

Introduction to United States Law (LLM only), Law 093

Spring 2022

Class time: Wednesday 9:50 AM – 11:50 AM

Professor Jamal Javaid

Contact Information: jjavaid1@gmu.edu

Office hours: By appointment only, please email to set up appointment

*Please note: this syllabus is subject to change at the discretion of the instructor to accommodate instructional or student needs.

Course reading materials

Required: Robert Klonoff, *Introduction to the Study of US Law* (1st Ed. 2016), ISBN 978-1-62810-167-6

Grading

The final grade will comprise of:

- Class participation (20%)
- Final exam (80%)

Attendance

Timely attendance to every class is mandatory. If there is a reason you cannot attend class, please email me and let me know in advance, to the extent possible.

Participation

Participation is key in learning the course material. I encourage all students to ask questions and engage in conversation. I will encourage discussion by asking questions regarding a case and I encourage all students to voluntarily participate in discussion. However, I may also call on students if there are no volunteers. Reading the preassigned reading will assist you greatly in being prepared for these discussions and your level of discussion will contribute significantly to your final grade. While I am available to review course material outside of class, I encourage all students to bring up questions during class as this will benefit others as well.

Classroom Format and Assigned Reading

We are scheduled for thirteen (13) 120-minute sessions and during each session, a ten minute break will be provided so that there are roughly two 55 minute sessions. In order to have success in this class, I encourage the following:

- Please read the assignments *prior* to coming to class each day. Having a framework for what will be discussed is vital to participate in discussion and ask the appropriate questions to understand the material. Often times I see students struggle to know what questions to ask and this primarily occurs due to lack of preparedness.
- The specific needs of each LLM will vary based on the level of English-language proficiency and understanding of the law in the United States.
- Assignments and course work are arranged by class sessions shown below in the course outline.

Goals for all students by the end of the course

- A basic understanding of the legal structure of the United States.
- A basic understanding of the general areas of law in the United States.
- The ability to utilize material learned in this class to build on your particular interests and future professional goals.
- **Please remember: this course will be a framework of what you will use and build on moving forward. Doing well in this class is not solely to earn a good grade but also to have a strong foundation on which to advance your legal education and career.**

Course Outline (all page numbers refer to the *Klonoff* casebook)

Class 1: 1/19: Introduction to the U.S. Legal System

1. Introduction to the course and expectations
2. The Common Law System: pages 1-10
3. Dual Federal and State Courts: pages 15-24
4. Trial by Jury: pages 26-31
5. Judicial Review and Judicial Decisions: pages 33-35
6. The U.S. Supreme Court: pages 37-43 and 47-53

Class 2: 1/26: Constitutional Law Part I

1. Freedom of Speech
 - a. Symbolic Speech: pages 63-75
 - b. Technology: pages 76-82
 - c. Offensive Speech: pages 90-93

Class 3: 2/2: Constitutional Law Part II

1. Religious Clauses
 - a. The Free Exercise Clause: pages 104-109
 - b. The Establishment Clause: pages 117-124
2. Equal Protection: pages 131-135, 137-147, and 156-164

Class 4: 2/9: Constitutional Law Part III

1. The Right to Privacy (*Roe v. Wade*): pages 165-179
2. The Commerce Clause and Federalism: pages 193-199

Class 5: 2/16: Civil Procedure Part I

1. Due Process Right to Fair Procedures: pages 209-216
2. Personal Jurisdiction
 - a. Specific Jurisdiction: pages 219-225
 - b. General Jurisdiction: pages 225-231
3. Subject Matter Jurisdiction
 - a. Federal Question Jurisdiction: pages 235-236
 - b. Diversity Jurisdiction and Choice of Law: pages 236-242

Class 6: 2/23: Civil Procedure Part II

1. Venue: pages 250-258
2. Threshold Pleadings: pages 263-271
3. Discovery: pages 276-281
4. Summary Judgment: pages 283-286
5. Trials, Appeals, and Alternative Dispute Resolutions: pages 290-294
6. Sanctions: pages 298-302
7. Issue and Claim Preclusion: pages 325-328

Class 7: 3/2: Contracts

1. Offer and Acceptance: pages 329-338
2. Consideration: pages 341-347
3. Duty and Breach: pages 354-362
4. Unconscionability and Duress: pages 364-367
5. Duty to Disclose: pages 370-375
6. Damages: pages 381-386

Class 8: 3/9: Torts Part I

1. Intentional Torts
 - a. Assault and Battery: pages 389-392
 - b. False Imprisonment: pages 394-397
 - c. Intentional Infliction of Emotional Distress: pages 399-402
 - d. Libel, Slander, and Invasion of Privacy: pages 404-412
 - e. Trespass: pages 414-418

Spring Recess 3/16: no class

Class 9: 3/23: Torts Part II

1. Negligence
 - a. Duty of Care: pages 423-428
 - b. Breach of Duty: pages 438-443
 - c. Emergency Doctrine: page 448
 - d. Proximate Cause/Foreseeability: pages 449-452
 - e. Defense to Negligence: Comparative Fault and Contributory Negligence: pages 454-459
2. Strict Liability: pages 462-466
3. Respondeat Superior: pages 468-472

Class 10: 3/30: Property

1. Ownership: page 484-491
2. Adverse Possession: pages 510-515
3. Easements: pages 516-518
4. Trespass: pages 519-525
5. Nuisance: pages 526-532
6. Implied Warranty of Habitability: pages 541-547
7. Takings: pages 548-558

Class 11: 4/6: Criminal Procedure

1. Search and Seizure (Fourth Amendment): pages 563-573
2. Right to Counsel (Sixth Amendment): pages 592-595
3. Policy Interrogations (Fifth Amendment): pages 597-605
4. Trial by Jury (Sixth Amendment): pages 611-615
5. Defendant's Right to Exculpatory Evidence (Fifth and Fourteenth Amendments): pages 620-622

Class 12: 4/13: Criminal Law

1. Reasonable Doubt Standard: pages 643-649
2. Sufficiency Based on Circumstantial Evidence: pages 651-655
3. Mens Rea: pages 656-661
4. Attempt: pages 680-686
5. Justification Defense: pages 686-696

Class 13: 4/20

1. Course Review
2. Final Exam Preparation

Final Exam: May 9, 12 PM