This course introduces U.S. law and the U.S. legal system to students who have received their previous education and training in another legal system. Through close reading and discussion of judicial opinions, statutes, administrative regulations, scholarly writing and other materials in constitutional law, private law (tort, contract, property), administrative law, criminal law, and civil and criminal procedure and process, the course offers a selective field survey of the law school curriculum; special emphasis is placed on canonical cases and core concepts from the foundational first-year of U.S. law study. A central theme of the course is the difference between the common law and civil law, and so far as is practical, we will situate and analyze the U.S. materials within a comparative perspective. By the end of the course, students can expect to have become familiar with the key terms, interpretive methods, modes of argument and institutional arrangements that are distinctive to American law and legal culture, and that require particular attention by students trained abroad.

For purposes of further instruction as well as training in research and writing, the class is divided into smaller sections that meet with an Associate-in-Law one hour for every two hours of the main course. In addition, the three Teaching Assistants for the lecture course will offer optional, weekly one hour review sessions during each of the three weeks the course meets, a mandatory hour long lecture on U.S. civil procedure law (framed by a screening of the
theatrical film *A Civil Action* for which attendance is compulsory), and an optional ninety minute long review session in preparation for the final course examination.

Readings for this course can be found in the Introduction to American Law (“IAL”) Reader, a packet that includes a wide selection of readings compiled specifically for this course. On the course syllabus, “R” designates references to the IAL Reader. The cases in the Reader will serve as the primary materials for the class; from time to time, additional readings and other material will be posted on Courseworks (“CW” in the syllabus). Case names are, by convention, italicized on the syllabus.

Any changes or additions to the readings will be announced in class and/or through the CourseWorks system.

Although this class will not focus exclusively on U.S. constitutional law, many cases will draw upon constitutional principles. To ensure that you have ready access to the United States Constitution, Dean Polo will give you each a mini-Constitution. **Please bring it to class each day.** Before then, please familiarize yourself with the basic structure of the Constitution, such as the purpose of the first four Articles. You will find a PDF of the Constitution in the materials sent to you for the first class, as well as on CourseWorks.

This course meets every day, Monday through Friday, from 10:00 AM to 12:00 PM. The syllabus is organized such that you are expected to have completed the readings listed for each particular date **before class.** Therefore, the date listed is the date by which you will be expected to be familiar with the contents of the materials assigned. Everyone is expected to be present each day for the entire class meeting. You should also be prepared to respond at each meeting to questions and comments from Professor Thomas as well as from other students in the class. You are strongly urged to use your computer only to consult the materials assigned class; transcription and extensive notetaking (by hand or by computer) are discouraged. The Teaching Assistants will prepare and post summaries of the daily class discussion on CourseWorks. It is hoped that these daily class summaries will allow you to focus on and engage actively in our daily class discussion. Professor Thomas will arrange to have the daily PowerPoint presentations posted on CourseWorks.

As noted above, the Teaching Assistants will be hosting optional review sessions each week. Please check CourseWorks for further information regarding the reviews, their times, and their locations.

The grade for this course (Pass/Fail) will be based on your performance on a final examination that will consist of multiple choice and essay questions. The final examination will be administered on Friday, September 29.
WEEK 1

August 16 and August 17:

A. Introducing U.S. Legal Institutions and the Language of the Common Law
   1. Required Reading
   2. Optional Reading (Note: Excerpts from the following readings will be introduced in the August 17 class via PowerPoint presentation. All material presented in class via PowerPoint presentations should be considered required reading.)
      i. Llewellyn, “This Case System: What to Do with the Cases” (R).
      ii. Murphy, “An Analysis of Holding and Dictum” (R).

B. Guns: A Case Study in U.S. Law, Politics, & Culture (I)
   1. Required Reading: Analysis of A Judicial Opinion
      iii. Protection of Lawful Commerce in Guns Act (R).
   2. Optional Reading on Gun and Gun Violence Law and Policy
      i. President Barack Obama Speech-Sandy Hook Elementary School Shooting available at https://www.youtube.com/watch?v=uhxjS1FO33c.

August 18:

A. Guns: A Case Study in U.S. Law, Politics, & Culture (II)
   1. Required Readings
      i. Klonoff, “Introduction to the U.S. Legal System” 26-33 (“D. Trial by Jury)

Week 2

August 21:

A. Guns: A Case Study in Law, Politics and Culture (III)
   1. Required Reading
      ii. U.S. Constitution, Art. I-Art. III; Art. VI
      iii. United States v. Lopez (R) and City of Chicago v. McDonald (R).
      iv. Gun Free School Zones Act of 1990 (excerpts)

B. Film Screening, A Civil Action (Steven Zaillian, 1998), Time and Location TBA

August 22:

A. Guns: A Case Study in Law, Politics and Culture (IV)
   1. Required Reading
      ii. U.S. Constitution, Amendment II
      iv. District of Columbia v. Heller, Oral Arguments before the Supreme Court of the United States (audio recordings of arguments available at https://www.oyez.org/cases/2007/07-290; transcripts of the oral argument can be found in the IAL Reader. Note: You are strongly encouraged to read along as you listen to the audio recording.

   2. Optional Reading/Viewing
      i. Winkler, Gun Fight, “Big Guns and Little Guns at the Supreme Court,” (R).
https://www.theguardian.com/world/ng-interactive/2016/sep/16/gun-
nation-a-journey-to-the-heart-of-americas-gun-culture-video

iv. Lithwick, *Slate*, “‘Stand Your Ground’ Nation,” (R) and
http://www.slate.com/articles/news_and_politics/jurisprudence/2014/02/stand_your_ground_nation_from_trayvon_martin_to_jordan_davis_
how_our_understanding.html

v. American Bar Association, *National Task Force on Stand Your Ground
Laws* (Read Only Pages 1-3 “Legal Summary of Stand Your Ground Laws”
and “Executive Summary of Findings and Recommendations”)

August 23:

A. Property Law
   1. Required Reading
      ii. Johnson and Graham's *Lessee v. William M'Intosh* (R).
      iv. *Association for Molecular Pathology v. Myriad Genetics, Inc.* (R).
      vii. Farnsworth, “Baselines” (R).
      viii. Gordon, "Legal Thought and Legal Practice in the Age of American
           Enterprise: 1870-1920” (R).

Film Screening, *A Civil Action* (Steven Zaillian, 1998), 5 p.m., Location TBA

August 24:

A. Contract Law
   1. Required Reading

2. Optional Reading

Film Screening, *A Civil Action* (Steven Zaillian, 1998), 4:15 p.m., Location TBA
August 25:

A. Tort Law
   1. Required Reading
      i. United States v. Carroll Towing (R).
      ii. Ryan v. N.Y. Central Railroad Co. (R).
      v. Farnsworth, “The Coase Theorem” (R).

   2. Optional Reading
      i. Ewing and Kabuchi, “Volkswagen Scandal Reaches All the Way to the Top, Lawsuits Say” (R).
      ii. Ewing, “Volkswagen Not Alone in Flouting Pollution Limits” (R).

WEEK 3

August 28:

A. Civil Procedure
   1. Required Reading
      i. Ashcroft v. Iqbal (R).
      ii. Scott v. Harris (R).

   2. Optional Reading

Session with Teaching Assistants on “The Structure of A Civil Law Suit” Time and Location TBA

August 29:

A. Criminal Law and Procedure
   1. Required Reading
      i. Roper v. Simmons (R)
      ii. Tison v. Arizona (R).
iii. Missouri v. Frye (R).

2. Optional Readings (Strongly Suggested but Optional)
   i. United States Department of Justice, Civil Rights Division, *Investigation of the Ferguson Police Department* 1-6 (R).

3. Supplementary Readings (Optional)
   i. Bossman, *N.Y. Times*, “Nebraska Petition Drive Threatens to Undo Death Penalty Repeal” (R).

August 30:

A. Corporate Law
   1. Required Reading
      i. Burwell v. Hobby Lobby (R).
      v. Surowiecki, “Companies with Benefits” (R).

August 31:

A. Constitutional Law—Substantive Due Process
   1. Required Reading
      i. Griswold v. Connecticut (R).
      ii. Lawrence v. Texas (R).
      iii. Maher v. Roe (R).
   2. Optional Reading
      i. Ken Paxton, Texas Attorney General, Letter re: Rights of Government Officials Involved with Same-Sex Marriage (R).

September 1:

A. Constitutional Law—Equal Protection
   1. Required Reading
      i. Plessy v. Ferguson (R).
      ii. Hernandez v. Texas (R).
      iv. Loving v. Virginia (R).
      v. McCleskey v. Kemp (R).
      vi. United States v. Virginia (R).
September 29: Essay/Multiple Choice Final Examination