had a lot of swag.” This is an academic essay.

Approach your college essays as though they are your chance to impress your professors with your sophistication... because they are!

Finally, avoid emotionalism: just because you have experienced something does not make it necessarily relevant.

2- Do not write in first or second person. Do not use “I” or “we” unless absolutely necessary.

3- In short papers quotes are NOT your friend. A quote should be used to make an extra special point not just as a substitute for your own words. In a paper shorter than 8 pages I would avoid any quotes.

4- This should be obvious, but the sources you use matter! Do not use Encyclopedias – sources like Encarta, Britannica, etc. – AND ESPECIALLY WIKIPEDIA!!! - are NOT acceptable sources in a College paper. Moreover, think about the sources you use, if you are writing a political science paper freakzilla.com or kangaroo.blogspot.com are probably not appropriate.

5- Book titles should be italicized.

6- Outline and organize your essay. Outline and organize your essay. Outline and organize your essay. Outline and organize your essay. Outline and organize your essay. Outline and organize your essay. Get the point?

7- Proofread your essay, or even better have someone proofread it for you. Grammatical errors always count, and they also indicate sloppiness and a rushed job. Also, spellcheck is NOT your friend. For your computer spellcheck program “The criminal trail was held on September 3rd” is a fine sentence.

8- Avoid qualifiers and superlatives. For example, “obviously” and “it seems” etc. These statements

minimize your argument. Always avoid absolutes (see what I did there?)

9- Active voice! Instead of “the decision was made by Orwell” write “Orwell decided...” Writing in the passive voice is a terrible habit and one that students always struggle with, so be cognizant of this and reformulate your sentences so they are active.

10- Define your terms. That is, make sure it is clear you know what you are talking about when you say things like “the political left” or “democracy.”

11- Keep your sentences short and concise. Paragraphs should be manageable size and address a single idea. If you outline your paper (see #6) this shouldn’t be an issue.

12- If you ever do use quotes, make sure that all quotes are properly cited. Also, material that you are paraphrasing, another author’s ideas, etc. should also be cited to the original source. That means the reader should have enough information that he or she can go back to the source where you got the material from and check it.

For help in citation go to: <http://owl.english.purdue.edu/owl/resource/557/02/> or <http://citationmachine.net/>

13- Avoid repetition! The thesaurus is your friend. Avoid using the same phrases and words over and over.
General Grading Rubric for Papers: Department of History and Political Science

Grade Description

A, A- A superior essay. The student demonstrated high levels of critical thinking, originality of thought, and mastery of the subject matter. The writing has no discernible grammatical or phrasing issues and is well structured. The document indicates real engagement with the material and thoroughly addresses each part of the prompt. In short, an A is awarded for a flawless or near flawless essay.

B+, B, B- A good essay. The document indicates some level of critical thinking, and a strong comprehension of the subject matter. There may be a few grammatical mistakes, but the ability of the instructor to follow the essay does not suffer tremendously from these errors. The student indicates a strong grasp of the issues and at least attempts to address each part of the prompt although more elaboration on a few points would improve the score. In short, a strong essay with at least one major or several minor issues.

C+, C, C- A satisfactory essay. The document indicates a basic grasp of the material. The writing may be at a satisfactory level, but needs attention on one or more major point. The writing indicates that the student has demonstrated a basic understanding of most subject matter (with some deficiencies). In short, an average essay.

D+, D A less than satisfactory essay. The essay indicates either a minimal grasp of the material, a serious issue with writing, grammar and structure, or a combination of all of these. The student fails to address a significant portion of the prompt, or does a very poor job in developing their ideas in this regard. Major work is needed. In short, a below average essay, which indicates serious problems in several major areas.

F A completely unsatisfactory essay. The essay indicates very little if any critical thought. The essay fails to make serious or logical points. The student has failed to demonstrate a basic mastery of the material. In addition, the essay may be so poorly constructed (grammar, style, etc.) that the essay does not meet basic collegiate standards for an essay assignment. In short, an unacceptable essay for a college course.

X. Grading Criteria

Your final grade is determined by your performance on a number of different tasks:

Final Grade:

1. Final Examination (20% of the grade):

There will be one final examination that will count for twenty per cent of the final course grade. This will be done on December 7, 2017 from 1 pm. to 3 pm. The final examination may consist of some multiple choice questions, one or two short essays involving fact patterns, and a number of short answer questions. It will be comprehensive. Therefore it is vital to prepare for this examination by reviewing the assigned reading and lecture notes. If a student is unable to do this examination, s/he must contact the professor by phone or email within seventy-two hours. Only in the case of a medical or family emergency may the examination be taken on an alternate date, and that date usually needs to be within one week of the originally scheduled exam. Otherwise a grade of 50% (F) will be entered as a default.

The professor reserves the right with advanced notice of counting a proportion of the final examination grade based upon student participation in Blackboard discussion should this prove feasible. This will be

done with appropriate notice in advance in class.

The student will be able to bring to the examination a one-page (front and back) "cheat" sheet. On that "cheat" sheet should be listed the cases we have studied during the semester and one or two critical sentences for each case.

2. Three short Case Comments (10% each) together worth 30% of the total grade

These papers will discuss one law case from the textbook and there are **two parts** to the case comment assignment. **Part one** is a one-page brief. Learn how to do briefing of cases, please! **Part two** of the case comment assignment should be an essay discussion connecting the facts of the case and the legal issues with the holding of the court as well as how the court came to its decision. The essay part of the case comment, (usually two pages) might discuss in one or two sentences the trial history and why this is significant. The essay part should elaborate upon a policy issue that may be significant, which did not get fully explained in the brief. Put succinctly, the essay's function is to fill in the gaps left by the brief and to explore wider legal, social, economic, political and/or moral issues that arise from the case. Students will get back from me short written comments on the papers.

See the following websites for samples of case briefs:

<http://isites.harvard.edu/fs/docs/icb.topic1442345.files/Readings%20by%20Number/Sample%20Case%20Brief.pdf>
<http://www.lexisnexis.com/en-us/lawschool/pre-law/how-to-brief-a-case.page>

3. Two Short Quizzes (10% each) together worth 20% of the total grade

There will be two quizzes on the reading during the term. Each quiz will be written in class and take about 35 minutes. A quiz may provide a fact pattern for the student to resolve and/or straight-forward factual questions.

4. Mid-term Examination (30% of the grade)

There will be a mid-term examination held on October 12, 2017 from 1 pm. until 3 pm. The professor reserves the right with advanced notice of counting a small proportion of the mid-term examination grade based upon student participation in Blackboard discussion should this prove feasible. This will be done with appropriate notice in advance in class. Only in the case of a medical or family emergency may the examination be taken on an alternate date—and that date needs to be within ten business days of the originally scheduled exam. Otherwise 50% (F) will be entered as a default grade.

The student will be able to bring to the examination a one-page (front and back) "cheat" sheet. On that "cheat" sheet should be listed the cases we have studied during the semester so far and one or two critical sentences on each case. [Note: Students wrote two questions in class and two questions at home.

I used one hour from the examination period for lecture to make up for the hurricane.]

Extra Assignment Possibility:

5. Court Report or Visitor Report 10% of the grade (will replace lowest 10% of the grade in the final calculation). Students will be provided with the opportunity to hear a lecture about legal practice delivered by an attorney and they will have to write up a report on the topics covered. Should a student not be able to attend the supplementary lecture, or not wish to write up a report, s/he may visit over the term a court in Broward for two hours and write up a report about the court trial or procedure that s/he observed. But DO NOT leave this to the last week.

Grading Scale:

Papers, assignments, quizzes and examinations are graded on a traditional 100 point scale:

i. A+ 97-100	iv. B+ 87-89	vii. C+ 77-79	x. D+ 67-69
ii. A 93-96	v. B 83-86	viii. C 73-76	xi. D 63-66
iii. A- 90-92	vi. B- 80-82	ix. C- 70-72	xii. D- 60-62

The highest final grade possible according to university regulations is "A." The lowest passing final grade that may be assigned is "D." Therefore, the grade categories "D-" and "A+" are simply used in the mathematical calculation of the final grade. While letter grades are assigned, final grades are calculated according to the number or points assigned. A final average under sixty per cent constitutes a failing grade, and a grade of "F" will be assigned.

A grade of 50 per cent (F) may be assigned to one missing case comment or one missing quiz. The professor reserves the right prior to submitting his final grades of lowering the "A" requirement to 92% should he deem this just under all the circumstances. The professor reserves the right prior to submitting his final grades of lowering the "D" requirement to 58% should he deem this just under all the

circumstances.

XI. University Policies

Students should visit <http://www.nova.edu/academic-affairs/nsu-syllabus-policy.html> to access additional required college-wide policies. It is your responsibility to access and carefully read these policies to ensure you are fully informed. As a student in this class, you are obligated to follow these college-wide policies in addition to the policies established by your instructor.

The following policies are described on this website:

- Academic misconduct
- Last day to withdraw
- Email policy
- Student course evaluations
- Student responsibility to register
- Student responsibility for course prerequisites

Academic Resources

Nova Southeastern University offers a variety of resources that may aid in student success. Among these resources are:

Accommodations for students with documented disabilities: For more information about ADA policy, services, and procedures, students may call the Office of Student Disability Services at 954-262-7189 or visit <http://www.nova.edu/disabilityservices>.

Tutoring and testing center:

Students are encouraged to use the free, individualized tutoring services offered by the Tutoring and Testing Center (TTC). TTC provides a supportive atmosphere in which tutors and students work collaboratively on improving students' writing, math and/or science skills. <http://www.nova.edu/tutoring-testing/index.html>