

LSTD510

STUDENT WARNING: This course syllabus is from a previous semester archive and serves only as a preparatory reference. Please use this syllabus as a reference only until the professor opens the classroom and you have access to the updated course syllabus. Please do NOT purchase any books or start any work based on this syllabus; this syllabus may NOT be the one that your individual instructor uses for a course that has not yet started. If you need to verify course textbooks, please refer to the online course description through your student portal. This syllabus is proprietary material of APUS.

Course Summary

Course : LSTD510 **Title :** Constitutional Law

Length of Course : 8

Prerequisites : N/A **Credit Hours :** 3

Description

Course Description: This course provides the student with a theoretical foundation in Constitutional law. The Constitution divides power. In particular, it apportions authority along three main dimensions: between the state and federal governments; among the branches of the federal government; and between, on the one hand, all levels of government and, on the other hand, individuals. The vast majority of live constitutional questions concern a conflict along one or more of these axes. Students will study issues of policy, principle, philosophy, and constitutional implications by focusing on construction and application. This graduate course will explore advanced principles, doctrines and controversies regarding the structure of and division of powers in American government. Specific topics include judicial review, jurisdiction, standing to sue, federalism, federal and state powers and immunities, the separation of powers among the branches of the federal government, the First Amendment, and the Equal Protection Clause.

Course Scope:

This graduate course will explore advanced principles, doctrines, and controversies regarding the structure of and division of powers in American government. Specific topics include judicial review, jurisdiction, standing to sue, federalism, federal and state powers and immunities, the separation of powers among the branches of the federal government, the First Amendment, and the Equal Protection Clause.

Objectives

After completing this course, the Student will be able to:

1. Distinguish the development of Constitutional Law in the areas of judicial, legislative, and executive powers;
2. Analyze the separation of powers, federalism, national and state regulation of commerce, and property rights;
3. Assess the role of the judiciary by examining landmark constitutional decisions;
4. Appraise the Bill of Rights and the U.S. Constitution; and

5. Analyze a recent Supreme Court case.

Outline

Week 1: Judicial Authority

Reading

Please see the Readings in the Lessons section under Readings and Resources for your required readings each week.

Learning Objectives

1. Distinguish the development of Constitutional Law in the areas of judicial, legislative, and executive powers
2. Assess the fundamental principles at issue during the development of the U.S. Constitution.
3. Differentiate between the checks and balances in place for different branches of the government.
4. Understand the historical background and scope of judicial authority

Assignment

1) Forum Posting

***Initial posts in the DB are: **500 words** (1.5 pages typed, double spaced)

Follow up posts in DBs are: **250-350 words** per post

Week 2: Congressional Authority

Reading

Please see the Readings in the Lessons section under Readings and Resources.

Learning Objectives

1. Distinguish the development of Constitutional Law in the areas of judicial, legislative, and executive powers
2. Evaluate the underlying theories of Separation of power.
3. Discern the implications of Full Faith and Credit.
4. Understand the historical background and scope of judicial authority

Assignment

1) Forum Posting

***Initial posts in the DB are: **500 words** (1.5 pages typed, double spaced)

Follow up posts in DBs are: **250-350 words** per post

2) Research Paper Topic due (see assignment section)

Week 3: Presidential Authority

Reading

Please see the Readings in the Lessons section under Readings and Resources.

Learning Objectives

1. Distinguish the development of Constitutional Law in the areas of judicial, legislative, and executive powers
2. Understand the historical background and scope of judicial authority
3. Examine modern issues involving the executive privilege
4. Examine modern issues involving Commander-in-Chief Authority

Assignment

1) Forum Posting

***Initial posts in the DB are: **500 words** (1.5 pages typed, double spaced) are due by Wednesday night each week.

Follow up posts in DBs are: **250-350 words** per post and are due by Sunday night each week.

Week 4: US Constitution and the States

Reading

Please see the Readings in the Lessons section under Readings and Resources.

Learning Objectives

1. Analyze the separation of powers, federalism, national and state regulation of commerce, and property rights
2. Assess the role of the judiciary by examining landmark constitutional decisions
3. Understand the Scope and legal issues surrounding the State Action Doctrine.
4. Examine the key components of the 10th Amendment of the United States Constitution.
5. Examine the key components of the 11th Amendment of the United States Constitution

Assignment

1) Forum Posting

***Initial posts in the DB are: **500 words** (1.5 pages typed, double spaced) are due by Wednesday night each week.

Follow up posts in DBs are: **250-350 words** per post and are due by Sunday night each week.

2) Your case brief is due by Sunday this week.

Week 5: Fundamental Rights - Due Process

Reading

Please see the readings in the Lessons section of the classroom under Reading and Resources.

Learning Objectives

- 1 Explain the Bill of Rights and the U.S. Constitution
2. Examine what is meant by Due Process of Law.
3. Examine Marriage and Family Rights
4. Examine the legal issues relating to Abortion

Assignment

- 1) Forum posting

***Initial posts in the DB are: **500 words** (1.5 pages typed, double spaced) are due by Wednesday night each week.

Follow up posts in DBs are: **250-350 words** per post and are due by Sunday night each week.

2) Post your "Case Note Outline" in the "Case Note Outline" forum. Please critique the outlines of at least two of your peers. Your outlines should have the following parts: (1) Introduction, (2) Facts, (3) Holding, (4) Discussion of Prior Law/Legal Background, (5) Reasoning/Analysis, and (6) Conclusion. Remember that a case note should make a legal argument about the Supreme Court's reasoning and the effect of the case.

Please review the following handout that describe the parts of a case note:

http://scholarship.law.umt.edu/mlr/writing_a_case_note.pdf

Web Resources: Access

<http://www.landmarkcases.org/>

<http://wings.buffalo.edu/faculty/research/bioethics/court.html>

Week 6: Free Speech

Reading

Please see the Readings in the Lesson section of the classroom under Reading and Resources.

Learning Objectives

1. Explain the Bill of Rights and the U.S. Constitution
2. Examine the Right guaranteed by the 1st Amendment
3. Examine the history of free speech regulation
4. Discuss modern issues regarding free speech

Assignment

- 1) Forum posting
- 2) Your research paper literature review is due in the Assignments section by Sunday night.

Week 7: Freedom of Religion

Reading

Your readings for this week are found in the Lessons section under Reading and Resources.

Learning Objectives

1. Explain the Bill of Rights and the U.S. Constitution
2. Examine the 1st Right regarding religion in the 1st Amendment
2. Examine contemporary issues surrounding the free exercise clause
3. Examine contemporary issues surrounding the Establishment.

Assignment

Forum posting

Week 8: Search and Seizure

Reading

Your readings are found in the Lesson Section under Reading and Resources

Learning Objectives

1. Explain the Bill of Rights and the U.S. Constitution
2. Determine the guarantees set forth in the Fourth Amendment against unreasonable searches and seizures.
3. Define “search” and examine contemporary Constitutional issues.
4. Examine probable cause examples to determine legality of law enforcement actions
5. Analyze and assess a recent Supreme Court case.

Assignment

1. Week 8 forum
2. Your research paper is due by Sunday midnight. Please see the assignment section for details.

Evaluation

Forums: There will be nine Forum assignments (Introduction = 1% and the eight Forums = 3% each for a total of 25 %),

Research Paper Topic Approval: At the end of Week 2 each student will turn in their research paper topic (5% of final grade) for approval. Details of the assignment can be found under “Assignments.”

Case Brief: At the end of Week 4 each student will turn in a completed case brief (10% of final grade). Details on how to brief a case can be found under “Assignments.” Students are given the option to brief any of the Supreme Court cases they are assigned for reading during the course.

Literature Review: At the end of Week 6, in preparation for the final research assignment each student will turn in a literature review (15% of final grade) of the scholarly research they will be using for their research paper. Details of the assignment can be found under “Assignments.”

Research Paper: At the end of Week 8 each student will turn in a 10-15 page research paper (45% of final grade) on a controversial Constitutional Law topic. Details of the assignment can be found under “Assignments.”

4. **GRADES**: See Syllabus link in the classroom. Under “APUS Policies,” click on “Grading Policy” for detailed information.

Grading:

Name	Grade %
Introduction Forum	1.00 %
Introduction	1.00 %
Forums	24.00 %
Week 1	3.00 %
Week 2	3.00 %
Week 3	3.00 %
Week 4	3.00 %
Week 5	3.00 %
Week 6	3.00 %
Week 7	3.00 %
Week 8	3.00 %
Research Paper Approval	5.00 %
Research Paper Proposal-Week#2	5.00 %
Case Brief	10.00 %
Case Brief- Week #4	10.00 %
Literature Review	15.00 %
Literature Review-Week #6	15.00 %
Research Paper	45.00 %
Research Paper - Week#8	45.00 %

Materials

Book Title: There are no required books for this course.

Author: N/A

Publication Info: N/A

ISBN: N/A

Book Title: Bluebook: Uniform System of Citation, 20th ed- the Bluebook is available online through the APUS Online Library: <http://ezproxy.apus.edu/login?url=https://www.legalbluebook.com>

Author: Harvard, Columbia Law Reviews

Publication Info: Harvard, Columbia Law Reviews

ISBN: 9780692400197

1. <https://constitutioncenter.org/>, The National Constitution Center
2. <http://www.scotusblog.com/>, The Scotusblog.com
3. Various selected readings made available in the Classroom Lessons section under Reading and Resources.

*Recommended, but not required: *The Bluebook: A Uniform System of Citation, 20th ed.*, (2015).

Websites

In addition to the required course text the following public domain Websites are useful. Please abide by the university's academic honesty policy when using Internet sources as well. Note web site addresses are subject to change.

Site Name	Website URL/Address
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Oyez – Supreme Court Media	http://www.oyez.org/
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Supreme Court Website	http://www.supremecourt.gov/
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Wall Street Journal	http://blogs.wsj.com/law/category/supreme-court/
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Course Guidelines

Writing Expectations

All written submissions should be submitted in a font and page set-up that is readable and neat. Specific details are provided in the assignment section as assignment formats vary. Uploaded documents in the assignment section should be in word (.doc, .docx) format. Faculty may require assignments be submitted to Turnitin.com. Turnitin.com will automatically analyze a paper and report instances of potential plagiarism or overuse of quotes for the student to edit before submitting it for a grade. The expectation is that the writing will be in your words after analysis of the sources.

Citation and Reference Style

The central function of legal citation is to allow the reader to efficiently locate the cited source. All courses in the Legal Studies program require that any narrative essay or composition format follow the legal citation guidelines set forth in *The Bluebook: A Uniform System of Citation*. Do not purchase *The Bluebook*, as it is available at the APUS library. Use this link to access: <http://ezproxy.apus.edu/login?url=https://www.legalbluebook.com>

Late Assignments

Students are expected to submit classroom assignments by the posted due date and to complete the course according to the published class schedule. As adults, students, and working professionals, I understand you must manage competing demands on your time. Should you need additional time to complete an assignment, please contact me before the due date so we can discuss the situation and determine an

acceptable resolution.

Deductions

Late forum posts, assignments, and exams may be penalized five (5) points per day.

Netiquette

Online universities promote the advancement of knowledge through positive and constructive debate – both inside and outside the classroom. Forums on the Internet, however, can occasionally degenerate into needless insults and “flaming.” Such activity and the loss of good manners are not acceptable in a university setting – basic academic rules of good behavior and proper “Netiquette” must persist. Remember that you are in a place for the rewards and excitement of learning which does not include descent to personal attacks or student attempts to stifle the Forum of others.

Technology Limitations: While you should feel free to explore the full-range of creative composition in your formal papers, keep e-mail layouts simple. The Sakai classroom may not fully support MIME or HTML encoded messages, which means that bold face, italics, underlining, and a variety of color-coding or other visual effects will not translate in your e-mail messages.

Humor Note: Despite the best of intentions, jokes and especially satire can easily get lost or taken seriously. If you feel the need for humor, you may wish to add “emoticons” to help alert your readers: ;-), :))

Disclaimer Statement

Course content may vary from the outline to meet the needs of this particular group.

Online Library

The Online Library is available to enrolled students and faculty from inside the electronic campus. This is your starting point for access to online books, subscription periodicals, and Web resources that are designed to support your classes and generally not available through search engines on the open Web. In addition, the Online Library provides access to special learning resources, which the University has contracted to assist with your studies. Questions can be directed to librarian@apus.edu.

Charles Town Library and Inter Library Loan: The University maintains a special library with a limited number of supporting volumes, collection of our professors’ publication, and services to search and borrow research books and articles from other libraries.

Electronic Books: You can use the online library to uncover and download over 50,000 titles, which have been scanned and made available in electronic format.

Electronic Journals: The University provides access to over 12,000 journals, which are available in electronic form and only through limited subscription services.

Tutor.com: AMU and APU Civilian & Coast Guard students are eligible for 10 free hours of tutoring provided by APUS. [Tutor.com](https://www.tutor.com) connects you with a professional tutor online 24/7 to provide help with assignments, studying, test prep, resume writing, and more. Tutor.com is tutoring the way it was meant to be. You get expert tutoring whenever you need help, and you work one-to-one with your tutor in your online classroom on your specific problem until it is done.

Legal Studies Program Guide: This should be your starting point as you explore the resources available for the Legal Studies Program! <https://www.apus.edu/apus-library/online-research/research/research-guides/school-of-security-global-studies/legal-studies-paralegal-studies>

University Policies

[Student Handbook](#)

- [Drop/Withdrawal policy](#)
- [Extension Requests](#)
- [Academic Probation](#)
- [Appeals](#)
- [Disability Accommodations](#)

The mission of American Public University System is to provide high quality higher education with emphasis on educating the nation's military and public service communities by offering respected, relevant, accessible, affordable, and student-focused online programs that prepare students for service and leadership in a diverse, global society.

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