

CJL 2000: Law & the Legal Process

Instructor: Kyle R. Hewit, MA

Office Hours: Held on Zoom, Monday & Wednesday @ 12:00 pm- 1:00 pm or by appointment.

Zoom Link for Office Hours:

<https://ufl.zoom.us/j/95279458568?pwd=eG1hMFZjNWVXUHFFZm55b2FjNXYwUT09>

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Required (1) & Recommended (2) Texts:

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.

Course Content/Outline:

Lessons	Dates	Read	Class Description
Lesson 1	Aug. 23— Sept. 2	Ch. 1- Shubert; Ch. 1, 2, 3- Rivera	Welcome to Law and the Legal Process
			Introduction to Law <ul style="list-style-type: none"> <input type="checkbox"/> Miller v. Alabama <input type="checkbox"/> Washington v. Glucksberg
			Introduction to Law/ Quiz 1 <ul style="list-style-type: none"> <input type="checkbox"/> Gideon v. Wainwright <input type="checkbox"/> Harper v. Virginia State Board of Elections <input type="checkbox"/> Hudson. “The 14th Am. & Incorporation.” (Canvas)
Lesson 2	Sept. 5—9	Ch. 2- Shubert; Ch. 4, 5- Rivera	Ethics <ul style="list-style-type: none"> <input type="checkbox"/> People v. Beardsley (Canvas) <input type="checkbox"/> Marsalis v. LaSalle (Canvas)
			Ethics/ Quiz 2 <ul style="list-style-type: none"> <input type="checkbox"/> Doe I v. Nestle USA, Inc. <input type="checkbox"/> People v. Belge
Lesson 3	Sept. 11—16	Ch. 3- Shubert; Ch. 6, 7- Rivera	Institutional Sources of American Law <ul style="list-style-type: none"> <input type="checkbox"/> United States v. Lopez <input type="checkbox"/> National Fed. of Ind. Business v. Sebelius (Textbook)
			Institutional Sources of American Law/ Quiz 3 <ul style="list-style-type: none"> <input type="checkbox"/> Pound, “The Theory of Judicial Decision.” (Canvas) <input type="checkbox"/> Brown v. Board of Education
Lesson 4	Sept. 18— 23	Ch. 4- Shubert; Ch. 8, 9- Rivera	The Judicial System: Courts & Jurisdiction <ul style="list-style-type: none"> <input type="checkbox"/> International Shoe Co. v. Washington <input type="checkbox"/> Helicopteros Nacionales de Colombia v. Hall
			The Judicial System: Choice of Forum/ Quiz 4 <ul style="list-style-type: none"> <input type="checkbox"/> Carnival Cruise Lines, Inc. v. Shute <input type="checkbox"/> Guaranty Trust Co. v. York
Lesson 5	Sept. 25— Oct. 7	Ch. 5	Civil Procedure: Group Activity 1 <ul style="list-style-type: none"> <input type="checkbox"/> Hanna v. Plumer <input type="checkbox"/> Study Lesson 4
			Civil Procedure: Group Activity 2 <ul style="list-style-type: none"> <input type="checkbox"/> In re Vioxx Products Liability Litigation <input type="checkbox"/> Cain v. George
			Movie: “A Civil Action” (1999)
EXAM 1: Oct. 12—14			

Lesson 6	Oct. 16-21	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 Proc./ Quiz 5 <ul style="list-style-type: none"> <input type="checkbox"/> Rhode Island v. Innis <input type="checkbox"/> Colorado v. Connelly
Movie: "Confessions of the Norfolk Four" (2013)			
Lesson 7	Oct. 23—28	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 6 <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. 30—4	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 7 <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. 6— 18	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 8 <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: Torts 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" for the different types of damages
Movie: "Hot Coffee" (2011)			
Lesson 10	Nov. 27— Dec. 2	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 <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. 11—13			

Grading:

- **Discussions—30%.** There are 18 graded discussions; so, each discussion will be worth ~1.67% point.
- **Papers—15%.** There are 3 papers due in the course, and each paper will be worth 5% of your final grade.
- **Group Activities—15%.** There are 3 group activities. So, each group activity is worth 5% of your final grade.
- **Quizzes—20%.** There are 8 quizzes, and each quiz will be worth 2.5% of your final grade.
- **Exams—20%.** There are 2 exams, and each exam will be worth 10% of your final grade.

This course uses a +/- grading scale:

- **A = 93 +**
- **A - = 90—92**
- **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**

Discussions:

In your reading assignments, you will be directed to read specific legal cases. As such, 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. To earn full credit on the discussions, you must do the following three things:

1. **Discuss each of the questions within the prompt in a way that makes it clear to me you understand the material.** (4 points) To do this, I want you to make a point about something directly from the text for each of the questions I ask. Don't just state a vague opinion you've derived from previous classes or outside resources. State your opinion, but provide something to back it up. This is more art than science, but you should try your best to make a point that makes me, or even your classmates, go "hmm, that was insightful. Thanks for sharing," in a non-sarcastic way.
2. **Cite the page from the textbook or legal case where you derived your opinion.** (2 points) You don't have to give me a full APA citation. This isn't a writing course, but citing your sources directly helps me check your work. It's also another indicator to me that you've read. You can cite the Schubert text, Rivera text, or a **relevant** legal case.
3. **Make at least two posts.** (4 points) For each discussion forum you must post at least one original thread and one reply to a classmate (2 point). You must post the original thread and reply on separate days of the week. Also, adequate replies must be substantive. In other words, critique their answer, add anything you think they may have missed, make counterarguments/play devil's advocate, etc. This means that replies only containing things like "Great post! I really liked..." or "This was well done! You obviously did your reading!". You can say these things, but I need more. I am not looking for lengthy replies, just meaningful ones.

	S	M	T	W	TH	F	SA
Aug.	20	21	22	23	24	25	26
	27	28	29	30	31		
Sept.						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
	4	5	6	7	8	9	10
	11	12	13	14	15	16	17

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 when studying 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 me at kyle.hewit@ufl.edu.

Papers:

In the course content section above, you will see five movies that we will watch over the course of the semester. You may choose to write a paper on any **THREE PAPERS.** **Your paper must be submitted on Canvas, or it will not be accepted.** Each paper is worth 10 points and is comprised of 3 parts. Your grade will be based on how well you apply each part:

- (1) *Summary of the movie* (~one and a half pages)
- (2) *Incorporation of the textbook and relevant case law* to explain the significance of the topics from the movie and how they apply to the course material (at least one and a half pages). Each paper should cite the Shubert or Rivera text at least once and use cases taught in the course to help with your application of the class material to the movie/documentary. Failure to incorporate any of these aspects of the paper will result in removal of points.
- (3) *Opinion of the movie* and whether it changed your perspective on the topic (~one page). Please take this part seriously, as writing out your opinions can often help you notice changes or make corrections to your opinions based on the new information.
- (4) *Use of correct formatting requirements* (4 full pages, 12 pt. Times New Roman Font, double-spaced, and 1" margins)—**I will take off up to 20% of your paper grade if not the correct length and 10% if wrong formatting.** I will increase the percentage I take off for repeat offenses.
- (5) *Use headings for each of the three sections of your paper.* You should have a heading marked "Summary", a heading marked "Text/Case Law Incorporation" and a heading marked "Opinion", or something to that effect. **I will take off up to 30% of your grade if you fail to incorporate these headings.** I will increase the percentage I take off for repeat offenses.

Group Activities:

Everyone must participate in 3 group activities. 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. More specific directions for the group activities will be available on Canvas. Your group's assignment must be at least 5 full pages, double spaced, use 12-point Times New Roman font, and be 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 more on that when studying for the exams. The final exam is NOT cumulative.

Make-up Work Policy:

All make-up work is the student's responsibility! If you know you may miss an assignment, 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 when using the discussion forums or during any other time you interact with your classmates or the instructor.

Ensuring a Quality Learning Environment:

People learn best when they are encouraged to ask questions and express their diverse opinions on course content. This is especially true in courses that deal with provocative or contemporary issues. UF offers many such courses in which students encounter concepts of race, color, sex, and/or national origin. We teach these important issues because understanding them is essential for anyone who seeks to make economic, cultural, and societal contributions to today's complex world. With this in mind, I do not limit access to, or classroom discussion of, facts, ideas, and opinions—including those that some may find uncomfortable, unwelcome, disagreeable, or even offensive. In response to challenging material, I encourage all of us to ask honest questions and thoughtfully engage one another's ideas. But hostility, disruptive or disrespectful behavior, and provocation for provocation's sake have no place in a classroom; reasonable people disagree reasonably. These guidelines can help us as we work together to fulfill the mission of the University of Florida, which includes the exploration of intellectual boundaries, the creation of new knowledge, and the pursuit of new ideas.

Cheating:

In adopting this Honor Code, the students of the University of Florida recognize that academic honesty and integrity are fundamental values of the University community. Students who enroll at the University commit to holding themselves and their peers to the high standard of honor required by the Honor Code. Any individual who becomes aware of a violation of the Honor Code is bound by honor to take corrective action. Any student caught submitting work that was not a product of their own efforts, whether this is by plagiarizing one of the papers or cheating on one of the quizzes or exams, will be punished. Students who have previous honor code infractions will have a packet submitted directly to the school and may face severe penalties up to expulsion. Students with no prior honor code violations will be required to meet with the instructor face to face, and, based on the severity of the cheating and the actions of the student, they may receive: a zero on the assignment, a grade reduction in the class, and/or a failing grade in the course. This determination will be made by the instructor. If a student is caught cheating a second time in the class, the student will be treated as if they have a previous honor code violation. Any student who helps another student to cheat will be treated as equally guilty.

The Honor Pledge:

We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty 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."

Disabilities:

The University of Florida is committed to providing academic accommodations for students with disabilities. Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, <https://disability.ufl.edu/get-started/>) by providing appropriate documentation. Once registered, a student should present his/her accommodation letter to me supporting a request for accommodation. The University encourages students with disabilities to follow these procedures as early as possible within the semester.

Course Evaluations:

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/>.

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.

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.](#)

Online Student Complaints: [View the Distance Learning Student Complaint Process.](#)