UNIVERSITY OF GEORGIA

SYLLABUS

Constitutional Law: Powers — X:XX -X:XX PM
POLS 4700 — Fall 20XX
Section XXXXX — Baldwin XXX

Course Description and Prerequisites

Supreme court cases on the separation of powers, national and state regulatory powers, the federal system, and the role of the courts.

Students will be able to:

- Read and summarize Supreme Court opinions on constitutional law
- Understand historical development and key precedents in constitutional law.
- Discuss constitutional principles as they apply to the separation of powers, federalism, and the relationship between government action and economic activity

Prerequisites: POLS 1101.

Instructor Information

Garrett N. Vande Kamp
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Office Hours: X X:XX-X:XXPM
Baldwin 409

Textbook and/or Resource Material

Required Textbook: *Government Powers and Limitations*, 1st Edition. Solberg, Rorie. 2024.
https://open.oregonstate.education/governmentpowers/

All other necessary materials will be provided by the professor or through access to the university's resources available freely to students.

Class Format and Attendance Policy

This is an in-person class. Attendance will be taken in class for the instructor's records via TopHat. While attendance is voluntary, quizzes and exams must be taken in person and must be verified via TopHat. To download TopHat, visit https://ctl.uga.edu/learning-technologies/student-response-systems/

Attendance is also mandatory for a student who will be presenting on a given day. Make-up exams are at the discretion of the professor, but will always be within a week of the exam date. University-excused absences will always guarantee a make-up attempt. Quizzes will be announced at least one class period before they are scheduled. Exams and presentations for students will be announced at least one week before they are scheduled.

In the absence of written authorization from Accessibility and Testing at UGA, students may not make a video or audio recording of any aspect of this course. Students who have a recording accommodation agree in writing that they:

- Will use the records only for personal academic use during the specific course.
- Understand that faculty members have copyright interest in their class lectures and that they agree not to infringe on this right in any way.
- Understand that the faculty member and students in the class have privacy rights and agree not to violate those rights by using recordings for any reason other than their own personal study.

- Will not release, digitally upload, broadcast, transcribe, or otherwise share all or any part of the recordings. They also agree that they will not profit financially and will not allow others to benefit personally or financially from lecture recordings or other course materials.
- Will erase/delete all recordings at the end of the semester.
- Understand that violation of these terms may subject them to discipline under the Student Code of Conduct or subject them to liability under copyright laws.

For more information on securing an accommodation to record lectures, see: https://accessibility.uga.edu/faculty-guidelines-for-record-lecture/

Final Grade Components

Case Briefs/Presentations	50%
Final Exam	30%
Quizzes	15%
Participation	5%

Grading Scale

A	93-100	C+	77-80
A-	90-93	C	73-77
B+	87-90	C-	70-73
B	83-87	D	60-70
B-	80-83	F	<60

Assignments will receive due dates. Unless otherwise specified in writing, all assignments that are due on scheduled class day will be due before class. These due dates are mandatory. Written assignments turned in after class but on the due date will be subject to a 10% grade reduction. Late written assignments after the due date will be accepted with a 15% grade reduction for each day it is late. Oral assignments will not be accepted late; late assignments will be given a zero. Students with foreseen but unavoidable absences on days they are to present an oral assignment in class must make arrangements to switch assignments with a different student prior to their scheduled presentation day.

Assignments that are found to be academically dishonest will receive a 0%. This includes plagiarism, lying, tampering, and giving or receiving unauthorized assistance. For more information, see https://honesty.uga.edu/

The use of Generative Artificial Intelligence tools for case briefs and presentations will not be an example of academic dishonesty if the tool used is given proper attribution. Instead, it will be subject to course policies on the use of cited sources.

UGA Student Honor Code: "I will be academically honest in all of my academic work and will not tolerate academic dishonesty of others." A Culture of Honesty, the University's policy and procedures for handling cases of suspected dishonesty, can be found at www.uga.edu/ovpi

Case Briefs and Presentations: Students will be required to write three case briefs on Supreme Court decisions examined in this class. Students may submit their case brief either on the day specified in the course calendar or on the day their case is discussed in class, whichever they prefer. Case briefs summarize the elements of a case. The case brief is expected to summarize the entire text of a case, not just those elements reproduced or summarized in the textbook or other reference material. Part of the course will involve students locating full Supreme Court decisions. At minimum, students must follow the professor's format when creating a case brief. Case briefs should be of a professional quality.

Students will also be required to present some of these cases to the class. The number of cases a student can expect to present is dependent upon class size. A student's presentation will be on the day that the case is discussed in class. Students may trade assignments with each other when both consent and both inform the professor with written communication.

Quizzes: Quizzes will be administered on the first day of each new unit that cover materials from the previous unit. They will ask about the cases that have been assigned in class as well as any terms added to the course glossary. The quizzes will be administered on eLC through the Lockdown browser.

Participation: Students may occasionally be given assignments that are outside the scope of the above required assignments. These assignments will fall under a student's participation grade. Students who display persistent behavior issues during class will also be docked on their participation grade.

Major Class Dates

Monday-Friday, August XX-XX: Add/Drop Period
Monday, September X: Labor Day (No classes)
Friday, October XX: Fall Break (No classes)
Wednesday, November XX: Withdrawal Deadline
Monday-Friday, November XX-XX: Thanksgiving (No classes)
Monday, December X (XXXXX): Final Exam

UGA Well Being Resources

UGA Well-being Resources promote student success by cultivating a culture that supports a more active, healthy, and engaged student community.

Anyone needing assistance is encouraged to contact Student Care & Outreach (SCO) in the Division of Student Affairs at 706-542-8479 or visit sco.uga.edu. Student Care & Outreach helps students navigate difficult circumstances by connecting them with the most appropriate resources or services. They also administer the Embark@UGA program which supports students experiencing, or who have experienced, homelessness, foster care, or housing insecurity.

UGA provides both clinical and non-clinical options to support student well-being and mental health, any time, any place. Whether on campus, or studying from home or abroad, UGA Well-being Resources are here to help.

- *Well-being Resources: well-being.uga.edu*
- *Student Care and Outreach: sco.uga.edu*
- *University Health Center: healthcenter.uga.edu*
- *Counseling and Psychiatric Services: caps.uga.edu or CAPS 24/7 crisis support at 706-542-2273*
- *Health Promotion/ Fontaine Center: healthpromotion.uga.edu*
- *Accessibility and Testing: accessibility.uga.edu*

Additional information, including free digital well-being resources, can be accessed through the UGA app or by visiting https://well-being.uga.edu.

Syllabus as a Contract

This syllabus is a contract between the professor and the individual student. Every student in this class receives an identical syllabus; therefore, every student in this class will be taught and evaluated in the same manner. This syllabus is unique to this class; therefore, the students in this class may not be taught and evaluated as students in other sections of this class, past or present, even if taught by the same professor.

A Word of Thanks

Teaching is a difficult task, and even the creation of a course syllabus is difficult. I appreciate the help of all of my colleagues who have helped me along the way: Joseph Ura, John Robertson, Nicholas Conway, Todd Curry, Grier Stephenson, and Teena Wilhelm. I am also grateful to the students of previous courses whose feedback has helped me improve this syllabus.
That being said, this syllabus and the course materials referenced in it is the intellectual property of the instructor and subject to copyright law. Do not reproduce any course materials without explicit written permission. This includes lecture material; all recordings are prohibited.

Expected Course Calendar

The syllabus is a general plan for the course; deviations announced to the class by the instructor may be required.

Week 1: Basics of Constitutional Law

Week 2: Case or Controversy Clause and Exceptions Clause
Cases: *Marbury v Madison; Martin v. Hunter's Lessee; Ex Parte McCardle; Patchak v Zinke; DeFunis v Odegaard; Nixon v U.S.; Lujan v. Defenders of Wildlife*

Week 3: Necessary and Proper Clause, Qualifications Clauses, Speech or Debate Clause
Cases: *McCulloch v Maryland; McGrain v Daugherty; U.S. v Comstock; Gravel v U.S.; Watkins v U.S.; Powell v McCormack; U.S. Term Limits, Inc. v Thornton*

Week 4: Faithful Execution Clause, aka the Take Care Clause
Cases: *Mississippi v. Johnson; Nixon v. Fitzgerald; Trump v. U.S.; In Re Neagle; Myers v. United States; Selia Law LLC v. Consumer Financial Protection Bureau*

Week 5: Commander in Chief Clause
Cases: *The Prize Cases; Korematsu v U.S.; Youngstown Sheet and Tube Co. v Sawyer; Ex parte Milligan; Ex parte Quirin; Hamdi v Rumsfeld*; Boumediene v Bush**

Week 6: Vesting Clauses
Cases: *A.L.A. Schechter Poultry Corp. v. United States; United States v. Curtiss-Wright Export Corp; Gundy v. United States; U.S. v Nixon; Clinton v. Jones; Trump v. Vance*

Week 7: Tenth Amendment
Cases: *State of Missouri v Holland; Crosby v National Foreign Trade Council; Arizona v U.S.; New York v U.S.; Printz v U.S.; Stone v Mississippi; Jacobson v Massachusetts*

Weeks 8 and 9: Commerce Clause
Cases: *Gibbons v Ogden; U.S. v E.C. Knight Co.; Hammer v Dagenhart; Carter v Carter Coal Company; National Labor Relations Board v Jones & Laughlin Steel Corporation; U.S. v Darby Lumber; Heart of Atlanta Motel, Inc. v U.S.; U.S. v Lopez; U.S. v Morrison; Wickard v Filburn; Gonzales v Raich; Cooley v Board of Wardens; Southern Pacific Company v Arizona; Granholm v Heald*

Week 10: Takings Clause
Cases: *U.S. v Causby; Penn Central Transportation Company v City of New York; Nollan v California Coastal Commission; Lucas v South Carolina Coastal Council; Berman v Parker; Hawaii Housing Authority v Midkiff; Kelo v City of New London*

Week 11: Contract Clause
Cases: *Flecther v Peck; Trustees of Dartmouth College v Woodward; Proprietors of Charles River Bridge vs. Proprietors of Warren Bridge; Home Building and Loan Association v Blaisdell; U.S. Trust Company v New Jersey; Allied Structural Steel vs. Spannaus; Sveen v. Melin*

Week 12: Taxing and Spending Clause, Territory Clause
Cases: *U.S. v Butler; Steward Machine Co. v Davis; South Dakota v Dole; Downes v Bidwell; Torres v Puerto Rico; Harris v Rosario*

Week 13: Miscellaneous Cases
Cases: *Worcester v Georgia; U.S. v Kagama; U.S. v Sioux Nation of Indians; Hepburn v Griswold; Julliard v Greenman; Texas v White*

Beyond: Useful Topics and Make Up Days