

CJL 2000: Law & the Legal Process

Instructor: Kyle R. Hewit, MA

Office Hours: Held via Zoom, Mondays & Thursdays @ 11:00 am- 12:00 pm or by appointment.

Link to Office Hours: <https://ufl.zoom.us/j/98928294036?pwd=hLJix1ArfaLzk4phU5YxtOilZVDcvi.1>

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Required (1) & Recommended (2) Texts:

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

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. To review the objectives of social science general education courses such as this one, please visit the following link and review the [objectives](#) as written by the University.

Course Content/Outline:

Lessons	Dates	Read	Class Description
Lesson 1	Jan. 13—17	Ch. 1, 2, 3- Rivera; Ch. 1- Shubert	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	Jan. 21—24	Ch. 4, 5- Rivera; Ch. 2- Shubert	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	Jan. 27—31	Ch. 6, 7- Rivera; Ch. 3- Shubert	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	Feb. 3—7	Ch. 8, 9- Rivera; Ch. 4- Shubert	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	Feb. 10—21	Ch. 5 - Schubert	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: Feb. 24—26			

Lesson 6	Mar. 3—7	Ch. 10, 11- Rivera; Ch. 8- Shubert	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
Lesson 7	Mar. 10—14	Ch. 12, 13- Rivera; Ch. 9- Shubert	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	Mar. 24—28	Ch. 14, 15- Rivera; Ch. 10- Shubert	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	Mar. 31— Apr. 11	Ch. 16, 17- Rivera; Ch. 11- Shubert	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	Apr. 14—18	Ch. 18, 19- Rivera; Ch. 12- Shubert	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
EXAM 2: Apr. 21—23			

Grading: [A minimum grade of C is required for general education credit](#)

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

Each week, students will complete 2 discussions. To adequately answer the questions presented in each of the two discussions posted every week, you must read the cases and chapters that you are assigned for that weekly module. 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 that you understand the material.** (8 points) To do this, you must accurately address every part of the discussion prompt in full. Don't just state a vague opinion you've derived from previous classes or outside resources.
2. **Cite the page from the textbook and/or legal case where you derived your answer.** (4 points) You don't have to give me a full APA citation; an in-text citation will work fine. 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, and/or a **relevant** legal case.
3. **Make at least two posts on different days.** (8 points) For each discussion, you must post at least one original thread and one reply to a classmate (4 point). You must first post the original thread which answers the prompt questions and then you must reply to a classmate on a separate day of the week (4 points). Adequate replies must be substantive. In other words, critique their answer, add anything you think they missed, make counterarguments/play devil's advocate, etc. Do not only say 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. To be clear: Each week, you will answer each question in the prompts, post the answers to their respective discussion boards for the week, wait at least 1 day, and then reply to at least one classmate for each discussion.

	S	M	T	W	TH	F	SA
	12	13	14	15	16	17	18
	19		21	22	23	24	25
Jan.	26	27	28	29	30	31	
Feb.							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	
Mar.							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	(16 th -22 nd) SPRING BREAK!!						
	23	24	25	26	27	28	29
	30	31					
Apr.			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			

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 email me at kyle.hewit@ufl.edu.

Papers:

In the course content section above, you will see three movies/documentaries that we will watch over the course of the semester. **Each paper must be submitted through Canvas, or it will not be accepted.** Each paper is worth 50 points and is comprised of 3 parts and requires a specific structure which I describe below. 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)
- (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.

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. Formatting: At least 5 full pages, double spaced, use 12-point Times New Roman font, submitted via Canvas. More specific directions for the group activities will be available on Canvas.

Exams:

All exams will be taken through Canvas. You have one attempt to take the exam. You will need to download and install Respondus Lockdown Browser to take the exam. A link to that software will be available on Canvas. You will not be given the correct answers to the exam. So, you need to know what material and questions you felt less familiar with when taking the exams so that you know where to focus your studies. The final exam is NOT cumulative.

Student Learning Outcomes:

As noted above, all students will learn about many landmark civil and criminal cases that have shaped the justice system in the United States since its inception. Through your readings of the material, writing the discussions, analyzing the documentaries/movies, and your group work, you will gain a better understanding not only of the cases themselves and their impact on American society, but also how to communicate these decisions and rationales accurately and efficiently to others. Overall, you should leave this course with a stronger understanding of how the United States operates as a country, from a legal perspective, through the understanding of the process of civil and criminal cases, precedent, and the content of the cases which have led us to where we find ourselves today.

Make-up Work Policy:

All make-up work is the student's responsibility! If you know you may miss an assignment, inform me 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.

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.](#)

Supplemental Materials:**Discussions Rubric**

Discussions Rubric 20 Points

Criteria	Ratings		Pts
Adequately Answered the Questions	8 pts Full Marks	0 pts No Marks	6 pts
Cited Relevant Text/Case Law	4 pts Full Marks	0 pts No Marks	4 pts
Original Post Made At Least 1 Day Before Reply / Reply Was Substantive	8 pts Full Marks	0 pts No Marks	5 pts
Total:			15 pts

Paper Rubric

Paper rubric

Criteria	Ratings		Pts
Summary of the movie	10 pts Full Marks	0 pts No Marks	10 pts
Incorporation of the textbook and relevant case law Incorporation of 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	15 pts Full Marks	0 pts No Marks	15 pts

Paper rubric

Criteria	Ratings		Pts
Opinion of the movie Opinion of the movie and whether it changed your perspective on the topic	5 pts Full Marks	0 pts No Marks	5 pts
Use of correct formatting requirements Use of correct formatting requirements (4 pages, 12 pt. Times New Roman Font, double-spaced, use of required headings, and 1” margins)	20 pts Full Marks	0 pts No Marks	20 pts
Total Points:			50 pts

Group Activity Rubric

Group Activity Rubric

Criteria	Ratings		Pts
Followed the Correct Formatting 5 pages long, double-spaced, using 12 point Times New Roman font, and 1” margins.	25 pts Full Marks	0 pts No Marks	25 pts
Correctly answered the questions Did you correctly apply the case law that you read and the lecture material we covered to answer the questions? Did you answer every question?	20 pts Full Marks	0 pts No Marks	20 pts
Completed the Group Survey Complete the group survey to explain whether every member of your group participated in completing the assignment.	5 pts Full Marks	0 pts No Marks	5 pts
Total:			50 pts