

# Law and the Legal Process CJL 2000

Summer 2023

Meeting Day/Time: MTWRF 10:40 AM—11:30 AM

Location:

Instructor: Dr. Joseph Rivera

Office Hours: Turlington 3331 MTWRF 9 AM—10 AM

Zoom: ; Email Address: [jrivera29@ufl.edu](mailto:jrivera29@ufl.edu)

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 (11<sup>th</sup> 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	Jul 3	Ch. 1- Shubert; Ch. 1, 2, 3- Rivera	Welcome to Law and the Legal Process
	Jul 5		Introduction to Law <input type="checkbox"/> <a href="#">Miller v. Alabama</a> <input type="checkbox"/> <a href="#">Washington v. Glucksberg</a>
	Jul 6		Introduction to Law <input type="checkbox"/> <a href="#">Gideon v. Wainwright</a> <input type="checkbox"/> <a href="#">Harper v. Virginia State Board of Elections</a> <input type="checkbox"/> Hudson. “The 14 <sup>th</sup> Am. & Incorporation.” (Canvas)
Lesson 2	Jul 7	Ch. 2- Shubert; Ch. 4, 5- Rivera	Ethics <input type="checkbox"/> People v. Beardsley (Canvas) <input type="checkbox"/> Marsalis v. LaSalle (Canvas)
	Jul 10		Ethics/ <b>Quiz 1</b> <input type="checkbox"/> <a href="#">Doe I v. Nestle USA, Inc.</a> <input type="checkbox"/> <a href="#">People v. Belge</a>
Lesson 3	Jul 11	Ch. 3- Shubert; Ch. 6, 7- Rivera	Institutional Sources of American Law <input type="checkbox"/> <a href="#">United States v. Lopez</a> <input type="checkbox"/> <a href="#">National Fed. of Ind. Business v. Sebelius</a>
	Jul 12		Institutional Sources of American Law/ <b>Quiz 2</b> <input type="checkbox"/> Pound, “The Theory of Judicial Decision.” (Canvas) <input type="checkbox"/> <a href="#">Brown v. Board of Education</a>
Lesson 4	Jul 13	Ch. 4- Shubert; Ch. 8, 9- Rivera	The Judicial System: Courts & Jurisdiction <input type="checkbox"/> <a href="#">International Shoe Co. v. Washington</a> <input type="checkbox"/> <a href="#">Helicopteros Nacionales de Colombia v. Hall</a>
	Jul 14		The Judicial System: Choice of Forum/ <b>Quiz 3</b> <input type="checkbox"/> <a href="#">Carnival Cruise Lines, Inc. v. Shute</a> <input type="checkbox"/> <a href="#">Guaranty Trust Co. v. York</a>

Lesson 5	Jul 17	Ch. 5	<b>Meet with your group to complete group activity 1.</b>
	Jul 18		Civil Procedure: <b>In-class Group Activity</b> <input type="checkbox"/> <a href="#">Hanna v. Plumer</a> <input type="checkbox"/> <b>Study Lesson 4</b>
	Jul 19		<b>Meet with your group to complete group activity 2.</b>
	Jul 20		Civil Procedure: <b>In class Activity Continued/ Quiz 4</b> <input type="checkbox"/> <a href="#">In re Vioxx Products Liability Litigation</a> <input type="checkbox"/> <a href="#">Cain v. George</a>
	Jul 21	<b>Exam Review</b>	
<b>EXAM 1—Jul 24</b>			
Lesson 6	Jul 25	Ch. 8- Shubert; Ch. 10, 11- Rivera	Criminal Law and Procedure: Elements of Crime & Defense <input type="checkbox"/> Regina v. Dudley and Stephens (Canvas) <input type="checkbox"/> <a href="#">State v. Norman</a> <input type="checkbox"/> M'Naghten's Case (Canvas)
	Jul 26		Criminal Law and Procedure: Criminal Pro. <input type="checkbox"/> <a href="#">Rhode Island v. Innis</a> <input type="checkbox"/> <a href="#">Colorado v. Connelly</a>
Lesson 7	Jul 27	Ch. 9- Shubert; Ch. 12, 13- Rivera	Family Law: Marriage <input type="checkbox"/> <a href="#">Loving v. Virginia</a> <input type="checkbox"/> Obergefell v. Hodges (Canvas) <input type="checkbox"/> <a href="#">Forsyth Memorial Hospital v. Chisholm</a>
	Jul 28		Family Law: Divorce/ <b>Quiz 5</b> <input type="checkbox"/> <a href="#">Port v. Cowan</a> <input type="checkbox"/> <a href="#">Estate of Thornton</a> <input type="checkbox"/> <a href="#">Zablocki v. Redhail</a>
Lesson 8	Jul 31	Ch. 10- Shubert; Ch. 14, 15- Rivera	Contracts: Offer, Acceptance, and Consideration <input type="checkbox"/> <a href="#">Normile v. Miller</a> <input type="checkbox"/> <a href="#">Cook v. Coldwell Banker</a> <input type="checkbox"/> Batsakis v. Demotsis (Canvas)
	Aug 1		Contracts: Voiding Contracts/ <b>Quiz 6</b> <input type="checkbox"/> <a href="#">Dodson v. Shrader</a> <input type="checkbox"/> <a href="#">Odorizzi v. Bloomfield School District</a> <input type="checkbox"/> <a href="#">Syester v. Banta</a>
Lesson 9	Aug 2	Ch. 11- Shubert; Ch. 16, 17- Rivera	Torts: Intentional Torts <input type="checkbox"/> <a href="#">Wallace v. Rosen</a> <input type="checkbox"/> <a href="#">Parvi v. City of Kingston</a> <input type="checkbox"/> <a href="#">Taylor v. Vallelunga</a>
	Aug 3		Torts: Negligence/ <b>Quiz 7</b> <input type="checkbox"/> Palsgraf v. Long Island R.R. (Canvas) <input type="checkbox"/> <a href="#">The T.J. Hooper v. Northern Barge Co.</a> <input type="checkbox"/> Behrens v. Bertram Mills Circus (Canvas)
	Aug 4		<b>Meet with your group to complete group activity 3.</b>
	Aug 7		Torts: <b>In-class Group Activity</b> <input type="checkbox"/> <a href="#">Clohessy v. Bachelor</a> <input type="checkbox"/> <a href="#">Atlanta Oculoplastic Surgery v. Nestlehutt</a> <input type="checkbox"/> <a href="#">Curtis Publishing Co. v. Butts</a> <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"
Lesson 10	Aug 8	Ch. 12- Shubert; Ch. 18, 19- Rivera	Property: Personal and Common Property <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)

	Aug 9	Property: Government Power to Regulate and Take/ <b>Quiz 8</b> <input type="checkbox"/> <a href="#">Babbitt v. Sweet Home Chapter of Communities for a Great Oregon</a> (only read the majority opinion) <input type="checkbox"/> <a href="#">Yick Wo v. Hopkins</a> <input type="checkbox"/> <a href="#">Hawaii Housing Authority v. Midkiff</a>
	Aug 10	Exam Review
<b>EXAM 2—Aug 11</b>		

**Student Learning Outcomes (SLOs):**

After completing this course, you should be able to:

- (1) **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.
- (2) **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.
- (3) **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:**

- **Participation—36%.** There will be 18 graded class days, and each day will be worth 2% of your grade.
- **Activity—18%.** There are 3 group activities, and each will be worth 6% of your grade.
- **Quizzes—24%.** There are 8 quizzes, and each quiz will be worth 3% of your grade.
- **Exams—22%.** There are 2 exams, and each exam will be worth 11% 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

	S	M	T	W	T	F	S
<b>Jul</b>							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					
<b>Aug</b>			1	2	3	4	5
	6	7	8	9	10	11	12

**Attendance:**

Although not built into the course requirements, regular attendance is strongly recommended and the best guarantee of succeeding in the class. Regular attendance will better ensure that you engage in and properly absorb readings and lecture material.

**Participation (36%):**

This course will follow the Socratic Method. Be prepared to come to class able to participate in class discussions. In your reading assignments, you will be directed to read specific legal cases. As such, to earn full credit for class participation, you must read the cases and chapters that you are assigned and be prepared to answer questions pertaining to the assigned readings out loud in class. You must also submit on canvas the day before class a confirmation that you have read and that you are prepared to be called on in class. If you submit a confirmation, but you are not prepared to discuss the cases when you are called upon, you will receive a zero for participation that day. If that happens, you will not be able to make up the points by completing the discussion.

**Activities (18%):**

There are three group activities. Two activities will be due at the end of module 5. You will need to work as a group to submit these assignments. Mostly the group activities are fictional legal scenarios that force you to apply the case law you are required to read throughout the course to answer specific questions. The group assignments require you to have power point installed on your computer. This software is provided for free by the university, so just google “Microsoft office” and “University of Florida.” I will also provide you with a link on Canvas on the “Start Here” page.

**Quizzes (24%):**

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.

**Exams (22%):**

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 email the instructor or drop by during office hours.

**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](mailto: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](mailto: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](#).

**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.