

CORNELL COLLEGE
Department of Politics

356. Current Cases before the Supreme Court

November 2003

The Honorable David R. Hansen, U. S. Circuit Court Judge

Dr. Robert W. Sutherland, Instructor

COURSE DESCRIPTION

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Class Meetings, Required Readings, & Instructor Contact: Daily 9-11 South 302, except Nov. 5, 6, 7, 11, 12, 14, 17, & 18 when meetings will be in the Council Chambers of Mt. Vernon City Hall (lower level), 213 1st. St. W. Required readings will be from T. R. van Geel, *Understanding Supreme Court Opinions* (Bookstore) and cases as distributed. Dr. Sutherland is the person to contact and the best way to reach him is by [e-mail](#). Voice mail (4226) and campus mail (2412) contacts are much slower, generally 48 hours slower.

Formal Expectations: Court room standards will apply consistently in classroom decorum and conduct. The following are examples of such expectations. No casual forms of address are to be used in class. The instructors are to be called "Judge Hansen" and "Dr. Sutherland." Similarly, students should avoid referring openly in class to one another by first names or without including "Mr." or "Ms." Robes will be provided and worn by instructors and students alike when acting as judges. Petitioners and respondents in oral argument should be in business attire and others should avoid casual clothes whenever the class meets whether oral argument is being conducted or not. All pagers and mobile phones must be turned off during class. If you have questions or concerns about these policies, please contact Dr. Sutherland.

Grades & Organization: Except in the opening two days of the course, each class meeting will be devoted to a different current case before the Supreme Court. The course is divided into two parts. Eight class days (see schedule below) will focus on one current case per day prepared and discussed by the class as a whole with some Socratic questions from instructors addressed to various individual students (15% of the final grade). The remaining eight class days will focus on a current case presented by individual students in oral argument and discussed in common. On each of these eight days, a pair of students will have an hour to argue on behalf of the petitioner and respondent in the case for the day. A panel of judges to include either

Judge Hansen or Dr. Sutherland, and two students will hear oral argument. Class discussion, focused on the case of the day, will follow. Assignment of cases, the roles of petitioner and respondent, and student judges will be done by drawing lots on the first day of the course(25%).

The course concludes with an exam (30%) and a paper (30%). In the paper, students will write the opinion that they expect the Court to hand down in their orally argued case. In the exam, students will demonstrate their understanding of the Court and the cases currently before it, especially those considered in the first half of the course. The final exam includes two components. The first part includes questions to evaluate what students have learned about the Supreme Court, especially how it operates and by what authorities. The second part is hypothetical. It begins with a set of facts and a background knowledge of relevant cases and asks students to extend them in reasoning that would form the basis for an opinion.

Schedule: All assignments are to be completed by 9 am on the day for which they are listed.

DATE & LOCATION	DESCRIPTION
Mon., 10/27, South 302	van Geel, pp. 1-16
Tues., 10/28, South 302	van Geel, pp. 17-32
Wed., 10/29, South 302	<i>General Dynamics Land Systems Inc. v. Cline</i>
Thur., 10/30, South 302	<i>Iowa v. Tovar</i>
Fri., 10/31, South 302	<i>Yarborough v. Alvarado</i>
Mon., 11/3, South 302	<i>Missouri v. Seibert; U. S. v. Patane</i>
Tues., 11/4, South 302	<i>U. S. v. Newdow</i>
Wed., 11/5, City Hall Chambers	<i>Illinois v. Lidster</i>
Thur., 11/6, City Hall Chambers	<i>Virginia v. Maryland</i>
Fri., 11/7, City Hall Chambers	<i>U. S. v. Banks</i>
Mon., 11/10, South 302	<i>S. W. Bell v. Missouri Municipal League, etc.</i>
Tues., 11/11, City Hall Chambers	<i>U. S. v. Lara</i>
Wed., 11/12, City Hall Chambers	<i>Maryland v. Pringle</i>
Thur., 11/13, South 302	<i>U. S. v. Sabri</i>
Fri., 11/14, City Hall Chambers	<i>U. S. v. Fellers</i>
Mon., 11/17, City Hall Chambers	<i>Office of Ind. Counsel v. Favish</i>
Tue., 11/18, City Hall Chambers	<i>Vieth v. Jubelirer</i>
Wed., 11/19, South 302	Exam and Paper Due

Oral Argument

DATE	PETITIONER	RESPONDENT	JUDGES
11/5	Canovan	Bunning	Ditlevson/Leggott
11/6	Izzo	Hatvick	Miller/O'Rourke
11/7	Gripenstroh	Simon	Hatvick/Bunning

11/11	Leggott	Price	Izzo/Bougher
11/12	Ditlevson	O'Rourke	Rangel/Simon
11/14	Lomheim	Carrigan	Canovan/Kissinger
11/17	Kissinger	Miller	Griepenstroh/Carrigan
11/18	Bougher	Rangel	Lomheim/Price

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