

**INTRODUCTION TO LAW AND THE LEGAL PROCESS**  
**LEGAL STUDIES 101 - Fall 2010**  
**The Wharton School, University of Pennsylvania**

**Prof. Matwyshyn**  
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**OVERVIEW:** This course surveys the fundamentals of the U.S. legal system and process, its evolution and the social policy needs of our society. It will introduce several substantive areas of law and use workshops to encourage discussion of the material and current legal events in the news.

**GRADING [your choice]:**

Option 1:        50% midterm – in class Nov. 23, 2010  
                     50% class participation  
                     NO FINAL EXAM

Or

Option 2:        33.33% midterm  
                     33.33% class participation  
                     33.33% final – take home available on December 15, 2010 and due by Dec. 22, 2010  
                     noon in your Webcafe dropbox  
                     ➔ if you turn in a final, you are deemed to be selecting option 2; if you do not, you are  
                     deemed to be selecting option 1

The midterm will be a combination of ten short answer questions and one essay question.

**MISSED CLASSES:** Audio makeup and powerpoint slides will be available on the webCafé site for all lectures.

**CLASS MEETS:** Tuesday & Thursday, 1:30-2:50 or 3:00-4:30 PM

**OFFICE HOURS:** by appointment

**E-MAIL:** E-mail will be used for course announcements. Please check your e-mail daily.

**MATERIALS:** COURSE BULKPACK available via Study.net. During the term, supplementary materials will be distributed in class, linked off this syllabus or posted on the course's WebCafe website. 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 the WebCafe. Readings in brackets on this syllabus are recommended. All assignments are turned into your Assignment folder on WebCafe.

**COURSE FORMAT:** Lecture and discussion. The course calendar on webCafé specifies the “weeks” of the course that correspond to this syllabus. Please review the course calendar on webCafé.

**MOBILE PHONE AND INTERNET USAGE POLICY:** Please turn off your mobile phone before the start of each class. Internet use is allowed only for pedagogical purposes and only when instructed. Instant messaging is prohibited.

**GUESTS:** Guests are allowed in class solely with advance permission.

## **Introduction to the course**

Week One:

### **Introduction to the US legal system**

Law and Language a Preliminary Note  
Introduction to Law

#### OPTIONAL:

[Jurisprudence and Legal Reasoning]  
[There Are No Secret Books]  
[Case of the Speluncean Explorers]  
[An Introductory Note on Jurisprudence]

Tab 1: Readings 1,2 – pp. 1-14  
[Tab 2: Readings 3,4,5, 6 – pp. 15-21; 53-59]  
[Tab 3: Reading 9 – pp. 71-73]

Week Two and Three:

### **Constitutional law**

The Constitution of the United States – Appendix A

#### OPTIONAL:

[Constitutional Law]  
[Constitutional Law for a Changing America]  
[Privacy in Daily Life]  
[Washington v. Chrisman]  
[Smythe v. The Pillsbury Company]  
[McLain v. Boise Cascade Corporation]  
[Falvo v. Owasso Independent School District]  
[Reno v. Condon]  
[Barriers to the Constitutional Right to Privacy]

Appendix A: The US Constitution, as amended  
[Tab 5: Readings 25 thru 26 – pp.137-149]  
[Tab 7: Readings 33 thru 39 -- pp. 181-206]

### **Constitutional Law workshop – See Webcafe site**

Week Four and Five:

### **Criminal law**

Privacy and the Fourth Amendment  
Law 101 – When can the police conduct search and seizure?  
Introduction to the Legal Process  
Dow Chemical Company v. U.S.  
Kyllo v. United States  
Bond v. United States

#### OPTIONAL:

[Legal Process and Civil Procedure]  
[Law 101 – Your day in court]

[Make the Rules]  
[The Court System]  
[Old Law Bares Its Teeth]  
[Law 101 – What about the jury?]  
[Jury Reform]  
[The American Jury]

Tab 6: Readings 27 thru 32 – pp. 153-182  
[Tab 9: Readings 43 thru 47 – pp.235-264]  
[Tab 10: Readings 50 thru 52 – pp. 273-289]

**Criminal law workshop – See Webcafe site**

Week Six and Seven:

**Torts**

Torts  
Negligence and Strict Liability  
Petition of Kinsman Transit Co.

Tab 8: Readings 40 thru 42 – pp. 207-231

**Torts workshop – See Webcafe site**

Week Eight

**Contracts -**

Contracts: The Foundation of a Market Economy  
Introduction to Contracts  
Steinberg v. Chicago Medical School  
Contracts in Writing  
Iacono v. Lyons

**OPTIONAL:**

[Consideration]  
[Intent to Contract]  
[Acceptance]  
[Contracts in a Nutshell]  
[Remedies]  
[Termination of the Power of Acceptance]  
[Damages under the Uniform Commercial Code]  
[A Note on Limitations to Contract Remedies]  
[A Note on Promissory Liability Outside the Bargain Model]

Tab 11: Readings 53 thru 57 – pp. 291-318  
[Tab 12: Reading 58 – pp. 319-330]  
[Tab 13: Reading 59 – pp. 331-347]  
[Tab 14: Reading 60 – pp. 349-362]  
[Tab 16: Readings 63 thru 65 – pp. 375-394]  
[Tab 17: Readings 66, 67 – pp. 395-406]  
[Tab 15: Readings 61, 62 – pp. 363-374]  
[Tab 18: Readings 68 thru 70 – pp. 407-414]  
[Tab 19: Readings 71 thru 73 – pp. 415-416, 428-431]  
[Tab 20: Readings 74 thru 80 – pp. 435-464]

**Contracts workshop – See Webcafe site**

Week Nine

**Intellectual property**

Intellectual Property

Tab 4: Readings 14 thru 20 – pp. 91-122

**Intellectual Property workshop – See Webcafe site**

Week Ten

**Corporate and securities**

SEC, <http://www.sec.gov/about/whatwedo.shtml>

**Midterm review**

**Midterm**

Week 11

**Technology law**

*Mark Lemley and Lawrence Lessig, The End of End-to-End: Preserving the Architecture of the Internet in the Broadband Era*

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=247737#PaperDownload](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=247737#PaperDownload)

**Technology law workshop – See Webcafe site**

Week 12

**Data Security and privacy law**

*Jennifer Chandler, Security in Cyberspace: Combating Distributed Denial of Service Attacks*

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=596667#PaperDownload](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=596667#PaperDownload)

**Course wrap-up**

**Optional final**