

**CLASS SYLLABUS**  
**POSC 380/ LEST 380: INTRODUCTION TO LAW**  
Spring 2019  
Prof. Sheldon D. Pollack

The study of law is an important part of the academic curriculum. This course is designed to study the law from the perspective of political science, stressing that law is public policy made by political institutions and backed by authoritative, coercive power. Law reflects underlying social values and the broad culture of our society. Accordingly, we also must recognize the social/ historical dimensions of the legal system. The course is not a “pre-law” course, but it will be of interest to those looking into a career in law. Our goal is to understand the nature and function of law, as well as to learn a bit of substantive law in several select areas. This means learning a bit about constitutional law, criminal law, contracts, torts, intellectual property (“IP”), and one area of regulatory law (i.e., environmental law). It is important to remember that this is an introductory course that serves as the foundation for your further legal studies, so we will not go into detailed study. Other classes and disciplines delve deeper into these individual subjects, and students are advised to further investigate these.

You are expected to read **all** assigned chapters and cases from the text **before** class! In class, I will periodically ask students to comment on the assigned readings, so be prepared for each class. Please feel free to raise questions as discussion is always welcome. If you do not understand a subject, most likely others do not either. In fact, some classroom participation is **required** of all students. You will be asked to “present” one law case during the semester. This involves reading your assigned case carefully and presenting to the class a brief description (about 5 minutes) of the facts and legal issues. Click here for a summary of the format for your case presentation: [case brief](#)

**Attendance:** Students **must** attend all classes and be prepared! Attendance will be taken at each class.

**Electronic Devices:** Use of a laptop or texting in class without my permission is **forbidden**. Texting during an exam is grounds for **suspension** from the University. Please turn off your cell phone before class!

**Text:** Henry R. Cheeseman, *Business Law: Legal Environment* (Pearson, 9th edition). The bookstore has the hardback edition and an electronic version. (You might find a used copy or a loose-leaf version.) The least expensive option is to rent the electronic version. Do **not** buy an older edition or the newer 10th edition, which is more expensive.

**Casebook:** This is a collection of cases from which we will read selections during the semester. Do **not** print out the whole document! Just print out the assigned cases as we go along. The casebook is posted online (with the syllabus and other course materials) on the homepage of POSC 380: click [here](#)

**Legal Research:** Cases and other legal resources can be found by using the online research service “Nexis Uni” (formerly known as “Lexis/Nexis”). Lawyers and researchers use this tool, which is available for free on our library’s homepage: <http://www.lib.udel.edu/> Under “Databases” plug in “Nexis Uni” and go into this database. Click on the tab “Cases” (on the left side). Search with a keyword, case name, or legal “citation.” (I will demonstrate in class.)

**Exams & Grading:** There will be two exams in class during the semester and a non-cumulative final exam. Each of the three exams is worth 30% of your grade. Class participation will count for the remaining 10% of your grade. (Warning: Failure to show up to class to present your case will result in a failing grade in participation!) Grading will use the plus/minus system. Make-up exams will be permitted **only** under compelling of circumstances and **only** with my prior permission. Otherwise, make-up exams will be given during finals week. The grading scale is:

A	93 – 100%	C+	77 – 79.9%	D-	60 – 62.9%
A-	90 – 92.9%	C	73 – 76.9%	F	< 60%
B+	87 – 89.9%	C-	70 – 72.9%	I	Incomplete
B	83 – 86.9%	D+	67 – 69.9%		
B-	80 – 82.9%	D	63 – 66.9%		

**Office Hours:** My office is Purnell 216. Office hours are Tuesday & Thursday from 10:30 am to noon and then again at 5:00 pm. I am around other times as well and always happy to chat. Feel free to contact me to set up a meeting, either after class or via e-mail: [pollack@udel.edu](mailto:pollack@udel.edu)

## POSC 380/ LEST 380: ASSIGNMENTS

(revised 5/12/19)

<u>Class:</u>	<u>Topic:</u>	<u>Assignment:</u>
1	Intro to Law & Legal Research	Chapter 1 (pp. 2–16) (skip court cases in textbook)
2	U.S. Judicial System	Chapter 2 (pp. 21–30)
3	U.S. Judicial System	Chapter 2 (pp. 31–40); Casebook: Sierra Club v. Morton; W-W Volkswagen v. Woodson; Carnival Cruise v. Shute
4	U.S. Judicial System	Casebook: Erie RR v. Tompkins; Wendelken v. Sherrill
5	Litigation & ADR	Chapter 3 (pp. 44–62): Casebook: Ferolito v. Johnson & Johnson
6	Constitutional law: Commerce	Chapter 4 (pp. 68–76): read U.S. Constitution, Article I, Section 8, 3rd sentence Casebook: U.S. v. Darby; Heart of Atlanta v. U.S.; U.S. v. Lopez
7	Constitutional law: 1 <sup>st</sup> Amendment	Chapter 4 (pp. 76–81): read 1st Amendment of U.S. Constitution Casebook: Cohen v. California
	<b>Exam #1</b> (in class)	March 12
8	Criminal law	Chapter 8 (pp. 156–169): Casebook: Jones v. State of Indiana; State v. Mayle
9	Criminal Procedure	Chapter 8 (pp. 172–180): Casebook: Gideon v. Wainwright; Mapp v. Ohio; Miranda v. Arizona
10	Intentional Torts	Chapter 5 (pp. 94–99); Casebook: James v. Meow Media; Wal-Mart v. Cockrell; Perna v. Pirozzi; Roach v. Stern
11	Unintentional Torts	Chapter 5 (pp. 101–11); Casebook: Fischer v. Pepsi; Schick v. Ferolito; Lilya v. Greater Gulf State Fair
	<b>UD Spring Break</b>	April 1-5
12	Product Liability	Chapter 6 (pp. 115–26); Casebook: Shoshone Coca-Cola v. Dolinski; Nowak v. Faberge; Elstroth v. J & J
13	Intellectual Property: torts, patents	Chapter 7 (pp. 130–38) and Chapter 5 (bottom of p. 97 page only); Casebook: White v. Samsung; Saderup v. Comedy III
14	Intellectual Property: © and ™	Chapter 7 (pp. 139–52); Casebook: Campbell v. Aucuff-Rose; Ty v. GMA; Two Pesos v. Taco Cabana; Victoria's Secret v. Moseley
	<b>Exam #2</b> (in class)	April 18
15	Contracts: Introduction	Chapter 9 (pp. 186–96); Case 9.2: Wrench v. Taco Bell (on p. 194 of text) Casebook: Dynes v. Liberty Mutual Insurance Co.; Lucy v. Zehmer
16	Contracts: Agreement	Chapter 10 (pp. 199–210); Casebook: Everett City v. Mitchell; Lefkowitz v. Great Minneapolis; Mesaros v. US; Soldau v. Organon; Critical Legal Case 10.1 (p. 211)
17	Contracts: Consideration	Chapter 11 (pp. 213–20); Casebook: Cooper v. Smith; In Re Estate of Wirth; Hammer v. Sidway; Alden v. Presley
18	Contracts: Capacity & Legality	Chapter 12 (pp. 222–35); Casebook: Flood v. Fidelity & Guaranty; Jones v. Free Flight; Ryno v. Tyra; Zivich v. Mentor
19	Contracts: Assent	Chapter 13 (pp. 238–45); Casebook: Krysa v. Payne; Wells Fargo v. Martin; Beachcomber Coins v. Boskett; Critical Legal Case 13.4 (p. 246)
20	Contracts: Form	Chapter 14 (pp. 248–58); Casebook: Page v. Gulf Coast; Sutton v. Warner; Doherty v. Doherty; Sawyer v. Mills; Critical Legal Cases 14.1, 14.3 (p. 259)
21	Contracts: Remedies	Chapter 16 (pp. 277–91); Casebook: Parker v. 20th Century; Hadley v. Baxendale; Super Valu v. Peterson; Sharick v. SE Univ.
	<b>last class:</b>	May 16
	<b>reading day "review session":</b>	May 21 @ 2:00 pm in Kirkbride Hall, room 004
	<b>Final Exam:</b>	May 28 @ 8:30 am in Kirkbride Hall, room 100