

Law and Society
Sociology 318-01
Rhode Island College, Summer Session I, 2013

Tuesdays and Thursdays 4:00-8:20 pm, Craig Lee 251

Prerequisite: 200-level sociology course or consent of instructor

Instructor Information

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Office: Craig Lee Hall room 451

Office Hours: Immediately before or after class by appointment

Course Description

What is law? There are various responses to this question, but all agree that the rules and institutions of law have profound effects on shaping the political and social world in which we live. This course uncovers what some of these effects are, with a primary focus on legal institutions, laws, and court cases in the United States. By the end of this course, you will have developed skills in reading and understanding legal documents, and you will be able to analyze the intersection of law, social inequality, and various social institutions and understanding the foundations of law and the roles that it plays in our society. Specific topics of discussion will include theories of law; law as it relates to social control and social change; and the organization of law as a system, profession, and practice.

You should be aware that while this course will cover some skills and concepts that are necessary in paralegal and legal careers, it does not serve as a pre-law course or as preparation for these professions. If you are interested in further legal education or a legal/paralegal career, you are encouraged to come to speak to me individually about your options or to visit the Career Center. More information about the Career Center is available at <http://www.ric.edu/careerdevelopment/>.

If you will not have reliable internet access during the six-week term, you will be unable to succeed in this course due to heavy required use of Blackboard and online resources.

Required Materials

- ▶ Kennedy, David. **2011.** *Don't Shoot!* Bloomsbury Publishing. (\$28 new)
- ▶ Malcolm, Janet. **2011.** *Iphigenia in Forest Hills.* Yale University Press. (\$25 new)
- ▶ Potter, Will. **2011.** *Green is the New Red.* Perseus. (\$17 new)
- ▶ Yoshino, Kenji. **2006.** *Covering.* Random House. (\$16 new)

Supplemental readings will be available via Blackboard; all texts will be available on reserve in the library.

THIS SYLLABUS IS TENTATIVE AND SUBJECT TO CHANGE.

COURSE REQUIREMENTS

This course incorporates a variety of ways for you to demonstrate your engagement, learning, and competency regarding the course material. You will have some flexibility in choosing how and where to deploy your efforts; if you were to successfully complete all possible course assignments, you could earn 110+ points (the cutoff for an A grade is roughly 95 points). Because there are so many opportunities to earn points, most assignments cannot be made up or turned in late. If you experience an unusual or extraordinary circumstance, such as hospitalization, that requires an alternative plan for completing your work, please contact me as soon as possible to discuss this.

- 1) **PARTICIPATION AND ATTENDANCE.** While I do lecture to some extent during this course, I expect students to participate actively in class discussions—especially given the small size and intimate nature of summer classes. You should expect to contribute a question or comment or respond to something one of your classmates or I say at least once in each class meeting. Remember that in order to participate you must be present both physically and mentally and engaged in what is going on in the classroom. I understand that some students are uncomfortable speaking in class; if this sounds like you, it is your responsibility to find alternative ways to demonstrate your engagement and contributions. For example, you can visit my office hours frequently during the course, or send me emails in which you comment on class discussion and pose further questions. Remember that there are few stupid questions, and all questions and comments should be made in a spirit of respect for other students and their contributions to the class. Participation will be assessed, in part, using a rubric available in Blackboard. **15 points.**
- 2) **IN-CLASS & BLACKBOARD EXERCISES.** During most class sessions, you will participate in individual or small-group activities. These will not be announced in advance and may include simulations, brief written responses, and group discussion assignments. This portion of your grade will also include occasional short Blackboard assignments, including a student survey and a paper proposal. Each of these in-class or Blackboard assignments will be worth 1-3 points towards your final course grade, for a total of **30 points.**
- 3) **READING REFLECTION JOURNAL.** You will be required to write an approximately 500-word post in your reading reflection journal by 11 am on the morning of most class sessions. Detailed instructions and grading criteria are available in the Assignments section of Blackboard, but basically these assignments are designed to encourage you to think deeply and critically about the reading assigned for that class and to pose question the reading raises for you. You will have some flexibility in what you discuss, but you will need to respond to the prompts posed for each specific journal assignment by drawing specifically on the ideas and points expressed in the reading. I will not accept or grade those that are submitted late. 10 journal entries, 5 points each, for a total of **50 points.**
- 4) **FINAL PAPER.** The final paper assignment will give you the opportunity to develop skills in legal studies research and analysis as applied to a topic of interest from the course. This paper will require you to make an argument and support it with evidence from within the course and from outside research. We will collectively learn to use the legal research database Lexis-Nexis in order to support this project. Details will be provided later in the course. **20 points.**

- 5) **READING.** You are expected to complete all assigned course readings prior to the date for which they are assigned. Remember that this is not a course with multiple-choice memory-based exams—my goal is not for you to commit every name, date, and definition to memory but instead to develop an understanding of the *concepts, ideas, and arguments* in each reading. Reading legal sources may be different from the types of reading you are used to—if you are struggling, please see me ASAP so we can discuss reading techniques to help you succeed in the course. As this is a condensed 6-week version of a full-semester 4-credit course, expectations for reading and other outside work are particularly heavy—and this is what will enable you to learn. We will spend 8-9 hours per week in class; you will be expected to spend at least 10-15 hours a week outside of class reading and writing for this course.

Course Schedule

Readings available online via Blackboard are indicated with an **O**; other readings are available in the required course texts. All readings must be completed prior to the date for which they are assigned.

Tuesday, May 21 **Introduction to the Sociology of Law and to the U.S. Legal System**

- ◆ U.S. Constitution, <http://www.usconstitution.net/const.html> **O**
- ◆ White, *What Every Student Should Know*, 1-38 **O**
- ◆ Student survey due within 48 hours of beginning the course

Thursday, May 23 **Civil Courts**

- ◆ Taibbi, “Courts Helping Banks Screw Over Homeowners,” *Rolling Stone* **O**
- ◆ Toobin, “The Man Chasing Enron,” *The New Yorker* **O**
- ◆ Gawande, “The Malpractice Mess,” *The New Yorker* **O**
- ◆ Reading Reflection due

Drop deadline: May 24

Tuesday, May 28 **Litigiousness & Dispute Resolution**

- ◆ Galanter, “Reading the Landscape of Disputes,” *UCLA L. Rev* **O**
- ◆ Hoffman, “Legal Consciousness & Dispute Resolution,” *Law and Social Inquiry* **O**
- ◆ Reading Reflection due

Thursday, May 30 **Administrative Law**

- ◆ Surowiecki, “The Regulation Crisis,” *The New Yorker* **O**
- ◆ Taibbi, “Why Isn’t Wall Street in Jail?” *Rolling Stone* **O**
- ◆ Niles, “On the Hijacking of Agencies (and Airplanes),” *Journal of Gender, Social Policy, & the Law* **O**
- ◆ Reading Reflection due

Tuesday, June 4 **Criminal Courts**

- ◆ Malcolm, *Iphigenia in Forest Hills*, entire book
- ◆ Reading Reflection due

Thursday, June 6

Courts and Justice

- ◆ Hughes, “Innocence Unmodified,” *North Carolina Law Review* ○
- ◆ Bornstein & Dietrich, “Fair Procedures...,” *Court Review* ○
- ◆ Rosenbaum, “Eye for an Eye,” *Chronicle of Higher Education* ○
- ◆ Tullis, “Can Forgiveness Play a Role in Justice?,” *NYT Magazine* ○
- ◆ Reading Reflection due

Withdrawal deadline: June 7

Tuesday, June 11

Law and Inequality

- ◆ Yoshino, *Covering*, entire book
- ◆ Reading Reflection due

Thursday, June 13

Researching Law

Class Meets Today in GAIGE 168

- ◆ Lastowka, *Virtual Justice*, chapters 1 and 4 (pgs. 9-28 and 67-74)
- ◆ Select one additional Lastowka chapter of your interest from among 5, 6, 7, 8 and 9
- ◆ “How to Research a Legal Problem: A Guide for Non-Lawyers”

Tuesday, June 18

Social Control

- ◆ Kennedy, *Don't Shoot!*, entire book
- ◆ Reading Reflection due

Thursday, June 20

The Legal Profession/Legal Education

- ◆ Granfield, “Making it by Faking It,” *Journal of Contemporary Ethnography* ○
- ◆ Dilloff, “The Changing Cultures and Economics of Large Law Firm Practice,” *MD Law Review* ○
- ◆ Rhode, “Legal Education,” *Pepperdine Law Review* ○
- ◆ Select *at least one* of the following three readings (those considering legal careers should read all 3):
 - Diamond, “The Future of the American Law School” ○
 - Kennedy, “Legal Education as Training for Hierarchy” ○
 - Spade, “For Those Considering Law School” ○
- ◆ Reading Reflection due
- ◆ Paper proposal due by noon on June 21st

Tuesday, June 25

Law and Social Movements

- ◆ Potter, *Green is the New Red*, entire book
- ◆ Reading Reflection due

Thursday, June 27

Media Accounts of Law/Course Conclusion

- ◆ Podlas, “Guilty on All Accounts,” *Seton Hall J. Sports & Entertainment Law* ○
- ◆ Kort-Butler and Harshorn, “Watching the Detectives,” *Sociological Quarterly* ○
- ◆ Cole, “Investigating the ‘CSI Effect’ Effect,” *Stanford Law Review* ○
- ◆ Reading Reflection due

Final Paper Due in Blackboard by 9 am on Monday, July 1st. Late papers may result in grades of incomplete for the course.

Course Policies

Academic Honesty

All students enrolling in this course are expected to abide by the Rhode Island College guidelines on academic honesty. More information about academic integrity and avoiding plagiarism, as well as RIC policies, can be found at <http://ric.libguides.com/integrity>. Examples of academic dishonesty include, but are not limited to:

- Plagiarizing written work, including copying some or all of your work from a book, a website, or another student's paper. Think about how you would feel if someone passed off your hard work as their own.
- Using sources without proper attribution. Remember that all claims that did not spring fully formed from your own head need attribution, regardless of whether or not they are paraphrased, and all direct quotes should appear in quotation marks. If you are unsure how to document sources, please see me or reference the RIC Sociology Term Paper Guide at <http://www.ric.edu/sociology/termpaperguide.php>.
- Turning in work completed for other classes without prior permission.
- Working together with another student on an assignment, or seeking assistance with the content of your work from professionals, parents, or peers, without prior permission. (The exception to this policy is proofreading.)
- Copying off of another student or off of materials you have brought without permission during an exam. This includes text messaging and use of the internet during exams.
- Destroying course materials or otherwise preventing other students from achieving fully in this course.

You should be aware that I have caught many students who have engaged in academic dishonesty. Cheating successfully is often harder than you think, and you might as well just put your effort into doing the assignment legitimately. The penalties for academic dishonesty are severe, and include receiving a 0 on the assignment for the first minor offense, receiving an F for the class for a repeated offense, and report to the Vice President for Academic Affairs at RIC. If you feel the urge to engage in academic dishonesty, stop and think about what you are doing, and then come see me so we can work out a plan together to ensure your success in the course.

Extensions, Absences, and Attendance

You are expected to attend class regularly, but I am aware that emergencies do come up and that this class is not the only priority in your life. It is your responsibility to get notes from a classmate (I do not provide notes to students) and to meet with me to clarify what you have missed. If you must be late to a class or if you must leave early, be sure not to disturb other students with your comings and goings. Be aware that repeated absences, even if excused, may imperil your ability to do well in the course, and that you cannot earn participation points (or points for in-class assignments, which cannot be made up) if you are not present.

All assignments are due in Blackboard by the specific time noted in the Blackboard system (you may not skip class to finish your work). Some assignments will require posting directly to a Blackboard application; others will be submitted as attachments in *.rtf, *.doc, or *.docx (preferred) format (try "Save As" to select one of these formats). Blackboard does log your submissions; you can return to an assignment yourself to see if you have submitted it correctly, and I am happy to show you how to do this so that you will not need to email me to see if I have received your work. If unavoidable circumstances require you to seek an extension on your work, I am generally open to providing one.

However, you will need to request the extension via email at least 24 hours before the due date unless there is a major emergency (health crisis, death in the family, etc.)—so plan ahead.

Course Technology

Students are expected to check their RIC email addresses and the course Blackboard site frequently, at a minimum twice a week and before each class meeting. If you primarily use another email account, I would suggest you arrange for your RIC email to be forwarded, as I do use email to disseminate important information about the course. Students are also responsible for being able to access the Blackboard site for this course. You may wish to consider downloading the Blackboard Mobile App. If you are not able to access email or Blackboard, you should seek assistance from User Support Services (<http://www.ric.edu/uss/> or 456-8803) right away so that you do not fall behind in the course.

Students with Disabilities

If you have a disability that might interfere with your ability to perform at your best in this course, it is your responsibility to come and speak with me as early as possible in the semester so that we can develop a plan together. All reasonable accommodations will be made. Students with disabilities should be sure that they are registered with Disability Services in order to ensure access to the full range of services available at Rhode Island College. Information about these services and about registration is available at <http://www.ric.edu/disabilityservices/>.

Supplemental Services

Writing Center: <http://www.ric.edu/writingcenter/>

OASIS (academic support, time management, ESL, etc.): <http://www.ric.edu/oasis>

Counseling Center (confidential & free services): <http://www.ric.edu/counselingctr/>

Course Learning Outcomes

This course is designed to meet these learning outcomes of the Sociology and Justice Studies programs:

- ▶ An understanding of the contribution of sociology to understanding the social world;
- ▶ An ability to apply sociological perspectives to interpersonal and intergroup relations;
- ▶ A familiarity with the occupational opportunities provided by sociological skills and understanding;
- ▶ An understanding of basic sociological concepts, theories, and paradigms;
- ▶ To orient students toward a systematic perspective of the criminal justice system;
- ▶ To develop a citizenry educated in the problems of crime and in the administration of justice;
- ▶ To study criminal justice in the context of larger justice issues and with attention to the total environment in which the system operates;
- ▶ To advance knowledge about the design, evolution, operation, and maintenance of justice system; and
- ▶ To provide an up-to-date understanding of law, human behavior, and social institutions.

For more information on program learning goals, see <http://www.ric.edu/sociology/degreeList.php> and <http://www.ric.edu/sociology/programJSTD.php>.