

INTRODUCTION TO LEGAL PROCESSES
EST 225
Syllabus – Fall 2002

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CLASS TIMES: 2:30 - 3:50 Tuesdays and Thursdays
 139 Baker Hall

OFFICE HOURS: 1:00 – 2:00 Tuesdays and Thursdays, and by appointment

COURSE GOAL: The goal of this course is to provide a basic understanding of the American legal system from a variety of perspectives. The course gives students a solid foundation for subsequent, more specialized, legal courses.

COURSE OBJECTIVES: By the end of the course, students will:

- Understand the structure of the court system;
- Be able to locate statutes, cases, and law review articles;
- Distinguish between substantive and procedural legal issues, and criminal and civil law;
- Understand general legal concepts in the categories of law covered in class; and
- Be able to apply legal concepts to factual sequences to determine the likely outcome in a court of law.

PREREQUISITES: EST 221: Introduction to American Government, or an equivalent course. If students have questions about their ability to complete the course goals and objectives successfully, they should see me.

COURSE STRUCTURE: The course is divided into three sections:

1. *Introduction to the Legal System:* The history and the structure of the legal system, procedural and jurisdictional issues, and civil trials.
2. *Criminal Law:* Constitutional law, criminal law, and criminal trials.
3. *Civil Law:* Torts, contracts, property, business, and estate law.

MY PHILOSOPHY ON TEACHING LAW: Law is problem solving: understanding factual sequences, applying legal principles to those facts and then determining the rights and duties of the parties involved. The best way to learn legal processes is for the professor to teach students the law and then allow students to practice solving legal problems. This course is designed to:

- 1.) Teach students the law (through class lectures, lecture notes, and studying for inclass examinations);
- 2.) Teach students how to locate statutes, cases and law review articles (by completing group homework assignments); and
- 3.) Teach students how to apply law to factual sequences to determine the basic legal rights of all the parties involved in a scenario (through class discussions and working on group examinations).

CLASS NOTES: A book containing my class notes and readings is available from the ESF Office of Purchasing, 100 Bray Hall. It contains the copies of the overheads I will be using in class, copies of past examinations, and reading assignments.

E-MAIL REQUIREMENT: It is a course requirement that *all* students have an e-mail account. Furthermore, I expect that students will check their e-mail *regularly* for class announcements.

GRADES: Grades are based upon student performance on: examinations, group exercises, a class paper, group homework assignments, class participation and attendance. I will calculate grades on the total number of points accumulated.

Three Individual Examinations	150 points (50 points each)
Three Group Examinations	150 points (50 points each)
Class Paper	50 points
Homework Assignments	75 points
Class Participation	25 points
Attendance	<u>50 points</u>
TOTAL	500 points

NOTES ON GRADING:

Individual Examinations: Three individual examinations are scheduled during the semester. These examinations are designed to test students' knowledge of the law.

- A. All individual examinations must be taken during the time scheduled, unless a student is ill, has a job interview, or has three examinations scheduled on the same day during the final examination period. I do *not* make exceptions to this policy.
- B. Contact me in advance, if you cannot take an examination.

Group Examinations: Although employers value individual work, the ability to work in groups is becoming increasingly important in the workplace. In addition, group work forces each member of a group to contribute not only to the final output, but to the knowledge of all group members, therefore:

- A. I will assign students to two or three person groups at the beginning of the semester. Students will remain in these groups for the remainder of the semester. If there is a problem within the groups, work it out. In the workplace, you must work with whomever your employer assigns you. If problems become *severe*, please make an appointment and we will find a solution.
- B. To foster individual accountability, at the end of each group examination, I will ask students to evaluate the contributions made by each group member. You will do this by assigning a hypothetical \$1200 bonus among group members, including yourself. I will add all the group members' allocations together and will increase or decrease each group member's total points as follows:
 - 1. *Group Examination One:* For each \$50 below \$1200, I will deduct one point from the student's Group Examination One grade. For each \$50 above \$1200, I will add one point to the student's Group Examination One grade.
 - 2. *Group Examination Two:* For each \$50 below \$1200, I will deduct two points from the student's Group Examination Two grade. For each \$50 above \$1200, I will add two points to the student's Group Examination Two grade.
 - 3. *Group Examination Three:* For each \$50 below \$1200, I will deduct three points from the student's Group Examination Two grade. For each \$50 above \$1200, I will add three points to the student's Group Examination Three grade.

Class Paper: Most of what students know about law is based upon television and movies. This is a dramatic, stylized version of the practice of law. The reality is much different. I believe that observing the practice of law is critical to truly understanding how the legal system functions in the real world, therefore:

- A. Each student is required to attend a N.Y.S. Supreme Court or N.Y.S. County Court trial or arraignment.
- B. Students must submit a three-page (12 point, 1" margins, double-spaced) paper on this experience.
- C. This paper should contain:
 - a one-page summary of the court room proceedings, and
 - a two-page subjective analysis of the student's *impressions* of what they have observed.
- D. I will grade the paper as follows:
 - 10 points for concision, including spelling, grammar, typographic errors;
 - 15 points for summarizing the court room proceedings;
 - 20 points for subjective impressions; and
 - 5 points for originality.

Attendance: My philosophy on teaching the law focuses on applying legal principles to factual scenarios. The class notes provide students with the law. Class discussions focus on its application to fact sequences. Since I cannot possibly (nor would I want to) test on all the material discussed in class, I feel it is imperative that students attend every class, therefore:

- A. *Each* absence from class will result in a reduction of five points from the class attendance grade.
- B. Students who must miss class (due to illness, interviews, etc.) *must* e-mail me with this information as soon as it becomes available. I insist this policy be followed, since it allows me to keep track of each student's absences.
- C. The maximum grade for any student missing more than seven (7) classes is a "D".
- D. If you encounter a situation beyond your control in which you will be missing three (3) or more days of classes, you **MUST** contact the Office of Student Life (110 Bray, 315-470-6660, Fax: 315-470-4728) and they will contact all your instructors for you. Supportive documentation may be required.

Participation in Class Lectures and Class Discussions: As I noted previously, this class focuses on applying the law to factual sequences. I have found the only way to learn this skill is to practice it. Class lectures and discussions are designed to allow students the opportunity to learn and fine tune their abilities to use this skill, therefore:

- A. I *expect* students will contribute to class discussions.
- B. Students will be given assignments to be completed for class lectures and discussions. These assignments should be completed *before* class.
- C. Any student not prepared to discuss their assignment will lose 25 points from their end of semester grade. The maximum grade for any student unprepared two (2) or more times is a "C-"

Late Work Policy: Employers value punctuality, and so do I. Meeting deadlines, regardless of other obligations, is a critical time management skill, therefore:

- A. All assignments must be turned in on time.
- B. Late group homework assignments will not be accepted after they are due.
- C. Late group examinations will be penalized 10 points per day, commencing at the end of class.
- D. Late group examinations must be delivered to me personally or placed in my mailbox in 320 Bray Hall. If you use the latter option, please call me. Otherwise, I will continue to deduct points until I pick up your assignment.

Accommodations for Students with Disabilities: If you have an identified disability and will need accommodations, you should first contact Mr. Slocum in the Office of Student Life in 110 Bray Hall. He will discuss the ESF process and work with you to access supportive services. If you have a learning disability, the College will require you to provide supportive documentation and will develop an approved accommodation sheet for you. Accommodations will not be provided until the accommodation sheet is established and we meet to discuss its applicability to this course. Accommodations will not be provided retroactively. If you have any questions about class absences or disabilities, please contact me and/or Mr. Slocum as soon as possible. All conversations will be confidential.

COURSE SCHEDULE

SUBJECT (Approximate Number of Classes on Subject)	ASSIGNMENT (Group Responsible for Assignment)
● Introduction to EST 225 (½)	
● The History of the Legal System (½)	
● Sources of Law (1½)	2-1 (All), 2-2 (All) 2-3 (All)
● The Legal System (2)	3-1 (A), 3-2 (B)
● Jurisdiction (2)	4-1 (C), 4-2 (D), 4-3 (E), 4-4 (A), 4-5 (B)
● Civil Court Cases (2) (FIRST GROUP EXAM HANDED OUT)	5-1 (C), 5-2 (D)
● Examination Review (½)	6-1 (A, B, C, D, and E)
FIRST INDIVIDUAL EXAM & FIRST GROUP EXAM DUE (1)	
● Locating Cases, Statutes and Law Reviews (½)	
● Constitutional Law (2½)	
● Criminal Law (2)	
● Criminal Court Cases (2) & (SECOND GROUP EXAM HANDED OUT)	
● Examination Review (½)	
SECOND INDIVIDUAL EXAM & SECOND GROUP EXAM DUE (1)	
● Locating Law (½)	
● Torts (2)	14-1 (E), 14-2 (A)
● Contracts (2)	11-1 (E), 11-2 (A), 11-3 (B)
● Property (2) & CLASS PAPER DUE	12-1 (C), 12-2 (D)
● Wills and Estates (2)	
● Business Law (½)	
● LAST DAY OF CLASSES & (THIRD GROUP EXAM HANDED OUT) (½)	
THIRD INDIVIDUAL EXAM & GROUP EXAM DUE: Time and Date Scheduled for the Final Examination	