

Law and the Legal Process CJL 2000 - Fall 2024

Instructor: Dr. Joseph Rivera ; **Office Hours:** Turlington 3331 MWF 2:00 PM—3:00PM
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Primary General Education Designation: Social and Behavioral
 (Note: A minimum grade of C is required for general education)

Text and Required Materials:

1. Introduction to Law and the Legal System (11th Ed.)—Frank Schubert; ISBN: [978-1-285-43825-2](#)
2. Law & The Legal Process: Supplemental Reading (eBook) — Joseph Rivera; ISBN: [9781792439162](#)

Course Description:

This survey course promotes an understanding of law and the U.S. legal system. It serves as an introduction to legal ethics, civil procedure, criminal law and procedure, family law, contract law, torts, and property law. Readings and cases are used to analyze (1) how disputes are resolved by application of legal principles to factual situations, (2) the implications of legal decisions on future cases, (3) and how justice is served by law.

Annotated Weekly Schedule:

Lessons	Dates	Read	Class Description
Lesson 1	Aug. 22—31	Ch. 1- Shubert; Ch. 1, 2, 3- Rivera	Welcome to Law and the Legal Process
			Introduction to Law <input type="checkbox"/> Miller v. Alabama <input type="checkbox"/> Washington v. Glucksberg
Lesson 2	Sep. 1—7	Ch. 2- Shubert; Ch. 4, 5- Rivera	Introduction to Law <input type="checkbox"/> Gideon v. Wainwright <input type="checkbox"/> Harper v. Virginia State Board of Elections <input type="checkbox"/> Hudson. “The 14 th Am. & Incorporation.” (Canvas)
			Ethics <input type="checkbox"/> People v. Beardsley (Canvas) <input type="checkbox"/> Marsalis v. LaSalle (Canvas)
Lesson 3	Sep. 8—14	Ch. 3- Shubert; Ch. 6, 7- Rivera	Ethics/ Quiz 1 <input type="checkbox"/> Doe I v. Nestle USA, Inc. <input type="checkbox"/> People v. Belge
			Institutional Sources of American Law <input type="checkbox"/> United States v. Lopez <input type="checkbox"/> National Fed. of Ind. Business v. Sebelius
Lesson 4	Sep. 15—21	Ch. 4- Shubert; Ch. 8, 9- Rivera	Institutional Sources of American Law/ Quiz 2 <input type="checkbox"/> Pound, “The Theory of Judicial Decision.” (Canvas) <input type="checkbox"/> Brown v. Board of Education
			The Judicial System: Courts & Jurisdiction <input type="checkbox"/> International Shoe Co. v. Washington <input type="checkbox"/> Helicopteros Nacionales de Colombia v. Hall
Lesson 5	Sep. 22—Oct. 5	Ch. 5	The Judicial System: Choice of Forum/ Quiz 3 <input type="checkbox"/> Carnival Cruise Lines, Inc. v. Shute <input type="checkbox"/> Guaranty Trust Co. v. York
			Civil Procedure: In-class Group Activity <input type="checkbox"/> Hanna v. Plumer <input type="checkbox"/> Study Lesson 4
			Civil Procedure: In class Activity Continued/ Quiz 4 <input type="checkbox"/> In re Vioxx Products Liability Litigation <input type="checkbox"/> Cain v. George
Movie: “A Civil Action” (1999)			

EXAM 1—Oct. 10—12			
Lesson 6	Oct. 13—19	Ch. 8- Shubert; Ch. 10, 11- Rivera	Criminal Law and Procedure: Elements of Crime & Defense <ul style="list-style-type: none"> <input type="checkbox"/> Regina v. Dudley and Stephens (Canvas) <input type="checkbox"/> State v. Norman <input type="checkbox"/> M'Naghten's Case (Canvas)
			Criminal Law and Procedure: Criminal Pro. <ul style="list-style-type: none"> <input type="checkbox"/> Rhode Island v. Innis <input type="checkbox"/> Colorado v. Connelly
Movie: "The Norfolk Four" (2010)			
Lesson 7	Oct. 20—26	Ch. 9- Shubert; Ch. 12, 13- Rivera	Family Law: Marriage <ul style="list-style-type: none"> <input type="checkbox"/> Loving v. Virginia <input type="checkbox"/> Obergefell v. Hodges (Canvas) <input type="checkbox"/> Forsyth Memorial Hospital v. Chisholm
			Family Law: Divorce/ Quiz 5 <ul style="list-style-type: none"> <input type="checkbox"/> Port v. Cowan <input type="checkbox"/> Estate of Thornton <input type="checkbox"/> Zablocki v. Redhail
Movie: "Divorce Corp" (2014)			
Lesson 8	Oct. 27—Nov. 2	Ch. 10- Shubert; Ch. 14, 15- Rivera	Contracts: Offer, Acceptance, and Consideration <ul style="list-style-type: none"> <input type="checkbox"/> Normile v. Miller <input type="checkbox"/> Cook v. Coldwell Banker <input type="checkbox"/> Batsakis v. Demotsis (Canvas)
			Contracts: Voiding Contracts/ Quiz 6 <ul style="list-style-type: none"> <input type="checkbox"/> Dodson v. Shrader <input type="checkbox"/> Odorizzi v. Bloomfield School District <input type="checkbox"/> Syester v. Banta
Lesson 9	Nov. 3—16	Ch. 11- Shubert; Ch. 16, 17- Rivera	Torts: Intentional Torts <ul style="list-style-type: none"> <input type="checkbox"/> Wallace v. Rosen <input type="checkbox"/> Parvi v. City of Kingston <input type="checkbox"/> Taylor v. Vallelunga
			Torts: Negligence/ Quiz 7 <ul style="list-style-type: none"> <input type="checkbox"/> Palsgraf v. Long Island R.R. (Canvas) <input type="checkbox"/> The T.J. Hooper v. Northern Barge Co. <input type="checkbox"/> Behrens v. Bertram Mills Circus (Canvas)
			Torts: In-class Group Activity <ul style="list-style-type: none"> <input type="checkbox"/> Clohessy v. Bachelor <input type="checkbox"/> Atlanta Oculoplastic Surgery v. Nestlehutt <input type="checkbox"/> Curtis Publishing Co. v. Butts <input type="checkbox"/> See also: Bryan. "Are noneconomic and punitive damage caps constitutional?" <input type="checkbox"/> See also: Chapter 5, pg. 177 "Additur & Remittitur." <input type="checkbox"/> See also: Chapter 7, pgs. 223-234 "Common Law Remedies"
Movie: "Hot Coffee" (2011)			
Lesson 10	Nov. 17—23	Ch. 12- Shubert; Ch. 18, 19- Rivera	Property: Personal and Common Property <ul style="list-style-type: none"> <input type="checkbox"/> Pierson v. Post (Canvas) <input type="checkbox"/> Ghen v. Rich (Canvas) <input type="checkbox"/> Nat'l Audubon Society v. Los Angeles (Canvas)
			Property: Government Power to Regulate and Take/ Quiz 8 <ul style="list-style-type: none"> <input type="checkbox"/> Babbitt v. Sweet Home Chapter of Communities for a Great Oregon (only read the majority opinion) <input type="checkbox"/> Yick Wo v. Hopkins <input type="checkbox"/> Hawaii Housing Authority v. Midkiff
Movie: "The Edge of the Wild" (2015)			
EXAM 2—Dec. 1—3			

Student Learning Outcomes (SLOs):

After completing this course, you should be able to:

- Familiarize and work well in a group setting with other classmates.** For this, you will be assigned to a group to complete three group activities. In order to do this successfully, students must have understood the material, thought critically about the scenario they were assigned, and discuss the application of the case law to solve a particular problem. This often requires students to discuss cases that work in favor of their case and to discuss cases that work against it, which then requires the students to make real-world decisions, such as sacrificing legal issues or distinguishing prior case law from their present scenario.
- Read case law and discuss those cases in a group or class setting.** To improve your critical thinking, I follow a Socratic Method, requiring students to discuss legal cases in class. During these discussions, students will be guided to better understand the legal issues and rationales being expressed by the judges. You will also be encouraged to examine the cases critically in order to help you to understand the implications of the cases within the context of the greater society.
- Discuss the relevance of case law as it applies to the assigned materials.** For this, you will be required to watch several documentaries dealing with complex legal issues, so that you can learn more about the disparity between the law you learn in class and the law in practice in the real world. Following, you will be required to write papers summarizing the events that you observed in the films and tying in the legal material we covered in class. This helps you to see in more concrete terms how the law we learn may or may not always be applied, and it helps you to better place the law in context with what you learn in your other classes.

Grading:

- Discussions—30%.** There are 18 graded discussions. Each discussion will be worth 1.67% of your grade.
- Papers—15%.** There are 3 papers. Each paper will be worth 5% of your grade.
- Group Activities—15%.** There are 3 group activities. Each activity is worth 5% of your final grade.
- Quizzes—20%.** There are 8 quizzes. Each quiz will be worth 2.5% of your grade.
- Exams—20%.** There are 2 exams. Each exam will be worth 10% of your grade.

This course uses a +/- grading scale:

- A = 94 +
- A - = 90—93
- B + = 87—89
- B = 83—86
- B - = 80-82
- C + = 77—79
- C = 73—76
- C - = 70—72
- D + = 67—69
- D = 63—66
- D - = 60—62
- E = 59 and below

Discussion:

In your reading assignments, you will be directed to read specific legal cases. As such, in order to answer the questions presented in the discussions, you must read the cases and chapters that you are assigned. Some cases are not in the textbook; so, be prepared to read the entire cases online, such as through Google Scholar, unless they are provided for you on Canvas. In order to earn full credit on the discussions, you must do the following three things:

- Discuss each of the questions asked in a way that makes it clear to me you understand the material.** (2 points) To do this, I want you to make a point about something directly from the text for each of the questions I ask. State your opinion on where you stand and why you

	S	M	T	W	T	F	S
AUG	18	19	20	21	22	23	24
	25	26	27	28	29	30	31
SEP	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
	15	16	17	18	19	20	21
	22	23	24	25	26	27	28
	29	30					
OCT			1	2	3	4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	21	22	23	24	25	26
	27	28	29	30	31		
NOV						1	2
	3	4	5	6	7	8	9
	10	11	12	13	14	15	16
	17	18	19	20	21	22	23
	24	25	26	27	28	29	30
DEC	1	2	3	4	5	6	7
	8	9	10	11	12	13	14

think that supports your opinion. Your initial answer must show that you understood the legal material being discussed. The discussions are not intended to endorse any systemic theories, and you are not required to agree with the material being presented.

- (2) **Cite the page from the textbook** (Either the Schubert or Rivera text) **where you derived your opinion.** (1 point) You don't have to give me a full APA citation.
- (3) **Make several posts.** (2 points) For each discussion forum you must post at least one original thread, and you must post at least twice within the same discussion forum on separate days of the week.

Quizzes:

All the quizzes will be on Canvas. You will receive two attempts to take each quiz. The questions will be different each time, but this is to give you the opportunity to improve your grade by giving you time to go back and study the material. **YOU WILL NOT BE GIVEN THE CORRECT ANSWERS.** So, you need to know what material and questions you felt less familiar with and focus on that to study before your second attempt. If you have specific questions about what you got wrong or about material you did not understand, you can post in the general discussion for course questions or email the instructor.

Papers:

Exact due dates will be available on Canvas. There are five films that you will watch over the course of the semester, and you may choose to write a paper on any three. **Your paper must be submitted on Canvas, or it will not be accepted.**

Reflection Paper Rubric	Ratings	Pts
Summary of the movie (not to exceed 2 pages)	1 pts 0 pts Full Marks No Marks	1 pts
Incorporate and cite the textbook and relevant case law to explain the significance of the topics discussed in the movie and how it applies to the course material (must be at least 1 full page).	3 pts 0 pts Full Marks No Marks	3 pts
Evaluate and reflect upon the ethical considerations of events presented in the film and your prior expectations and understanding of the topic. Determine whether your views on the presented subjects have changed or been reinforced. This criterion will be assessed as either "pass" or "fail" based on whether you completed this section of the paper. You will not be graded on the subjectivity of your answer.	2 pts 0 pts Full Marks No Marks	2 pts
Use correct formatting requirements (4 pages, 12 pt. Times New Roman Font, double-spaced, and 1" margins).	4 pts 0 pts Full Marks No Marks	4 pts
Total Points: 10		

Film Disclaimer: The opinions presented in the films are those of the film makers (not your instructor) and are not intended to endorse any systemic theories. You are not required to agree with the material being presented. Instead, you should focus on applying the law you learn in class to the events in the film. A better paper is one where a student remains skeptical of the material being presented and fully evaluates all sides of the material discussed in the films.

Group Activities:

There are three group activities due in the course. There are two group activities assigned in module 5 and one group activity assigned in module 9. You must work with your group to complete this assignment. You will be given a legal scenario, and afterwards you must work with your group to answer the questions presented. Full credit will be given to the groups who correctly discuss the cases and answer all of the questions. Your group's assignment must be: at least 5 pages, double spaced, using size 12 times new roman font, and submitted on Canvas.

Exams:

All exams will be on Canvas. You will only get one attempt to take the exam. You will need to download and install Respondus Lockdown Browser. A link to that software will be made available on Canvas. Just go to the home page and click on the "start here" button. Again, after you submit your exam, **YOU WILL NOT BE GIVEN THE CORRECT ANSWERS**. So, you need to know what material and questions you felt less familiar with when taking the quizzes and focus on that to study before you take the exam. If you have specific questions about what you got wrong or about material you did not understand on the exam, you can post in the general discussion for course questions or email the instructor.

Required Policies**Make-up Work Policy:**

For those students who are unable to attend class, you may complete a discussion assignment. You must have permission to submit a discussion in lieu of participating in class. If you have a legitimate excuse—for example, are unable to speak in front of the class—please speak with your instructor, and you may be given permission to complete the discussions instead of submitting your name. However, even if you have been given permission to complete the discussions, you should still attend class if you are able. Otherwise, you will fall behind in the course. All make-up work is the student's responsibility! If you know you may miss a class, inform your instructor as soon as possible. Without appropriate documentation, class assignments cannot be made up.

Classroom Rules of Conduct:

The instructor has the primary responsibility for control over class behavior and may order temporary removal or exclusion of students from the discussions who disrupt the class or who violate the general policies of the College. Disruptive conduct shall include, but is not limited to, any offensive or rude behavior directed toward the instructor or other students during the discussion forums.

Attendance Policy:

Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with university policies that can be found at:

<https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

Students Requiring Accommodation:

Students with disabilities who experience learning barriers and would like to request academic accommodations should connect with the Disability Resource Center by visiting <https://disability.ufl.edu/students/get-started/>. It is important for students to share their accommodation letter with their instructor and discuss their access needs, as early as possible in the semester.

UF Evaluations Process:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive

from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.

University Honesty Policy:

UF students are bound by The Honor Pledge which states, “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code.” On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: “On my honor, I have neither given nor received unauthorized aid in doing this assignment.” The Honor Code <https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor or TAs in this class.

Counseling and Wellness Center:

Contact information for the Counseling and Wellness Center:

<http://www.counseling.ufl.edu/cwc/Default.aspx>, 392-1575; and the University Police Department: 392-1111 or 9-1-1 for emergencies.

The Writing Studio:

The writing studio is committed to helping University of Florida students meet their academic and professional goals by becoming better writers. Visit the writing studio online at <http://writing.ufl.edu/writing-studio/> or at 2215 Turlington Hall for one-on-one consultations and workshops.

Health and Wellness:

- *U Matter, We Care*: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in distress.
- *Counseling and Wellness Center*: [Visit the Counseling and Wellness Center website](#) or call 352-392-1575 for information on crisis services as well as non-crisis services.
- *Student Health Care Center*: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).
- *University Police Department*: [Visit UF Police Department website](#) or call 352-392-1111 (or 9-1-1 for emergencies).
- *UF Health Shands Emergency Room / Trauma Center*: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#)

Academic Resources:

- *E-learning technical support*: Contact the [UF Computing Help Desk](#) at 352-392-4357 or via e-mail at helpdesk@ufl.edu.
- *Career Connections Center*: Reitz Union Suite 1300, 352-392-1601. Career assistance and counseling services.
- *Library Support*: Various ways to receive assistance with respect to using the libraries or finding resources.
- *Teaching Center*: Broward Hall, 352-392-2010 or to make an appointment 352- 392-6420. General study skills and tutoring.
- *Writing Studio*: 2215 Turlington Hall, 352-846-1138. Help brainstorming, formatting, and writing papers.
- *Student Complaints On-Campus*: [Visit the Student Honor Code and Student Conduct Code webpage for more information](#).

- *On-Line Students Complaints:* [View the Distance Learning Student Complaint Process.](#)

Mandatory Statements on History, Identity, and Systemic Inequality

History:

Historical background and sociological/criminological concepts about law and the legal process are components of this course. Multiple sources, types of evidence, and interpretations are included, and differing interpretations of historical events are discussed with an emphasis on diverse theoretical perspectives rather than privileging one over the other. The class emphasizes maintaining accuracy and objectivity and skills to evaluate evidence and claims. Discussions of history are case- or data-driven rather than rooted in ideology or advocacy, and students can draw their own conclusions. Grading of assignments and/or exams focuses on understanding of content rather than adopting a specific opinion.

Identity:

Law and the legal process may touch on topics germane to identity, but as subjects of study and not advocacy; in that spirit, we routinely teach on diverse theoretical perspectives rather than privileging one over the other. Discussion of identity are case- or data-driven rather than rooted in ideology or advocacy. Grading of assignments and/or exams focuses on understanding of content rather than adopting a specific opinion.

Systemic Inequality:

The course may discuss systemic theories as they relate to sociological/ criminological perspectives on law and the legal process, but it considers them in the context of other theoretical approaches, and includes critique of all theoretical perspectives. The course does not endorse concepts of systemic racism, sexism, oppression, or privilege. It also does not treat inequalities or injustice as inherent, but instead discusses theoretical perspectives that explain whether and how social structures may create and reproduce inequalities. Such processes are viewed as contingent and negotiated and often contested rather than natural or determined. The course cites relevant facts based on research demonstrating how institutions are social contexts that shape inequalities within the United States and globally. Discussions of various interpretations are case- or data-driven rather than driven by an ideology. Grading of assignments and/or exams focuses on understanding of content rather than adopting a specific opinion.

Disclaimer:

The instructor reserves the right to alter the course syllabus as circumstances dictate. Any changes will either be announced in class or posted on Canvas. Students not attending class are responsible for obtaining this information.