

POLI 450 - CONSTITUTIONAL LAW¹²
Mondays and Wednesdays, 5:30 PM to 6:45 PM
Online Section
Three Credits
Fall 2020

INSTRUCTOR INFORMATION AND ACCESSIBILITY

Instructor: Dr. Jessica A. Schoenherr, Assistant Professor, Political Science

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Office: 342 Gambrell Hall

Office Hours: Monday and Wednesday, 7-8 PM on Blackboard or by appointment

Email is the best way to contact me. Please include "POLI 450" in the subject line to make sure the email does not get lost. Allow 24 hours for a response during the week (Monday-Thursday) and 36 hours during the weekend (Friday-Sunday).

COURSE DESCRIPTION AND OBJECTIVES

This course is designed to familiarize students with the nature and functions of the national government and its relations with the states.

Anyone who has taken a government class knows the United States federal government has three different branches: a legislative branch that writes the laws, an executive branch that oversees their implementation, and a judicial branch that interprets them. While government classes make this separation of powers seem clear, the reality is that the division of power is complex and layered. Can the Supreme Court get involved in legislative apportionment cases? Can Congress exclude a duly elected representative from participating in legislative activities? Can the president utilize a line-item veto? Can the government tell you to buy health insurance?

When the waters are muddy, the other branches frequently turn to the Supreme Court for help and guidance. This course is designed to examine the federal government's institutions and their roles through the eyes of the Supreme Court's rulings on institutional power and constraint.

By the end of this course, you should:

1. Develop a substantive understanding of historical and modern developments in the constitutional law of institutional powers and constraints.
2. Understand the factors that influence Supreme Court decision making, including political and legal factors.
3. Develop the ability to read, understand, and interpret U.S. Supreme Court decisions and effectively summarize their decisions.
4. Apply the understanding gained from course readings and lectures to current hypothetical and legal issues in order to arrive at well-reasoned decisions that you can clearly articulate and legally justify.
5. Appreciate different decisions and types of constitutional interpretation and apply these different tactics in your coursework, regardless of the side of the debate you prefer.
6. Enhance your written communication skills through written assignments.

All learning outcomes in this course are equivalent to a face-to-face (F2F) version of this course.

¹ V2 – September 9th, 2020 – Added late policy (pages 5-6), moved *Gravel v. United States* (1972) to 9/14

² V3 - October 31st, 2020 -- Modified schedule in light of cancelled class

COURSE MATERIALS

Please obtain a copy of the following book for this class:

- Epstein, Lee and Thomas G. Walker. 2020. *Constitutional Law for a Changing America: Institutional Powers and Constraints*. 10th Edition. Sage CQ Press. (ISBN: 978-1544317908)

There are several previous editions of this book. I will be teaching and testing out of the 10th edition and expect you to have that version. If you use an older version, you do so at your own risk.

I also recommend you obtain a copy of the following text, which will be a helpful guide to making it through the material:

- Barnett, Randy E. and Josh Blackman. 2020. *An Introduction to Constitutional Law: 100 Supreme Court Cases Everyone Should Know*. Wolters Kluwer. (ISBN: 978-1543813909)

You will not need this book to complete the assignments, but the Barnett and Blackmun text has several helpful resources both within its pages and online that might be useful as you work through the class.

Occasionally, there will be a reading that is not in the Epstein and Walker text. These readings are marked with an asterisk (*) on the syllabus and I will provide them on Blackboard.

INSTRUCTIONAL AND TECHNOLOGY INFORMATION

SYNCHRONOUS COURSE REQUIREMENTS:

This course is a synchronous online course. Students will not be required to attend any face-to-face (F2F) meetings, but they will be expected to be in class at the scheduled time.

We will be using Blackboard for this class. All assignments will be turned in on Blackboard and I will post materials that are not in the book there as well. Make sure you have access to the course and please let me know within the first week if you do not.

All classes will be conducted on Blackboard Collaborate. There is a course room that you can join inside the course Blackboard site. The room opens 15 minutes before class (at 5.15 PM) and will close at the end of class (6.30 PM). Students must have consistent and reliable access to a computer and to the Internet in order to complete this class.

If you have technology-related questions or need help with software, please contact the Division of Information Technology (DoIT) [here](#).

ATTENDANCE POLICY:

Coming to class is important. This class is synchronous because this material is difficult to learn on your own and you should have an opportunity to ask questions to aid your learning. For the sake of your own success, I STRONGLY encourage you to come to every class and be prepared with questions.

With that said, I am not taking attendance in this class, and I will be recording lectures and posting them on Blackboard so that, in the event that you do miss class, you can make up the material. When you miss class, you miss important information. If you are absent, you are responsible for learning material covered in class.

COURSE ASSIGNMENTS AND ASSESSMENTS

Your grade will be determined using the following weights:

Area	Points
Course Pre- and Post-Tests	100
Quizzes	400
Briefing Memos	300
Final Exam	200
Total	1000

COURSE PRE- AND POST-TESTS (100 points):

At the beginning of the semester, you will be asked to complete a multiple-choice test that will ask you about your knowledge of the Supreme Court and constitutional law, as well as your feelings about the Court and your comfort levels with different topics and types of coursework. You will take the same test again at the end of the semester. These tests will establish your baseline knowledge of the course material and show how much you learned/retained by the end of the semester.

These tests will be graded for completion and effort only (i.e., you get full credit as long as you complete it). You will learn the right answers to many of the questions by the end of the course.

The Course Pre-Test will be available on Blackboard starting on Thursday, August 20th and must be completed by 4 PM Columbia time on Wednesday, August 26th.

The Course Post-Test will be available on Blackboard starting on Monday, November 23rd and must be completed by 4 PM Columbia time on Monday, November 30th.

QUIZZES (400 points):

Over the course of the class, you will be taking six online quizzes in Blackboard. Each quiz will have between 10 and 15 multiple choice questions and 2-3 short answer questions (approximately 6-8 sentence answers). These quizzes will not be cumulative. The first quiz will cover the material from the first three weeks of the class. Each subsequent quiz will cover the material examined since the last quiz, meaning each quiz will cover approximately two weeks' worth of material.

Quizzes will always open Fridays at 4 PM Columbia time and will be due on Mondays at 4 PM Columbia time.

This means you can take the quiz anywhere within that 72-hour period. You will have 30 minutes to complete each quiz. Once you start the quiz, you have to finish it (i.e., you cannot start, walk away for two hours, and then come back to finish it), so please make sure you give yourself 30 uninterrupted minutes to take it. Because this course is done online, all quizzes will be open book and open note. I do expect that you will do them on your own, without the assistance of others.

Because we will be taking these quizzes frequently, absolutely no late quiz submissions will be accepted. Exceptions will be made only in extreme circumstances, including (1) medical emergencies; (2) emergencies involving a family member that necessitate your absence from campus; (3) participation in a university-sponsored activity; or (4) observance of a religious holiday. If you miss a quiz for one of these reasons, you must contact me in writing as soon as is possible to make alternative arrangements. All claims must, when possible, be made prior to the quiz that you will miss. Failure to

follow these guidelines will result in a grade of "0" being awarded for that quiz. I reserve the right to give an alternative quiz if this situation arises.

But, because life happens, I will drop your lowest quiz score (meaning your final quiz grade will be from your five best quizzes). That means you can miss one quiz without incurring a penalty.

BRIEFING MEMOS (300 points):

Briefing memos are short (one-page) summaries of Supreme Court cases that outline specific parts of the case:

- Facts: the major facts of the case, including who is involved and why
- Issue: the constitutional issue(s) in the case
- Rule: the legal rule(s) the Court is trying to follow or interpret
- Application: how the Court applies the rule(s) to the facts of the case
- Conclusion: the answer to the issue

You will be writing briefing memos throughout the semester. These assignments are supposed to help you learn how to organize and clarify Supreme Court decisions. They will also help you learn to connect decisions so that you can reach your own conclusions about legal issues.

Briefs will follow the Facts-Issue-Rule-Application-Conclusion (FIRAC) briefing style. I will provide a separate document explaining how this works and provide a clear example of what these should look like and contain.

Since this is new to you, everyone is expected to complete the first assignment, which is a briefing memo on the case *Baker v. Carr* (1962). This assignment will be due by 4 PM on Monday, September 7th. I will provide feedback on this assignment to guide your future work. After that, you will write briefing memos for the cases covered in NINE different classes.

Briefing memos must be done before we talk about the cases in class. So, for example, if you decide to write briefing memos for the class on Congressional Independence, then you would turn in briefing memos for *Powell v. McCormack* (1969), *U.S. Term Limits, Inc. v. Thornton* (1995), and *Gravel v. United States* (1972) by 4 PM Columbia time on Wednesday, September 9th.

You will select FOUR classes' worth of briefing memos to complete in the first half of the course (by 4 PM Columbia time on Monday, October 14th).

The remaining five must be completed by 4 PM Columbia time on Monday, November 23rd (the last day of class that has new content).

If you want to do all nine of these briefing memos in the first half of the semester, go for it, but you absolutely cannot do all nine in the last half of the semester.

Briefing memos will be graded for completion and good-faith effort. Each memo will receive a check-plus (full credit), a check, a check-minus, or a zero. Briefing memos for a class must be submitted to Blackboard by 4 PM Columbia time on the day we cover that material.

FINAL EXAM (200 points):

To evaluate all that you learned throughout the semester, there will be a final exam for this class. This final will be cumulative and will consist of a combination of multiple-choice, true-or-false, and essay questions. The format will look similar to your quizzes, but with more questions and longer essays.

The final for this class is on Monday, December 7th at 4 PM Columbia time. Like the quizzes, it will be conducted on Blackboard. I will provide more details as we get closer to the end of the semester.

All exams must be taken during the period in which they are scheduled. Exceptions will be made only in extreme circumstances, including (1) medical emergencies; (2) emergencies involving a family member that necessitate your absence from campus; (3) participation in a university-sponsored activity; or (4) observance of a religious holiday. You must provide documentation that allows me to verify your absence was valid. All claims must, when possible, be made at least two weeks prior to when the exam is scheduled. Failure to follow these guidelines will result in a "0" being awarded for the final. I reserve the right to have the makeup exam be of a different format than the exam that is given during class.

GRADING SCALE

I will use the following scale to assign course grades:

Points	Grade
900-1000	A
870-899	B+
800-869	B
770-799	C+
700-769	C
670-699	D+
600-669	D
599 or less	F

Percentages greater than or equal to 0.5 will be rounded up to the next highest whole percentage (Example: 86.5% will round up to an 87%).

GRADE APPEALS

If you receive a grade and see that it contains an arithmetic error (i.e., I mis-calculated your grade), please inform me of the problem. If you have a question or concern about your performance on any course work, please do. All concerns must be stated in writing (paper or email), beginning with a statement that concisely explains why you believe your grade should be altered.

All concerns, whether arithmetic or otherwise, must be raised within one week of that assignment/quiz's release to students. It is your responsibility to attend the class session in which materials are returned; the one-week clock starts when I make the initial attempt to distribute the exam/assignment regardless of whether or not you were there to collect it. If you do not raise your question within this one-week period, you forfeit your ability to appeal your grade.

LATE SUBMISSION POLICY

FOR BRIEFING MEMOS:

For the opportunity to get full credit for briefing memos, you must submit them on time (by 4 PM on the day we discuss the cases you briefed).

You get a one-hour grace period, meaning if you turn your assignment in between 4 PM and 5 PM, you will still get credit, but with a 20% reduction for lateness.

If you turn in a briefing memo after 5 PM, you get a zero.

FOR QUIZZES, PRE- AND POST-TESTS, AND THE FINAL EXAM:

You cannot take a quiz after the deadline and there is not a grace period. Quizzes are due at 4 PM on the Mondays marked at the end of the syllabus.

ACADEMIC INTEGRITY

HONOR CODE:

Every student has a role in maintaining the academic reputation of the university. It is imperative that you refrain from engaging in plagiarism, cheating, falsifying your work and/or assisting other students in violating the Honor Code. Two important components of the Honor Code:

- Faculty members are required to report potential violations of the Honor Code to the Office of Student Conduct and Academic Integrity.
- When a student is uncertain as to whether conduct would violate the Honor Code, it is their responsibility to seek clarification from the appropriate faculty member.

Your enrollment in this class signifies your willingness to accept these responsibilities and uphold the Honor Code of the University of South Carolina. Please review the [Honor Code Policies](#) as well as the [Code of Conduct](#). It is your responsibility to understand these policies.

CAROLINIAN CREED:

The community of scholars at the University of South Carolina is dedicated to personal and academic excellence. Choosing to join the community obligates each member to the Carolinian Creed. Academic and civil discourse are the cornerstones of the educational system and crucial to individual growth.

As a Carolinian:

- I will practice personal and academic integrity;
- I will respect the rights and dignity of all persons;
- I will respect the rights and property of others;
- I will discourage bigotry, while striving to learn from differences in people, ideas and opinions;
- I will demonstrate concern for others, their feelings and their need for conditions which support their work and development.

CLASSROOM CONTENT AND RECORDING:

I will be recording our class sessions and placing them on Blackboard for you to review, if needed. You are welcome to record the lectures yourself for your own educational use, but odds are that my recordings will be better quality and take up less space on your computer.

Lectures and course materials (which are inclusive of my presentations, tests, exams, outlines, and lecture notes) may be protected by copyright. You are encouraged to take notes and utilize course materials for your own educational purpose. However, you are not to reproduce or distribute this content without my expressed written permission. This includes sharing course materials to online social study sites like Course Hero and other services. Students who publicly reproduce, distribute or modify course content maybe in violation of the university's Honor Code's Complicity Policy, which prohibits "sharing academic work with another student (either in person or electronically) without the permission of the instructor." To best understand the parameters around copyright and intellectual property, see [here](#).

COLLABORATION:

A student's grades are to represent the extent that individual mastered the course content. You should assume that you are to complete course work individually (without the use of another person or uncited outside source) unless otherwise indicated by the instructor. It is your responsibility to seek clarification if you are unclear about what constitutes proper or improper collaboration.

A NOTE ABOUT SOURCES:

There are great resources out there about Supreme Court cases, including Oyez and even Wikipedia. Please use them to help you better understand the material. But these are RESOURCES. The information is not there for you to use as your own without attribution.

Do not, DO NOT, ***DO NOT*** copy information from these sources to answer quiz questions, write your briefing memos, or answer questions on your final exam. EVERYTHING IN THIS CLASS NEEDS TO BE IN YOUR OWN WORDS. If you take information directly from a source without attribution and try to pass it off as your own work, that is plagiarism. Plagiarism is a violation of both the University Honor Code and the Carolinian Creed. You are ultimately responsible for your work and ensuring it is your own.

If you are EVER confused about what is and is not plagiarism, ASK FIRST. I will gladly answer any question about wording if it helps avoid plagiarism.

Additionally, Indiana University has [an incredibly helpful plagiarism tutorial](#) that I encourage you all to look at if you are ever confused.

STUDENT SUPPORT RESOURCES

ACADEMIC SUPPORT:

In partnership with the University of South Carolina faculty, the Student Success Center (SSC) offers a number of programs to assist you in better understanding your course material and to aid you on your path to success. SSC programs are facilitated by professional staff, graduate students, and trained undergraduate peer leaders who have previously excelled in their courses. Resources available to students in this course may include:

- Peer Tutoring: You can make a one-on-one appointment with a Peer Tutor by going to www.sc.edu/success. Drop-in Tutoring and Online Tutoring may also be available for this course. Visit our website for a full schedule of times, locations, and courses.
- Supplemental Instruction (SI): SI Leaders are assigned to specific sections of courses and hold three weekly study sessions. Sessions focus on the most difficult content being covered in

class. The SI Session schedule is posted through the SSC website each week and will also be communicated in class by the SI Leader.

- Peer Writing: Improve your college-level writing skills by bringing writing assignments from any of your classes to a Peer Writing Tutor. Similar to Tutoring, you can visit the website to make an appointment, and to view the full schedule of available drop-in hours and locations.
- Success Consultations: In Success Consultations, SSC staff assist students in developing study skills, setting goals, and connecting to a variety of campus resources. Throughout the semester, your instructor may communicate with the SSC via Success Connect, an online referral system, regarding your progress in the course. If contacted by the SSC, please schedule a Success Consultation. Success Connect referrals are not punitive and any information shared by your professor is confidential and subject to FERPA regulations.

SSC services are offered to all USC undergraduates at no additional cost. You are invited to call the Student Success Hotline at (803) 777-1000, visit www.sc.edu/success, or come to the SSC in the Thomas Cooper Library on the Mezzanine Level to check schedules and make appointments.

ADDITIONAL ACCOMMODATIONS:

Reasonable accommodations are available for students with a documented disability. If you have a disability and may need accommodations to fully participate in this class, contact the Student Disability Resource Center: 777-6142, TDD 777-6744, email sasds@mailbox.sc.edu, or stop by LeConte College Room 112A. All accommodations must be approved through the Student Disability Resource Center.

Students with special needs should contact me immediately. Every effort to accommodate additional needs will be made.

COURSE OUTLINE AND DUE DATES

Please complete the assigned readings by the start of each class. This means reading the cases as well as the chapter commentary on the pages included for each class.

There are some readings that are not available in Epstein and Walker (E&W). Those readings are marked with an asterisk (*) and will be available on Blackboard.

Note: I reserve the right to modify this syllabus at any point in the course to suit the needs of the class. All changes will be noted on Blackboard and sent to students via email in advance of class.

Class Date	Subject	Assignment
8/24	Syllabus Day	--
SECTION 1: THE JUDICIARY		
COURSE PRE-TEST DUE 4 PM WEDNESDAY, AUGUST 26TH		
8/26	Judicial Process	<ul style="list-style-type: none"> • E&W p. 10-51
8/31	Judicial Review	<ul style="list-style-type: none"> • E&W p. 54-83 <ul style="list-style-type: none"> ○ <i>Marbury v. Madison</i> (1803) ○ <i>Martin v. Hunter's Lessee</i> (1816) ○ <i>Eakin v. Raub</i> (1825)
9/2	Jurisdiction	<ul style="list-style-type: none"> • E&W p. 83-91 <ul style="list-style-type: none"> ○ <i>Ex parte McCordle</i> (1869) ○ <i>Patchak v. Zinke</i> (2018)
BAKER V. CARR (1962) BRIEFING MEMO DUE 4 PM MONDAY, SEPTEMBER 7TH		
9/7	Justiciability and Standing	<ul style="list-style-type: none"> • E&W p. 91-116 <ul style="list-style-type: none"> ○ <i>Baker v. Carr</i> (1962) ○ <i>Nixon v. United States</i> (1993) ○ <i>Flast v. Cohen</i> (1968)
SECTION 2: THE LEGISLATURE		
9/9	Congressional Independence	<ul style="list-style-type: none"> • E&W p. 119-136 <ul style="list-style-type: none"> ○ <i>Powell v. McCormack</i> (1969) ○ <i>U.S. Term Limits, Inc. v. Thornton</i> (1995)
QUIZ 1 DUE 4 PM MONDAY, SEPTEMBER 14TH		
9/14	Legislative Powers I	<ul style="list-style-type: none"> • E&W p. 136-159 <ul style="list-style-type: none"> ○ <i>Gravel v. United States</i> (1972) ○ <i>McCulloch v. Maryland</i> (1819) ○ <i>McGrain v. Daugherty</i> (1927)
9/16	Legislative Powers II	<ul style="list-style-type: none"> • E&W p. 159-180 <ul style="list-style-type: none"> ○ <i>Watkins v. United States</i> (1957) ○ <i>Barenblatt v. United States</i> (1959) ○ <i>South Carolina v. Katzenbach</i> (1966)
SECTION 3: THE EXECUTIVE		
9/21	Executive Powers I	<ul style="list-style-type: none"> • E&W p. 181-207 <ul style="list-style-type: none"> ○ <i>Bush v. Gore</i> (2000) ○ <i>In re Nagel</i> (1890)
9/23	Veto and Appointment Powers	<ul style="list-style-type: none"> • E&W p. 208-226 <ul style="list-style-type: none"> ○ <i>Clinton v. City of New York</i> (1998) ○ <i>Morrison v. Olson</i> (1988) ○ <i>NLRB v. Noel Canning</i> (2014)

QUIZ 2 DUE BY 4 PM MONDAY, SEPTEMBER 28TH		
9/28	Removal and Executive Privilege	<ul style="list-style-type: none"> • E&W p. 226-242 <ul style="list-style-type: none"> ○ <i>Myers v. United States</i> (1926) ○ <i>Humphrey's Executor v. United States</i> (1935) ○ <i>United States v. Nixon</i> (1974)
9/30	Immunity	<ul style="list-style-type: none"> • E&W p. 242-260 <ul style="list-style-type: none"> ○ <i>Mississippi v. Johnson</i> (1867) ○ <i>Nixon v. Fitzgerald</i> (1982) ○ <i>Clinton v. Jones</i> (1997)
SECTION 4: WAR POWERS AND INTERNATIONAL CONFLICT		
10/5	Civil War	<ul style="list-style-type: none"> • E&W p. 284-295 <ul style="list-style-type: none"> ○ <i>Prize Cases</i> (1863) ○ <i>Ex parte Milligan</i> (1866)
10/7	World War II and Korean Conflict	<ul style="list-style-type: none"> • E&W p. 295-311 <ul style="list-style-type: none"> ○ <i>Korematsu v. United States</i> (1944) ○ <i>Youngstown Sheet and Tube Co. v. Sawyer</i> (1952)
QUIZ 3 DUE 4 PM MONDAY, OCTOBER 12TH		
10/12	Middle East and War on Terror	<ul style="list-style-type: none"> • E&W p. 311-334 <ul style="list-style-type: none"> ○ <i>Dames & Moore v. Regan</i> (1981) ○ <i>Zivotofsky v. Kerry</i> (2015) ○ <i>Hamdi v. Rumsfeld</i> (2004)
FIRST FOUR BRIEFING MEMOS DUE BY 4 PM MONDAY, OCTOBER 14TH		
SECTION 5: FEDERALISM		
10/14	Early Nation-State Relations	<ul style="list-style-type: none"> • E&W p. 335-355 <ul style="list-style-type: none"> ○ <i>McCulloch v. Maryland</i> (1819) ○ <i>Scott v. Sandford</i> (1857)
10/19	Later Nation-State Relations	<ul style="list-style-type: none"> • E&W p. 366-383 <ul style="list-style-type: none"> ○ <i>New York v. United States</i> (1992) ○ <i>Printz v. United States</i> (1997) ○ <i>Murphy v. National Collegiate Athletic Association</i> (2018)
10/21	Sovereign Immunity	<ul style="list-style-type: none"> • E&W p. 383-384, 398-404 <ul style="list-style-type: none"> ○ (*) <i>Seminole Tribe of Florida v. Florida</i> (1996) ○ (*) <i>Nevada Department of Human Resources v. Hibbs</i> (2003) ○ <i>Arizona v. United States</i> (2012)
QUIZ 4 DUE 4 PM MONDAY, OCTOBER 26TH		
SECTION 6: COMMERCE POWER		
10/26	Foundations of the Commerce Clause	<ul style="list-style-type: none"> • E&W p. 405-412 <ul style="list-style-type: none"> ○ <i>Gibbons v. Ogden</i> (1824)
10/28		CLASS CANCELLED
11/2	Commerce Clause and the Industrial Revolution	<ul style="list-style-type: none"> • E&W p. 412-428 <ul style="list-style-type: none"> ○ <i>United States v. E.C. Knight Co.</i> (1895) ○ <i>Champion v. Ames</i> (1903) ○ <i>Hammer v. Dagenhart</i> (1918)
11/4	Commerce Clause and the New Deal	<ul style="list-style-type: none"> • E&W p. 428-449 <ul style="list-style-type: none"> ○ <i>A.L.A. Schechter Poultry Corp. v. United States</i> (1935) ○ <i>NLRB v. Jones and Laughlin Steel Corporation</i> (1937)
ASYNCHRONOUS CLASS		

QUIZ 5 DUE 4 PM MONDAY, NOVEMBER 9TH		
11/9	Commerce Clause after the Switch in Time	<ul style="list-style-type: none"> • E&W p. 449-463 <ul style="list-style-type: none"> ○ <i>United States v. Darby</i> (1941) ○ <i>Wickard v. Filburn</i> (1942) ○ <i>Heart of Atlanta Motel, Inc. v. United States</i> (1964)
11/11	Commerce Clause and the Federalism Revolution I	<ul style="list-style-type: none"> • E&W p. 463-478 <ul style="list-style-type: none"> ○ <i>United States v. Lopez</i> (1995) ○ <i>United States v. Morrison</i> (2000)
11/16	Commerce Clause and the Federalism Revolution II	<ul style="list-style-type: none"> • E&W p. 478-494 <ul style="list-style-type: none"> ○ <i>Gonzales v. Raich</i> (2005) ○ <i>National Federation of Independent Business v. Sebelius</i> (2012)
SECTION 7: ECONOMIC SUBSTANTIVE DUE PROCESS		
11/18	Economic Liberty	<ul style="list-style-type: none"> • E&W p. 617-647 <ul style="list-style-type: none"> ○ <i>The Slaughterhouse Cases</i> (1873) ○ <i>Lochner v. New York</i> (1905) ○ <i>Muller v. Oregon</i> (1908)
QUIZ 6 DUE 4 PM MONDAY, NOVEMBER 23RD		
LAST FIVE BRIEFING MEMOS DUE BY 4 PM MONDAY, NOVEMBER 23RD		
11/23	Decline of Economic Substantive Due Process	<ul style="list-style-type: none"> • E&W p. 650-662 <ul style="list-style-type: none"> ○ <i>Nebbia v. New York</i> (1934) ○ <i>West Coast Hotel v. Parrish</i> (1937) ○ <i>Williamson v. Lee Optical Company</i> (1955)
COURSE POST-TEST DUE 4 PM MONDAY, NOVEMBER 30TH		
11/30	Review for Final	--
FINAL EXAM MONDAY, DECEMBER 7TH AT 4 PM		