

General Education Review Committee

Agenda

January 9, 2009

ADM 204

12:30 p.m. – 1:30 p.m.

I. Call to Order

Roll

() Erik Hirschman	Mat-Su/ UAB	Social Sciences
() Mari Ippolito	CAS/ UAB	
() Patricia Fagan	CAS	Humanities
() Robert Capuozzo	COE	
() Jack Pauli	CBPP	
() Jeane Breinig	CAS	Written Communication
() Len Smiley	CAS	Quantitative Skills
() Suzanne Forster	CAS/ UAB	
() Robin Wahto	CTC/ UAB	
() Walter Olivares	CAS	Fine Arts
() Bart Quimby	OAA	
() Catherine Sullivan	CHSW/ UAB	
() Doug Parry	CAS	Oral Communication
() Jeff Miller	SOE	
() Karl Wing	USUAA	
() Hilary Davies	UAB Chair	

II. Approval of Agenda (pg. 1)

III. Approval of Summary (pg. 2)

IV. Report from Associate Vice Provost Bart Quimby

V. Chair's Report

VI. Course Action Requests

Chg PARL A101 Introduction to Law (3 cr) (3+0) (pg. 3-11)

VII. Old Business

A. Review and approve draft memo to faculty piloting all three pieces of the capstone assessment plan (not in your packet because not yet drafted) and finalize plans for the pilot.

VIII. New Business

IX. Informational Items and Adjournment

General Education Review Committee Summary

December 12, 2008

ADM 204

12:30 p.m. – 1:30 p.m.

I. Call to Order

Roll

(x) Erik Hirschman	Mat-Su/ UAB	Social Sciences
(x) Mari Ippolito	CAS/ UAB	
(x) Patricia Fagan	CAS	Humanities
(x) Robert Capuozzo	COE	
(x) Jack Pauli	CBPP	
(x) Jeane Breinig	CAS	Written Communication
(x) Len Smiley	CAS	Quantitative Skills
(x) Suzanne Forster	CAS/ UAB	
(x) Robin Wahto	CTC/ UAB	
(x) Walter Olivares	CAS	Fine Arts
(x) Bart Quimby	OAA	
() Catherine Sullivan	CHSW/ UAB	
(x) Doug Parry	CAS	Oral Communication
() Jeff Miller	SOE	
() Karl Wing	USUAA	
() Hilary Davies	UAB Chair	

II. Approval of Agenda (pg. 1)
Approved

III. Approval of Summary (pg. 2)
Approved

IV. Report from Associate Vice Provost Bart Quimby
No report

V. Chair's Report

VI. Course Action Requests

Chg GEO A460 Geomatics Design Project (3 cr) (2+2) (pg. 3-7)
Approved

VII. Old Business

A. Update on GER Capstone Assessment Meeting

B. Reviewed following documents:

- letter to faculty teaching capstone course
- surveys

VIII. New Business

IX. Informational Items and Adjournment

Meeting adjourned

Course Content Guide

I. Initiation Date: Fall 2008

II. Course Information

A. School/College: College of Health and Social Welfare

B. Course Number: PARL A101

C. Credit Hours: 3

D. Contact Hours: 3 + 0

E. Course/

Program Title: Introduction to Law

F. Grading Basis: A – F

G. Implementation Date: Fall / 2009

H. Course Description: Survey course introduces legal processes in a democratic society. Emphasis on legal terminology, federal and state court systems and judicial decision making. Introduction to basic concepts of contracts, torts, criminal law, family law and administrative law. Includes skills for conducting basic legal analysis.

I. Prerequisites: None

J. Test Scores: None

K. Registration Restrictions: None

L. Course Fees: None

III. Instructional Goals:

The instructor will:

- A. Promote students' understanding of law as a means of regulating conduct and defining social norms in a democratic society.
- B. Develop students' awareness of structure of the federal and state court systems, the role courts play in resolving disputes and maintaining social order.
- C. Assist students in differentiating between civil and criminal laws and remedies.
- D. Provide students with fundamental concepts pertaining to contract, tort, administrative, family and criminal law.
- E. Enhance students' ability to critically evaluate legal issues presented in current events, mainstream and alternative media.

IV. Student Outcomes and Assessment:

Note: All student outcomes are related to GER Outcome 5: “Investigate the complexity of human institutions and behavior to better understand interpersonal, group, political, economic, and/or cultural dynamics.”

<i>Students will:</i>	<i>Relates to GER Social Science Outcome(s)</i>	<i>As measured by:</i>
1. Identify methods by which civil and criminal law regulate conduct, reflect and define social norms in the United States.	Satisfies Tier 2 Social Science GER Outcome 1: “[B]e able to reflect on the workings of the society of which they are a part and should possess a broad perspective on the diversity of human behavior.”	Examinations Written Assignments
2. Recognize hierarchy of courts of original and appellate jurisdiction in federal and state court systems, the extent of jurisdictional limitations, and the distinction between fact and law (as well as how each is measured and tested).	Satisfies Tier 2 Social Science GER Outcome 3: “[Students] should . . . be aware of the limits of human objectivity and understand the rudiments of how ideas about social phenomena may be tested and verified or rejected.” Also satisfies Tier 2 Social Science GER Outcome 2: “[Students] should be able to . . . distinguish between empirical and non-empirical truth claims.”	Examinations Written Assignments

<i>Students will:</i>	<i>Relates to GER Social Science Outcome(s)</i>	<i>As measured by:</i>
3. Differentiate between civil and criminal law matters, and the specific legal terminology and remedies pertinent in both.	Satisfies Tier 2 Social Science GER Outcome 1: “[B]e able to reflect on the workings of the society of which they are a part and should possess a broad perspective on the diversity of human behavior.”	Examinations
4. Understand fundamental concepts of contracts, tort, administrative, family and criminal law.	Satisfies Tier 2 Social Science GER Outcome 1: “[B]e able to reflect on the workings of the society of which they are a part and should possess a broad perspective on the diversity of human behavior.”	Examinations Written Assignments
5. Discuss, explain and evaluate legal issues presented in contemporary issues and daily experiences.	Satisfies general GER Outcome 1: Students will “[c]ommunicate effectively in a variety of contexts and formats.	Classroom Discussions Blackboard Discussions (optional) Written Assignments

V. Guidelines for Evaluation

A. Examinations: A minimum of three examinations is required in the course. One is focused on legal terminology, sources of law and judicial systems. Another is focused on legal terminology and judicial process, including limitations on seeking judicial relief, legal and equitable remedies, civil procedure and the doctrine of precedent. The final examination emphasizes substantive law areas: contracts, torts, administrative, family and criminal law.

B. Writing Assignments: A minimum of four written assignments is required in the course. The first directs students to describe whether they perceive differences between law and justice and to explain what those are. The second requires students to observe a

state court proceeding and identify case characteristics (e.g., civil or criminal, original jurisdiction or appellate, motions hearing or trial). The third and fourth assignments require students to read appellate court decisions and identify salient facts, procedural history, issues presented, holdings and the court's rationale in arriving at the decision.

VI. Course Level Justification

The course provides students with foundational knowledge regarding state and federal legal systems. It emphasizes legal terminology, legal process, and core concepts in a broad array of substantive law areas. The course introduces students to critical thinking skills necessary to conduct basic legal analysis and to write clearly about legal issues. The course material is appropriate for students who have had no prior instruction in legal theory.

VII. Topical Course Outline

- I. Primary Sources of Law
 - A. Constitutions
 - i. Federal
 - ii. State
 - B. Statutes
 - i. Constitutional Basis
 - ii. Legislative Process
 - a. Federal
 - b. State
 - iii. Separation of Powers / Checks and Balances
 - iv. Methods of Challenge
 - v. Statutory Interpretation
 - C. Regulations
 - i. Constitutional Basis
 - ii. Administrative Agencies
 - iii. Methods of Adoption
 - iv. Methods of Challenge
 - D. Judicial Decisions
 - i. Judicial Review
 - ii. Applying Law to Facts
 - iii. Role of Judiciary
 - iv. Due Process
 - E. Federalism
 - i. 10th Amendment
 - ii. Pre-emption Doctrine

- II. Judicial Systems
 - A. Federal Courts
 - i. Structure of Federal Court System
 - ii. The Independent Judiciary
 - a. Article III Limitations
 - b. Politics and Federal Courts
 - B. State Courts
 - i. Structure of the Alaska Court System
 - a. Original, General and Limited Jurisdiction
 - b. Appellate Jurisdiction
 - i. Appeals of Right
 - ii. Discretionary Appeals
 - ii. Judicial Selection and Retention
 - a. Alaska Judicial Council
 - b. Retention by Ballot
- III. Development of Law through Judicial Decisions
 - A. Case Briefing and Analysis
 - B. Precedents
 - i. *Stare Decisis*
 - ii. Reported vs. Unreported Decisions
 - iii. Binding and Persuasive Authorities
 - C. The Role of Constitutional Theory in Decisions
 - i. Originalism
 - ii. Living Law Interpretations
 - iii. Critical Theory Approaches
 - D. Limitations on Judicial Relief
 - i. Standing
 - ii. Mootness
 - iii. Advisory Opinions
 - iv. Political Questions
- IV. Civil Procedure
 - A. Procedural Due Process
 - B. Pleadings
 - C. Discovery
 - D. Motions Practice
 - i. Issues of Fact
 - ii. Issues of Law
 - E. Trial
 - i. Order of Proceedings
 - ii. Evidence
 - a. The Role of Experts
 - b. Testimonial Evidence
 - c. Documentary Evidence
 - d. Demonstrable Evidence
 - iii. Fact Finder
 - iv. Remedies

- a. Legal Remedies
 - b. Equitable Remedies
 - v. Post-Judgment Motions
 - vi. Appeal Rights
- V. Substantive Law Topics
 - A. Contracts
 - i. Formation
 - ii. Differentiating Forms of Contracts
 - a. Unilateral and Bilateral
 - b. Executory and Non-executory
 - c. Illusory Contracts
 - iii. Breach
 - a. Performance Excused
 - b. Justified Non-performance
 - iv. Remedies
 - a. Damages: Measuring Expectancy
 - b. Specific Performance
 - B. Torts
 - i. Intentional Torts
 - ii. Negligence
 - a. Foreseeability
 - b. Proximate Cause
 - c. Duties
 - iii. Strict Liability
 - C. Family Law
 - i. Marriage
 - a. Eligibility
 - b. Requirements
 - ii. Child Custody
 - a. “Best Interests of the Child”
 - b. Presumptions
 - c. Factors
 - iii. Child Support
 - iv. Divorce and Dissolution
 - a. Equitable Distribution
 - b. Differentiation
 - D. Administrative Law
 - i. Administrative Procedures Acts
 - ii. Delegation of Authority
 - iii. *Ultra Vires*
 - iv. Administrative Rule Making
 - v. Administrative Adjudications
 - vi. Judicial Review
 - E. Criminal Law and Procedure
 - i. Arrest
 - ii. Grand Jury

- iii. Custodial Interrogations
- iv. Constitutional Rights
- v. Search and Seizure
- vi. Exclusionary Rule
- vii. Criminal Trials

VIII. Suggested Texts and Resources

Currier, K. & Eimermann, T. (2007). *Introduction to law: A critical thinking approach*. New York: Aspen.

Feinman, J. (2006). *Law 101: Everything you need to know about the American legal system*. New York: Oxford University Press.

New York Times Online. <http://www.nytimes.com/> Registration required but no cost associated with the access. The online version of the newspaper supplements classroom discussions of the relevancy of legal topics in daily experience.

IX. Bibliography

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Cantu, C. E. (2001). Distinguishing the concept of strict liability for ultra-hazardous activities from strict products liability under section 402(A) of the Restatement (Second) of Torts: Two parallel lines of reasoning that should never meet. *Akron Law Review*, (35)1, 31-57.

Cavico, F. J. (1999). Defamation in the private sector: The libelous and slanderous employer. *Dayton Law Review*, (24)1, 405-489.

Chen, J. (2005). Legal mythmaking in a time of mass extinctions: Reconciling stories of origins with human destiny. *The Harvard Environmental Law Review*, (29), 279-319.

Dubber, M. (2002). *Criminal law: Model penal code*. New York: Foundation Press.

Elrod, L. D. (2006). *Child custody practice and procedure*. St. Paul, MN: Thompson/West.

Golding, M. P. (ed.). (1966). *The nature of law: Readings in legal philosophy*. New York: Random House.

Greenawalt, K. R. (1999). *Legislation: Statutory interpretation, twenty questions*. New York: Foundation Press.

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- Marder, N. (2005). *The jury process*. New York: Foundation Press.
- Page, J. (2003). *Torts: Proximate cause*. New York: Foundation Press.
- Parry, J. T. (1997). Culpability, mistake and official interpretations of the law. *American Journal of Criminal Law*, (25)3, 1-78.
- Rosenzweig, P. (2004). Civil liberty and the response to terrorism. *Duquesne University Law Review*, (42)2, 662-723.
- Silbey, S. (2005). After legal consciousness. *Annual Review of Law and Social Science*, 323-368.
- Wright, C. A. (2005). *Law of the federal courts*. St. Paul, MN: West.