POLS 2320 – The Study of Law
T, R 11:00PM – 12:20PM
HPR, Room 247
University of Texas at Tyler
Spring 2019

Professor Michael Donley, JD, MBA
Office: STE 323
Office Phone #: (903) 566-7284
Office Hours: MWF, 4:00pm - 5:00pm & by Appointment
Email: mdonley@uttyler.edu (executive assistant starting 1-23-19, Adrienne Hampton, ahampton@uttyler.edu).
- Expect a response within 24 hours
- I will only reply to email from an official UT-Tyler email account

Course Description

An introduction to American law, its purposes, and the broader problems and ethical implications of its practice. The course introduces the student to the language of the law, forms of legal reasoning and analysis, the traditional substantive areas of the law, the education and the work of
lawyers and legal scholars.

**Required Texts**

2) The Professor, through Canvas, may post any additional readings.

**Requirements, Dates, and Grades**

The composition of the student’s final grade will consist of 2 exams (a midterm and a non-cumulative final exam), fourteen in-class quizzes. Students can receive 100% for up to seven quizzes by submitting a news clip that has a legal aspect (for example a law or potential law is discussed or the news item involves parties involved in a court process) and briefly discussing the item in an email and potentially with the class. Absolutely no make-ups will be allowed on quizzes.

The exams will be held, in class, on the dates specified below. The format of each exam will be detailed during the class period before the exam, at which point a review session will also be held (almost certainty, each exam will have a take-home component). The following are the weights given to the exams, quizzes:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Date (Subject to Change)</th>
<th>Grade Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Midterm</td>
<td>Tuesday, February 26, 2019</td>
<td>40%</td>
</tr>
<tr>
<td>Quizzes/News Items</td>
<td>Weekly</td>
<td>20%</td>
</tr>
<tr>
<td>Final Exam</td>
<td>TBD</td>
<td>40%</td>
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</tbody>
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Final grades will be granted on the following scale: A=100%-90%, B=89%-80%, C=79%-70%, D=69%-60%, and E=59%-50%.

**Course Objectives**

By the end of the course, students in The Study of Law should be able to:

1) Explain the fundamental structures of American legal system, legal education, and the legal profession.
2) Explain the basic principles of all of the main substantive areas of American law.
3) Apply analytical skills to legal documents.
4) Understand and be able to use legal terminology.
5) Be able to analyze a basic factual problem in light of statutory or case law.
6) Be able to explain basic court procedures used in civil and criminal cases.
(7) Know how to read and brief a case.
(8) Know how to read and analyze a statute.

Course Outline and Readings

Week 1 (January 15 – January 17) - You should learn: (1) the basic nomenclature of the legal system; (2) how academics and lawyers think about the study of law; and (3) an understanding of the state of legal education in American.

- **1/15 – Introduction to Law and The Study of Law**
  - Overview of the course, class policies, and the syllabus.
  - Professor’s background and perspective on the Law.
  - Introduction to the American Legal System.
  - Introduction to Law
    - Read Joanne Banker Hames, Yvonne Ekern. 2018. *Introduction to Law* Chapter 1 – Introduction to Law.

- **1/17 – Modern American Law Schools**
  - **Quiz #1 or submit news item before the start of class.**
  - Review law school admissions data at [https://docs.google.com/spreadsheets/d/1tUI5ySw2utvXvUEk9IQDzC1Rc0NDb7Q4PFwzxYkZpw/edit#gid=166071728](https://docs.google.com/spreadsheets/d/1tUI5ySw2utvXvUEk9IQDzC1Rc0NDb7Q4PFwzxYkZpw/edit#gid=166071728)
  - Review LSAT scores at [https://7sage.com/lsat-score-percentile-conversion/](https://7sage.com/lsat-score-percentile-conversion/)
  - Review LSAC admissions calculator at [https://officialguide.lsac.org/release/ugpalsat/ugpalsat.aspx](https://officialguide.lsac.org/release/ugpalsat/ugpalsat.aspx)
  - Read [https://law.utexas.edu/academics/the-juris-doctor-program/](https://law.utexas.edu/academics/the-juris-doctor-program/)
  - Read [https://hls.harvard.edu/dept/academics/programs-of-study/](https://hls.harvard.edu/dept/academics/programs-of-study/)

Week 2 (January 22 – January 24) – You should learn: (1) how prelaw education is (not) structured in America; and (2) how law school education is structured in America.

- **1/22 – Prelaw Preparation in America**
  - Read ABA Statement on Prelaw Preparation - [https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/Statement_on_Prelaw_Preparation.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/Statement_on_Prelaw_Preparation.authcheckdam.pdf)
  - Review UT Tyler Prelaw - [https://www.uttyler.edu/politicalscience/undergraduate/prelawminor.php](https://www.uttyler.edu/politicalscience/undergraduate/prelawminor.php)
  - Review FIU Prelaw - [http://prelaw.fiu.edu/pre-law-certificate/](http://prelaw.fiu.edu/pre-law-certificate/)
• 1/24 – The American Legal System
  o Quiz #2 or submit news item before the start of class.
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 3
    – Courts and Legal Personnel.

Week 3 (January 29 – January 31) – You should learn: (1) the basic principles of criminal law; and (2) the basic principles of criminal procedure.
• 1/28 – FYI: CENSUS DATE
• 1/29 – Criminal Law
  o Quiz #3 or submit news item before the start of class.
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 14 Criminal Practice.
• 1/31 – Criminal Procedure
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 15 Criminal Procedure Before Trial.

Week 4 (February 5 – February 7) – You should learn the basic principles of tort law.
• 2/5 – Tort Law
  o Guest Speaker #1
  o Watch clips from A Civil Action.
• 2/7 – Tort Law
  o Quiz #4 or submit news item before the start of class.
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 7 Tort Law.

Week 5 (February 12 – February 14) – You should learn: (1) the basic principles of constitutional law; and (2) the basic principles of civil rights.
• 2/12 – Constitutional Law
  o Quiz #5 or submit news item before the start of class.
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 6
    Constitutional Law & Civil Rights.
  o Read the U.S. Constitution.
• 2/14 – Civil rights
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 6
    Constitutional Law & Civil Rights.

Week 6 (February 19 – February 21) – You should learn: (1) the basic principles of property law; and (2) the basic principles of contract law.
• 2/19 – Property Law
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 11 Property Law.
• 2/21 – Contract law
  o Quiz #6 or submit news item before the start of class.
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 10 Contract Law.
Week 7 (February 26 – February 28) – You should learn the basic principles of trial work.

- 2/26 – The Trial
  - Quiz #7 or submit news item before the start of class.
  - Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 17: The Trial.

Week 8 (March 7 – March 9) – You should learn that you love midterm exams because they are an opportunity to show what you’ve learned.

- 3/7 – MIDTERM

Week 9 (March 12 – March 14) – You should learn the basic principles of family law.

- 3/12 – Family Law
  - Guest Speaker #2
  - Watch Clips from Kramer vs. Kramer.
  - Read https://www.lasisblog.com/2011/10/24/watching-“kramer-vs-kramer”-and-discussing-law/
- 3/14 – Family Law
  - Quiz #8 or submit news item before the start of class.
  - Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 8 Family Law.

Week 10 (March 19 – March 21) – You should learn the basic principles of Civil Procedure.

- 3/19 – Civil Procedure
  - Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 13 Civil Procedure Before Trial.
- 3/21 – Civil Procedure II
  - Quiz #9 or submit news item before the start of class.
  - Read Joanne Banker Hames, Yvonne Ekern. 2018. Introduction to Law Chapter 13 Civil Procedure Before Trial.

Week 11 (March 26 – March 28) – You should learn: (1) how to make your grandchildren rich; and (2) how to keep people (that you do not what to have it) from getting your stuff when you pass.

- 3/26 – Juries and Estate Planning
  - Quiz #10 or submit news item before the start of class.
  - Read How Courts Work –
  - Read What is the Role of a Jury in a Criminal Case?
  - Estate Planning
• 3/28 – Field Trip. Details to Come.

Week 12 (April 2 – April 4) – You should learn: the basics of legal writing and analysis and the basics of the rules of evidence.

• 4/2 – Legal Analysis and Legal Writing
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. *Introduction to Law* Chapter 5: Analysis and Legal Writing.

• 4/11 – Rules of Evidence
  o Quiz #11 or submit news item before the start of class.

Week 13 (April 9 – April 11) – You should learn the basics of alternative dispute resolution and legal research.

• 4/9 – ADR
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. *Introduction to Law* Chapter 18: Alternative Dispute Resolution.

• 4/11 – Legal Research
  o Read Joanne Banker Hames, Yvonne Ekern. 2018. *Introduction to Law* Chapter 4: Legal Research.
  o Quiz #12 or submit news item before the start of class.

Week 14 (April 16 – April 18) – You should learn: (1) the basic principles of Business Law.

• 4/16 – Business Organizations
  o Read [http://www.abajournal.com/magazine/article/the_strategic_lawyer1](http://www.abajournal.com/magazine/article/the_strategic_lawyer1)

• 4/18 – Bankruptcy Law
  o Quiz #13 or submit news item before the start of class.

Week 15 (April 23 – April 25) – You should have *some fun* as well and learn some tips on study habits and reviewing.

• 4/23 – Review the First Half of the Course
  o Quiz #14 or submit news item before the start of class.
  o Play Wheel of Double Jeopardy!

• 4/25 – Review the Second Half of the Course
  o Play Wheel of Double Jeopardy!

**FINAL EXAM (April 30)**

• POLS 2320 FINAL: Tuesday, April 30, 11:00 a.m. – 1:00 p.m.
Students’ Rights and Responsibilities

To know and understand the policies that affect your rights and responsibilities as a student at UT Tyler, please follow this link:
http://www2.uttyler.edu/wellness/rightsresponsibilities.php

Attendance Policy

Your attendance in this course is not mandatory and your grade in this course will not suffer directly from missing class. However, the examination material in this class is not only based on the required readings, but on class participation and class discussions, which means that your grade will almost certainly suffer by missing too many classes. Further, borderline grades will be determined by the quality of your overall contribution to the course.

For those students who attend lecture, photography of any class notes/lectures is strictly prohibited. Any student found in violation will be asked to leave class for the day.

Student Absence Due to Religious Observance

Students who anticipate being absent from class due to a religious observance are requested to inform the Professor of such absences by the second class meeting of the semester.

Student Absence for University-Sponsored Events and Activities

If you intend to be absent for a university-sponsored event or activity, you (or the event sponsor) must notify the Professor at least two weeks prior to the date of the planned absence. At that time the Professor will set a date and time when make-up assignments will be completed.

Class Conduct and Threatening Behavior

Given the nature of political discourse, some of the topics discussed and debated in class may be sensitive to some students. It is expected that students, regardless of the subject matter, maintain civility in their class comments. The University and the Professor seek to promote a safe environment where students may participate in debates, discussion, and other objectives concurrent with the educational process without compromising their health, safety, and welfare. Concurrent with this ideal, mutual courtesy and respect should govern all classroom conduct. Therefore, threats of physical harm or verbal abuse will not be tolerated in this class.

All electronic devices must be silenced during class (if possible, please turn off all electronic devices) unless you have received prior permission from the Professor. Any such device which interrupts class will be confiscated and returned to the student during the Professor’s office
ANYONE USING AN ELECTRONIC DEVICE WITHOUT PRIOR PERMISSION DURING AN EXAMINATION WILL RECEIVE A “0” ON THAT EXAM.

“Make Up” Policy

Make up exams will only be offered to those students that have a University approved absence, a doctor’s note detailing your inability to take the exam on the date provided on this syllabus, or a sudden emergency (i.e. death in your family) that prohibits your attendance for the exam on the date provided on this syllabus. Anyone who has not satisfied any of these requirements and does not take the exam will be given a grade of “0.”

If any conflict (others tests, travel plans, etc.) with the exams dates exist, notify me by September 9, 2018. Be advised that allowances will only be given in extreme cases with my discretion as to what I define as extreme. Late papers will only be accepted, without penalty, in the case of an unforeseen event, such as a sudden emergency (death in your family, illness, etc.), or if you have an approved absence by the Dean of Students (see also: Student Absence for University-Sponsored Events and Activities and Student Absence due to Religious Observance sections of the syllabus).

Tobacco Policy

UT Tyler is a Tobacco-Free University. Consequently, all forms of tobacco will not be permitted on the UT-Tyler main campus, branch campuses, and any property owned by UT Tyler. This applies to all members of the University community, including students, faculty, staff, University affiliates, contractors, and visitors. Forms of tobacco not permitted include cigarettes, cigars, pipes, water pipes (hookah), bidis, kretex, electronic cigarettes, smokeless tobacco, snuff, chewing tobacco, and all other tobacco products. There are several cessation programs available to students looking to quit smoking, including counseling, quitlines, and group support. For more information on cessation programs please visit www.uttyler.edu/tobacco-free.

Policy on Academic Integrity

The UT Tyler community regards cheating as an extremely serious matter and deals severely with those who violate the standards of academic integrity. Examples of academic dishonesty include (but are not limited to):

- Copying from another person’s test paper
- During a test, possession of materials not authorized by the person administering the test
- Discussing the contents of an examination with another student who will take the examination or the divulging of examination contents to another when the Professor has allowed the exam to be kept by the student
• Working with others in taking tests or preparing academic assignments when not authorized by the Professor
• Obtaining by any means another person’s work and submitting that work as one’s own. This includes the downloading of academic papers or the purchase of papers written by others.

If a student is suspected of academic dishonesty, the classroom instructor may ask the student to meet with him or her to discuss the incident. A student may admit to allegations of academic dishonesty, waive the right to a hearing and accept penalties imposed by the instructor. The student may also deny all allegations and ask to see the Dean of Student Affairs. An accused student may accept the decision of the Dean of Student Affairs or ask for a hearing before an impartial hearing officer appointed by the university. Witnesses may be called and evidence presented. The hearing officer will consider all evidence and make a decision. The decision of the hearing officer may be appealed to the President by either the student or the Dean of Student Affairs. For further discussion of academic dishonesty and possible penalties, please see: http://www.uttyler.edu/judicialaffairs/scholasticdishonesty.php

**Disability Services**

In accordance with Section 504 of the Rehabilitation Act, Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA) the University offers accommodations to students with learning, physical and/or psychiatric disabilities. If you have a disability, including non-visible disabilities such as chronic diseases, learning disabilities, head injury, PTSD or ADHD, or you have a history of modifications or accommodations in a previous educational environment you are encouraged to contact the Student Accessibility and Resources office and schedule an interview with the Accessibility Case Manager/ADA Coordinator, Cynthia Lowery Staples. If you are unsure if the above criteria applies to you, but have questions or concerns please contact the SAR office. For more information or to set up an appointment please visit the SAR office located in the University Center, Room 3150 or call (903) 566-7079. You may also send an email to: cstaples@uttyler.edu

**Grade Replacement/Forgiveness and Census Date Policies**

Students repeating a course for grade forgiveness (grade replacement) must file a Grade Replacement Contract with the Enrollment Services Center (ADM 230) on or before the Census Date of the semester in which the course will be repeated. Grade Replacement Contracts are available in the Enrollment Services Center or at: http://www.uttyler.edu/registrar. Each semester’s Census Date can be found on the Contract itself, on the Academic Calendar, or in the information pamphlets published each semester by the Office of the Registrar.
Failure to file a Grade Replacement Contract will result in both the original and repeated grade being used to calculate your overall grade point average. Undergraduates are eligible to exercise grade replacement for only three course repeats during their career at UT Tyler; graduates are eligible for two grade replacements. Full policy details are printed on each Grade Replacement Contract.

The Census Date is the deadline for many forms and enrollment actions that students need to be aware of. These include:

- Submitting Grade Replacement Contracts, Transient Forms, requests to withhold directory information, approvals for taking courses as Audit, Pass/Fail or Credit/No Credit.
- Receiving 100% refunds for partial withdrawals. (There is no refund for these after the Census Date)
- Schedule adjustments (section changes, adding a new class, dropping without a “W” grade)
- Being reinstated or re-enrolled in classes after being dropped for non-payment
- Completing the process for tuition exemptions or waivers through Financial Aid

The Census Date for this semester is Monday, January 28, 2019.

State-Mandated Course Drop Policy

Texas law prohibits a student who began college for the first time in Fall 2007 or thereafter from dropping more than six courses during their entire undergraduate career. This includes courses dropped at another 2-year or 4-year Texas public college or university. For purposes of this rule, a dropped course is any course that is dropped after the census date (see Academic Calendar for the specific date).

Exceptions to the 6-drop rule may be found in the catalog. Petitions for exemptions must be submitted to the Enrollment Services Center and must be accompanied by documentation of the extenuating circumstance. Please contact the Enrollment Services Center if you have any questions.

Social Security and FERPA Statement

It is the policy of The University of Texas at Tyler to protect the confidential nature of social security numbers. The University has changed its computer programming so that all students have an identification number. The electronic transmission of grades (e.g. via e-mail) risks violation of the Family Educational Rights and Privacy Act; grades will not be transmitted electronically.
**Emergency Exits and Evacuation**

Everyone is required to exit the building when a fire alarm goes off. Follow your Professor’s directions regarding the appropriate exit. If you require assistance during an evacuation, inform the Professor in the first week of class. Do not re-enter the building unless given permission by University Police, Fire department, or Fire Prevention Services.

**Changes to the Syllabus**

The information contained in this syllabus, other than the grade and absence policies, may be subject to change with reasonable advance notice, as deemed appropriate by the Professor.