

SCHOOL FOR NEW LEARNING  
DEPAUL UNIVERSITY  
IN 307 ADVANCED ELECTIVE SEMINAR

SUPREME COURT DECISIONS

**FACULTY:** Jo Ann Gesiakowska  
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**LOCATION:** South Campus

**DATES/TIMES** Wednesdays 6:30P.M. – 9:30P.M.  
September 9- November 18, 2009

**CREDIT HOURS:** 4

**COURSE DESCRIPTION:**

The Advanced Elective Seminar is designed to explore how various ideas and fields come together to have meaning. The focus of this seminar is the Supreme Court. One of the most important powers that a president has is the nomination of a supreme court justice. Justices are appointed for life and many of them have remained on the court well into their late 80's. They can only be removed by impeachment. Only 1 justice has ever been impeached and he was acquitted. The average age of the current justices is 69 yrs. Much discussion has evolved around an "activist court" which is defined as one in which the court makes law rather than interprets and renders decisions strictly according to the constitution.

In this class we will look at the separation of powers as stated in our constitution to see what the role of the court is according to the founding fathers. Then we will begin our reading and analysis of the decisions in landmark court cases. Roe v. Wade, Brown V. Board of Education, Miranda v. State of Arizona, Baake v. Regents of the University of California are all 20<sup>th</sup> century supreme court decisions that have shaped our social and political lives up to the present. We will look at landmark decisions from the 18<sup>th</sup> and 19<sup>th</sup> century also. The power of the Court will be the focus of the class. What problem caused the issue to be brought to the highest court? What was the decision and the minority opinion? How has the decision changed American lives? What political, economic or social conditions in the country/world affected the court's decision.

- COMPETENCIES: E-1** Understands the role of the Supreme Court in the government of the United States and can understand and explain the political, economic and social factors affecting the court's decision.
1. Understands how the Supreme Court became a part of the United States Constitution.
  2. Can explain the different points of view on selected landmark cases.
  3. Can articulate the personal rights stated in the Bill of Rights related to court cases.
  4. Can describe the contributions of famous justices and their decisions in shaping American society.
- E-2** Can explain a famous court decision by analyzing both the majority and minority opinion.
1. Can state the clauses and parts of the constitution which deals with the power of the courts.
  2. Selects 1 supreme court case and researches the background, decision and results of the case.
  3. Describes 1 famous conflict between the court and another branch of the government.
  4. Delivers an oral book report on some aspect of the court, court decisions or the judges.

**OUTCOMES;**

Upon completion of this course, learners will have:

- An understanding of the constitution and it's amendments
- Familiarity with the most famous judges and court decisions
- Experience in analyzing varied factors used in a decision
- Understanding of how current societal conditions affects Court decisions.

**LEARNING STRATEGIES**

- Class discussions
- Guest speaker- federal judge
- Internet research on court decisions
- Selected readings

## **TEXTS/RESOURCES**

1. **SUPREME COURT DECISIONS**, Jeffrey D. Stocks
2. **A PEOPLE'S HISTORY OF THE SUPREME COURT: THE MEN AND WOMEN WHOSE CASES AND DECISIONS HAVE SHAPED OUR CONSTITUTION.**  
Peter Irons
3. <http://www.law.cornell.edu/supct/>
4. A copy of the United States Constitution is included in the Irons book

## **EVALUATION TECHNIQUES AND CRITERIA:**

Each student will be evaluated on active participation in the following activities:

### **E1:**

1. Class discussions
2. Completion of assigned readings and participation in group discussions on the readings.
3. Class activities

### **E2**

1. Oral book report on the Supreme Court or one of the Justices
2. Research paper describing the background, decision and aftermath of a supreme court decision.
3. Oral presentation of number two above
4. Oral report on a Justice's opinion or a plaintiff in a Supreme Court Case.

### **E2 Paper Requirements:**

- 10 pages, double spaced.
- 3 sources, all scholarly, no internet, only journals or books
- only 2 pages should be background material
- the decision component of the paper should include the majority and minority opinions, in summary format. The constitutional issue must be stated.
- minimum of 4 pages on the aftermath of the decision

The supreme court case selected must be approved by the instructor.

A bibliography from which the student book can be selected will be provided at class 1

**Please note that DePaul's policy on plagiarism will apply to your work.**

**The DePaul Student Handbook defines plagiarism as follows: "Plagiarism includes but is not limited to the following" (a) The direct copying of any source, such as written and verbal material, computer files, audio disks, video programs or musical scores, whether published or unpublished, in whole, or in part, without proper acknowledgment that it is someone else's. (b) Copying of any source in whole or in part with only minor changes in wording or syntax even with acknowledgement. (c) Submitting as one's own work a report, examination paper, computer file, lab report or other assignment which has been prepared by someone else. This includes research papers purchased from any other person or agency. (d) The paraphrasing of another's work or ideas without proper acknowledgement. "Plagiarism will result in a failure of the assignment or possibly of the course. If you are unsure of how to cite a source, Ask.**

### **INCOMPLETES:**

**Unfinished work or work requiring revision will be given an Incomplete(IN) grade. In order to qualify for an IN, students must have regularly attended class, and must have completed three-fourths of the assignments.**

**In order for a student to have an Incomplete(IN) grade granted in this course, there must be a significant extenuating circumstance evidenced by the student (medical or significant personal issues) The student will need to initiate and file an SNL Incomplete grade contract before the final session of the course to receive an incomplete grade. Students are strongly advised to review the university deadlines for withdrawal without tuition refund and the implications for financial aid and grades.**

### **ATTENDANCE POLICY**

**Attendance and participation are essential. In the event of an absence it is imperative that you (1) let me know ahead of time and (2) contact a classmate ahead of time to collect any handouts and to give you notes and any assignments which will be due. In the event of an unexpected absence, please notify me as soon as you can. Also contact your classmate for the information on the missed class.**

### CLASS SCHEDULE

<b>Class 1</b> <b>September 9</b>	<b>Introduction to the Constitution</b> <b>Discussion of the separation of Powers</b>	<b>Bring a copy of Constitution</b>
<b>Class 2</b> <b>September 16</b>	<b>Guest Speaker/Judge</b> <b>Marbury b. Madison case</b>	<b>Selection of oral book report due</b>
<b>Class 3</b> <b>September 23</b>	<b>Lecture/Discussion</b> <b>3 Court cases on political issues</b>	<b>Chapters *</b> <b>Irons book</b>
<b>Class 4</b> <b>September 30</b>	<b>Guest Lecturer</b> <b>3 court decisions on economic issues</b>	<b>Chapters *</b> <b>Irons book</b>
<b>Class 5</b> <b>October 7</b>	<b>Guest Lecturer</b> <b>3 court decisions on social issues</b>	<b>Chapters *</b> <b>Irons Book</b>
<b>Class 6</b> <b>October 14</b>	<b>Class discussion on recent court issues</b> <b>Oral book reports due</b>	<b>Chapters *</b> <b>Stocks Book</b>
<b>Class 7</b> <b>October 21</b>	<b>Oral book reports due</b> <b>Class discussion</b>	<b>Chapters</b> <b>Stocks Book</b>
<b>Class 8</b> <b>October 28</b>	<b>Oral book reports due</b> <b>Class discussion</b>	<b>Chapters</b> <b>Stocks book</b>
<b>Class 9</b> <b>November 4</b>	<b>Presentations on research paper</b> <b>Class discussion</b>	<b>Draft of paper due</b>
<b>Class 10</b> <b>November 11</b>	<b>Presentations on research paper</b> <b>Class discussion</b>	<b>Final paper due</b>

**& Chapters will be selected based on class interest and consensus**

## **ADDENDA**

### **DePaul University Academic Integrity Policy**

**DePaul University is a learning community that fosters the pursuit of knowledge and the transmission of ideas within a context that emphasizes a sense of responsibility for oneself, for others and for society at large. Violations of academic integrity, in any of their forms, are, therefore, detrimental to the values of DePaul, to the students' own development as responsible members of society, and to the pursuit of knowledge and the transmission of ideas. Violations include but are not limited to the following categories: cheating; plagiarism; fabrication; falsification or sabotage of research data; destruction or misuse of the university's academic resources; alteration or falsification of academic records; and academic misconduct. Conduct that is punishable under the Academic Integrity Policy could result in additional disciplinary actions by other university officials and possible civil or criminal prosecution. Please refer to your Student Handbook or visit <http://studentaffairs.depaul.edu/homehandbook.html> for further details.**

### **DePaul University Incomplete Policy**

**Undergraduate and graduate students have two quarters to complete an incomplete. At the end of the second quarter (excluding summer) following the term in which the incomplete grade was assigned, remaining incompletes will automatically convert to "F" grades. Ordinarily no incomplete grade may be completed after the grace period has expired. Instructors may not change incomplete grades after the end of the grace period without the permission of a college-based Exceptions Committee. This policy applies to undergraduate, graduate and professional programs. NOTE: In the case of a student who has applied for graduation and who has been approved for an Incomplete in his or her final term, the incomplete must be resolved within the four week grace period before the final degree certification.**

**n.b. The SNL student who wishes to receive the grade of IN must formally request in writing that the instructor issue this grade. This request must be made before the end of the quarter in which the student is enrolled in a course.**

## **For Students Who Need Accommodations Based on the Impact of a Disability**

**Students who feel they may need an accommodation based on the impact of a disability should contact the instructor privately to discuss their specific needs. All discussions will remain confidential.**

**To ensure that you receive the most appropriate accommodation based on your needs, contact the instructor as early as possible in the quarter, preferably within the first week of class, and much sure you have contacted:**

- Plus Program (for LD, AD/HD) at 773-325-4239 in the Schmidt Academic Center, Room 220 or**
- The Office for Students with Disabilities(for all other disabilities) at 773-325-7290, DePaul University Student Center, room 307.**

## **Chronic Illness Initiative**

**The Chronic Illness Initiative (CH) provides access to higher education for students disabled by chronic illnesses that unpredictably increase and decrease in severity such as chronic fatigue syndrome, rheumatoid arthritis, lupus or illnesses requiring frequent hospitalizations. At SNL, staff and faculty are compassionate and committed to helping CH students achieve their educational goals. Contact CH at [CH@depaul.edu](mailto:CH@depaul.edu).**

## **Writing Help**

**For help with organizing your ideas, grammar, citing sources, avoiding plagiarism, sample SNL assignments and much more, see the Writing Guide for SNL Students at <http://snl.depaul.edu/writing/index.html>. For on-campus and online tutoring, see the DePaul University Writing Centers at <http://condor.depaul.edu/~writing/>.**