

GRAND VALLEY STATE UNIVERSITY
LEGAL THOUGHT (CAPSTONE) - LS 495 (01), 3 credits
Winter 2016

Professor: Kristine Mullendore
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Days Class Meets: Monday
Time Class Meets: 6:00 to 8:50 p.m.
Location of Class: 225E DeVos
Office Hours: Monday 5 to 6 PM;
Tuesday and Thursday 1 PM to 3:30 PM;
and other times by appointment

I. COURSE DESCRIPTION: Explores the philosophy, politics, and ethics of law and legal reasoning. Study of the major schools of thought that have informed jurisprudence in the United States and its modern critiques. Familiarity with the fundamentals of legal reasoning and the structure and operation of the legal system will be assumed. Offered fall and winter semesters.

II. PREREQUISITES and/or CO-REQUISITES: LS 201, LS 324, and senior standing

III. COURSE GOALS: At the conclusion of this course students will be able to identify different philosophical approaches to law systems, compare and contrast these approaches and identify the basic assumptions behind the United States' legal system. They will demonstrate knowledge of the advantages and disadvantages of the United States' legal/ethical approach to law and conflict resolution and compare and contrast it to alternate approaches. They will recognize the significant ethical issues that are confronted by the legal professionals and evaluate the moral and ethical issues fundamental to each.

IV. OBJECTIVES: Upon completion of this course, the student will:

1. *Demonstrate* comparative understanding of criminological, legal, and sociolegal justice theories and their critiques (*evaluation*).
2. *Identify and describe* the adversary theorem and analyze its impact on the development of the legal profession, the U.S. legal system, and public perceptions of legal professionals (*evaluation*).
3. *Critique* the legal implications of selected current social issues (*evaluation*).
4. *Analyze* issues of professional responsibility related to course content, including issues of equity, ethics, and cultural competency (*analysis*).
5. *Demonstrate* the ability to facilitate, organize, and meaningfully contribute to group activities (*application*).
6. *Assess* the paralegal's professional role and responsibility in relation to course content, including issues of equity, ethics, and cultural competency (*evaluation*).

V. BLOOM'S TAXONOMY LEVEL AND DOMINANT CURRICULUM "THREADS": While the current course will draw from across "Bloom's Taxonomy" of learning, it will nevertheless dominantly draw from the levels of "Analysis", "Synthesis", and "Evaluation." In addition, dominant curriculum "threads" to be assessed throughout this course will be student research, writing, and verbal skills, demonstrating the ability to work productively as part of a group, the development of technical and professional skills, and the ability to effectively problem solve.

VI. TOPICS: COURSE OUTLINE: Please read the specified assignment before coming to class since participation is expected from each student during discussions and group exercises. The following abbreviations will be used to identify the text assignments: "B" for Before the Law and "M" for The Moral Compass of the American Lawyer.

Class Date	Assignment from Texts/Topic/Assignment Due Dates and Exam Schedule
Jan., 11	<i>Course Overview & Admin. Matters</i> ; B - Forward: p xiii-xxi and 6.3, p 167:
Jan 18	No class – Martin Luther King Day activities
Jan. 25	Research Presentation (Bravender); first hour meet in Computer lab 210 A DeVos Center; Review Senior Project Assignment and begin to select project topic area

B - 11.0-11.4, p. 315 – 334 and B - 2.0-12.1, pp. 343 – 351
http://www.ncbex.org/pdfviewer/?file=%2Fassets%2Fmedia_files%2FBar-Examiner%2Farticles%2F2015%2F840215-PresidentsPage.pdf

Lawyers and the American Adversarial System

Feb. 1	B - 2.0-12.1, pp. 343 – 351; cont'd (Research Proposals Due)
Feb 8	Oral presentation Research Proposals and Senior Project Topic/Group Selection (please be prepared to discuss B, 12.2, if time permits)
Feb. 15	B - 12.2, pp. 351 – 361 (begin or continue); M - pp. 1-4, 7 – 117;
Feb. 22	B - 13.0 - 13.4, pp. 367 – 401; M - 161-182; B - 18.0 – 18.2, pp. 497-505; M - 183-208
Feb. 29	B - 1.0-1.8, pp. 1-21; 2.0-2.1, pp. 22-29; 2.3, pp. 34-39; 4.1, pp. 81-89 and 6.2, pp. 158-163; distribute midterm essay questions

March 6-13, Spring Break Recess: no classes

March 11, GVSU Drop deadline "W" – 5:00 p.m.

Part II: Law in Theory and Practice and the Jury

Mar. 14	Midterm Take-home essay examination due;
Mar. 21	B - 14.0-14.1; pp. 405-413; M - pp. 142-160; B - 15.0-15.7, pp. 414-433
Mar. 28	Senior Project Individual Papers Due; Group work presentations
Apr. 4	B - 17.0-17.7, pp. 469-492; M - 231-246
	Final preparation for group presentations (Group selected readings distributed)

Part III - Current Issues in the Law and Legal Profession

Apr. 11 and 18 Group presentations (read information provided earlier by each group); schedule TBA

Apr. 25, Monday, 6 to 7:50 PM **Final Examination Essays due**

NOTE: This is a tentative outline of the course schedule. Your instructor reserves the right to change the schedule as needed to meet the objectives of the course. Papers and tests become the property of the instructor upon submission and may be retained by the instructor; they will be destroyed at the end of the following term of the normal academic year.

VII. METHODS OF EVALUATION:

EXAMINATIONS: There will be two tests. More detailed information will be provided about the format of each test and its content prior to the examination; however, it is anticipated that they will be take-home essay examinations.

GRADES: There are two examinations in this course. The first of these examinations will account for 30% of your final grade and the second will account for 25% of your final grade. Another 10 % of your grade will consist of class participation and completion of any assignments that will be given during class sessions. The remaining 35% of your grade will be from the completion of the set of assignments that constitute your Senior Project including: the initial individually researched and written Research Proposal, an Oral Research Proposal Presentation of that proposal to the class members for possible selection as a group topic, an individually researched and written Research Paper, and participation in a Group Presentation that combines the individual research projects into an integrated group presentation. The Research Proposal (written and oral presentation) will account for 5% your final grade. The individually written Senior Research paper will account for 20% of the final course grade, and the Group Presentation will account for the remaining 10%. The final research presentation must be done as part of a group and each student is required to participate in the presentation and attend the other groups' presentations.

If you miss a class session, it is your responsibility to obtain any assignments from the instructor or a fellow student. All work that is not completed and all assignments not turned in will be given a grade of zero when your final grade is calculated. In order to receive a "C" in this course a student must demonstrate by their tests, class assignments, papers, and class participation that they understand 75% of the course material. The grades will not be curved. It is possible for every student to receive an "A." **All course requirements must be completed and submitted to earn a successful grade for the course.**

GRADE SCALE: 95-100 = A, 92-94 = A-, 89-91 = B+, 85-88 = B, 82-84 = B-, 79-81 = C+, 75-78 = C, 72-74 = C-, 69-71 = D+, 66 - 68 = D, 65 and below = F.

CLASS PARTICIPATION: Cell phones, pagers, and other personal communication devices are to be turned off and stowed away during class time, unless a waiver of this requirement is obtained from the instructor in advance. All members of the class will be treated in a respectful and courteous fashion. Failure to do so will result in a downward adjustment of the class participation grade. Conduct during class involving such things as consistently talking with fellow students while others are speaking, improper use of electronic devices or other behaviors that are distracting to either fellow students or the instructor during class time will result in a failing grade for class participation, if not corrected after instructor warning. Improper use of electronic devices includes engaging in email communication, text messaging, or other electronic communications during class discussions and lectures. Such behavior will both negatively impact the class participation grade and result in a loss of the future ability to use electronic devices in class. Each student may be asked complete a self-evaluation form evaluating their own performance on their class participation, which would then be used as one factor in the assignment of the final grade for class participation.

To receive an A for class participation you must attend regularly, complete all assignments given in this class, and participate in class discussions in a positive fashion. In order to properly participate in class students must have thoughtfully read the assigned material before the class session. **Class discussions will begin where the text leaves off and textbooks containing the assigned readings are to be brought to each class.** Not being prepared to discuss the material assigned will result in a lower grade for class participation. *If at any point class members' participation in class discussions do not evidence that the class as a whole is prepared for these discussions, journal entries on the readings for the remainder of the course will replace all or part of the class participation grade.*

ATTENDANCE: Attendance will play a factor in your grade for class participation. It is otherwise optional, although strongly recommended, since much of the information needed for completion of the course objectives will be available only in the class lectures, discussions, and research activities. Attendance will be recorded at each class session through a sign-in sheet. If the school because of the weather should cancel classes, assignments will be due on the next class date. If you require the instructor to certify your attendance in class, you must be in regular attendance by the instructor's records to receive it.

VIII. TEXT(S)

Required Text(s): Zitrin, R. and Langford, C.M. (1999). *The Moral Compass of the American Lawyer*. Ballantine Books, NY.
Bonsignore, J.J., Katsh, E., d-Errico, P., Pipkin, R., Arons, S., and J. Rifkin (2006). *Before the Law: An Introduction to the Legal Process*. Houghton Mifflin Co., NY

IX. ACADEMIC INTEGRITY: Assumed by GVSU and this professor, is that each student possesses an exceptional level of academic integrity. Section 223.00 & 223.01 of the *Student Code* are reproduced below for your reference.

SECTION 223.00 INTEGRITY OF SCHOLARSHIP AND GRADES: Truth and Honesty. The principles of truth and honesty are recognized as fundamental to a community of teachers and scholars. The University expects that both faculty and students will honor these principles, and in so doing protect the validity of University grades. This means that all academic work will be done by the student to whom it is assigned without unauthorized aid of any kind. Instructors, for their part, will exercise care in the planning and supervision of academic work, so that honest effort will be positively encouraged. Compliance shall include compliance with the following specific rules:

- a) No student shall knowingly, without authorization, procure, provide or accept any materials which contain questions or answers to any examination or assignment.
- b) No student shall, without authorization, complete, in part or in total, any examination or assignment for another person.
- c) No student shall, without authorization, allow any examination or assignment to be completed, in part or in total, by another person.
- d) No student shall knowingly plagiarize or copy the work of another person and submit it as his/her own.
- e) No student shall submit work that has been previously graded, or is being submitted concurrently to more than one course, without authorization from the instructor(s) of the class(es) to which the student wishes to submit it.

SECTION 223.01 PLAGIARISM: Any ideas or material taken from another source for either written or oral presentation must be fully acknowledged. Offering the work of someone else as one's own is plagiarism. The language or ideas taken from another may range from isolated formulas, sentences, or paragraphs to entire articles copied from books, periodicals, speeches or the writings of others students. The offering of materials assembled or collected by others in the form of projects or collections without acknowledgment also is considered plagiarism. Any student who fails to give credit in written or oral work for the ideas or materials that have been taken from another is guilty of plagiarism.

DISABILITY-RELATED ACCOMMODATIONS: If you have a need for disability-related accommodations, please inform me and the Office of Disability Support Services at 200 STU (331-2490). Reasonable and effective accommodations and services will be provided to students if the requests are made in a timely manner, with appropriate documentation in accordance with federal, state, and university guidelines.

FIRE EMERGENCY RESPONSE: Immediately proceed to the nearest exit during a fire alarm. Do not use elevators.

More information is available on the University's Emergency website located at <http://www.gvsu.edu/emergency>.

CAUTION: This course is intended for educational purposes only. The information is not meant to be legal advice, nor should it be used as such.

THE LAST DAY STUDENTS MAY WITHDRAW FROM THIS COURSE WITH A GRADE OF "W" IS Friday, March 11 at 5 PM.

UNIVERSITY LIBRARIES RESOURCES: Patricia Bravender is the criminal justice librarian and she can provide you with individualized research assistance for all of your classes. Her office is in the Steelcase Library on the DeVos Campus downtown and she can be reached at bravendp@gvsu.edu or 331-7338. The criminal justice library subject guide (<http://libguides.gvsu.edu/cj>) contains links to all of the criminal justice databases and other specific resources for criminal justice students, including crime statistics and the legal studies library subject guide provides the same type of information for legal studies related databases (<http://libguides.gvsu.edu/ls>).

You may also find help at the **Knowledge Market** which offers one-stop support for library research, writing, and oral presentations. Three academic support services – University Libraries, the Fred Meijer Center for Writing and Michigan Authors, and the Speech Lab – are available in one convenient location to give you feedback and resources. The consultants in the **Knowledge Market** help students brainstorm and develop topics, learn more efficient strategies for completing assignments, and practice and improve library research, writing, and speech skills. For information about the **Knowledge Market** or to make an appointment, visit www.gvsu.edu/library/km.

Bloom's Taxonomy of the Cognitive Domain*
(In other words, a level-by-level approach to understanding how you think!)

Benjamin Bloom created this taxonomy (organization of categories) to understand the level of abstract thinking required in various educational settings. *During the course of the semester, course content, exercises, assignments and tests will move through these levels from knowledge to analysis.* In other words, this class is structured to develop and test your critical thinking skills about the material. (Note that the taxonomy works from the bottom up. That is, the higher you go on the chart, the more developed the level of critical thinking.)

What does this mean for you as a student in this course? (1) *It is very important that you gain the foundational knowledge for the course.* Each unit will build on old knowledge and introduce new knowledge. If you don't understand a core concept, see me! Don't get lost or left behind because you were afraid to ask. *There are no stupid questions in this class!* (2) *Participate in the class exercises and assignments.* I develop these to help you use your knowledge and develop your thinking skills through case scenarios, problems, and focused activities. *This isn't just busy work!* Believe it or not, there's a method to the madness! (3) *Review the test study guides to see what level of thinking I will expect on each topic.* If I ask you to identify something, I will be asking you to tell me what you know. If I ask you to define something, I will be asking you to show me what you comprehend (understand). If I ask you to compare and contrast two ideas, I am asking you to analyze the material in terms of similarities and/or differences. If I am asking you to integrate or assess, I am asking you to synthesis and evaluate. *As you will see, test questions often are similar to in-class activities or assignments, another good reason to make sure that you participate and ask if you have questions!*

Bloom's Taxonomy

LEVEL	DESCRIPTION	GOAL	SUGGESTED ACTION VERBS/QUESTION CUES
6. EVALUATION	Students can use previously learned standards/criteria to determine the worth or merit of a complex product.	Compare and discriminate between ideas, Assess value of theories, presentations, Make choices based on reasoned argument, Verify value of evidence, Recognize subjectivity	Assess, decide, rank, grade, test, measure, recommend, convince, select, judge, explain, discriminate, support, conclude, compare, summarize
5. SYNTHESIS	Students can create an original and complex product out of a set of simpler components.	Use old ideas to create new ones, Generalize from given facts, Relate knowledge from several areas, Predict, draw conclusions	Combine, integrate, modify, rearrange, substitute, plan, create, build, solve, perform, establish, predict, produce, modify, plan, formulate, design, invent, compose, formulate, prepare, generalize, rewrite
4. ANALYSIS	Students can take a complex set of material and break it down into its component parts and/or explain why a complex set of relationships is organized as it is or what caused it to be or predict from the present to the future.	Seeing patterns, Organization of parts, Recognition of hidden meanings, Identification of components	Analyze, breakdown, separate, order, explain, connect, classify, arrange, divide, compare and contrast, select, explain, infer, show how, draw a diagram, deduce
3. APPLICATION	Students can apply previously learned material such as concepts, rules or generalizations to newly taught material.	Use information, Use methods, concepts, theories in new situations, Solve problems using required skills or knowledge	Apply, classify, find, choose, compute, sort, generalize, organize, demonstrate, calculate, complete, illustrate, show, solve, examine, modify, relate, change, classify, experiment, discover
2. COMPREHENSION	Students can express previously learned material in their own way.	Understanding information, Grasp meaning, Translate knowledge into new context, Interpret facts, Compare, Contrast, Order, Group, Infer causes, Predict consequences	Summarize, define, put in your own words, describe, interpret, contrast, predict, associate, distinguish, estimate, differentiate, discuss, extend, summarize, translate, illustrate, restate, demonstrate
1. KNOWLEDGE	Students can recall, reproduce or recognize previously learned information as it was taught to them.	Observation and recall of information, Knowledge of dates, events, places, Knowledge of major ideas Mastery of subject matter	List, define, tell, describe, identify, show, label, collect, examine, tabulate, quote, underline, place in order, reproduce, recognize, recall, name, who, when, where, etc.

- Adapted from Bloom, Benjamin S. 1984. *Taxonomy of educational objectives*. Boston, MA: Allyn and Bacon, Pearson Education