

INTRODUCTION TO LAW AND THE LEGAL PROCESS
LEGAL STUDIES 101 - Fall 2009
The Wharton School, University of Pennsylvania

Professor: Galit Sarfaty

Office: Jon M. Huntsman Hall (JMHH) 650

Phone & Email: gsarfaty@wharton.upenn.edu, 215-573-4864

OVERVIEW: This course provides an introduction to the study of law and legal process. It critically explores the role of law in modern society, providing an overview of basic functional areas, including the nature of law and competing values that inform legal decision-making, an overview of the American system of legal process, a brief “mini-course” in the substantive law of contracts, and coverage of other selected topics of current legal interest.

CLASS MEETS: Tuesdays and Thursdays, 3:00-4:30 PM

OFFICE HOURS: Wednesdays, 3:30-5:00 PM, or by appointment

MATERIALS: Course readings are available at study.net, with an option to purchase a hard-copy coursepack. I may add occasional additional readings over the course of the semester. If you are not a Wharton student, go to <http://accounts.wharton.upenn.edu> to request a Wharton Computing Account so that you can access study.net and the WebCafe.

COURSE FORMAT: The course combines lecture, Socratic dialogue, and group discussion. Active class participation is expected, so please come prepared to discuss the readings. Excellent class participation, as determined by the professor in my sole discretion, may result in up to five additional points added to your final exam score. (Consequently, your final exam grade may improve by as much as a full letter grade.)

JURY SIMULATION: At a time to be announced, you will be required to attend and participate in a jury simulation. More details will be provided in class.

CLASS ETIQUETTE & COMPUTER POLICY:

Students are expected to arrive for class on time and to have read the assigned materials. Technology allows us to be connected almost anywhere and anytime. However, there are times when it is most productive *not* to be electronically connected. Class sessions are one such time. During class sessions, please turn off your laptops, cell phones, and other such equipment.

GRADING:

- Participation – 10% (counts attendance, preparation, and contribution to discussions)
- Quizzes – 20% (2 quizzes, one before the midterm and one after the midterm)
- Midterm exam – 30%
- Final exam – 40%

Oct. 6	Privacy in Daily Life	Readings:	Privacy in Daily Life <i>Washington v. Chrisman</i> <i>Smythe v. Pillsbury</i> <i>McLain v. Boise Cascade</i> <i>Falvo v. Owasso School</i> <i>Reno v. Condon</i> Barriers to the Constitutional Right to Privacy
Oct. 8	Torts	Readings:	Torts Negligence and Strict Liability Petition of Kinsman Transit Co.
Oct. 13	Legal Process and Civil Procedure	Readings:	Legal Process and Civil Procedure Your Day in Court – The Litigation Process Sue First, Ask Questions Later Legal Process Chapter Summary: The Court System Old Law Bares Its Teeth
Oct. 15	The Jury	Readings:	The Jury <i>Brinkman v. Allen & Summit Pharmaceuticals</i> What About the Jury? Jury Reform The American Jury
Note: A Jury Simulation Exercise (JSE) will be held to support this section of the course. Attendance is strongly encouraged. Details to follow.			
Oct. 20	Open; review and discussion of material to date		
Oct. 22	MID-TERM EXAM (In-class; all material to date)		
Oct. 27	Intro to Contracts and the Need for Writing	Readings:	Contracts: The Foundation of a Market Economy Introduction to Contracts <i>Steinberg v. Chicago Medical School</i> Contracts in Writing <i>Iacono v. Lyons</i>
Oct. 29	The Bargain Theory: Consideration	Readings:	Consideration: The Basic Concept
Nov. 3	The Bargain Theory: Offer	Readings:	Intent to Contract: Offer
Nov. 5	The Bargain Theory: Acceptance	Readings:	Acceptance

Nov. 10	Termination of the Power of Acceptance Readings: Termination of the Power of Acceptance <i>Lyon v. Adgraphics</i>
Nov. 12	Remedies for Breach: Specific Performance Readings: Remedies <i>McAllister v. Patton</i> Equitable Remedies
Nov. 17	Remedies for Breach: Damages Readings: Damages 1
Nov. 19	Remedies under the Uniform Commercial Code Readings: Damages 2 <i>Laredo Hides v. H & H Meat Products</i> Seller's Damages
	Quiz #2 (in-class)
Nov. 24	Limitations to Contract Remedies Readings: A Note on Limitations to Contract Remedies <i>Ericson v. Playgirl</i> <i>Freund v. Washington Square Press</i> <i>Parker v. Twentieth Century Fox</i>
Nov. 26	Thanksgiving Holiday
Dec. 1	Beyond Contract: Promissory Liability Outside the Bargain Model; Unconscionability, Duress & Illegality Readings: A Note on Promissory Liability Outside the Bargain Model <i>Allegheny College v. National Chautauqua Bank</i> <i>Gorham v. Benson Optical</i> <i>Hoffman v. Red Owl Stores</i> <i>Drennan v. Star Paving</i> A Note on Unconscionability, Duress, and Illegality <i>Austin Instruments v. Loral Group</i>
Dec. 3	Open
Dec. 8	Open
Dec. 10	Course wrap-up: Discussion & Review Session Reading: Review materials since mid-term
FINAL EXAM:	Date, time, and location to be announced