

Prof. Amanda Shanor

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Class Meetings: Tuesdays & Thursdays
10:30 – noon (JMHH G50) and 3:00-4:20 (JMHH 260)

Office Hours: Wednesdays, 3:00 – 5:00. Or feel free to email me to arrange a meeting.

Course Description and Objectives

This course is a critical introduction to the institutions and key concepts of American law. It is widely understood that legal rules govern the conduct of large classes of people and provide incentives for how they should act in the future—shaping institutions and influencing issues from economic prosperity to climate change to racial justice. Law allocates power and distributes resources.

This course is designed to integrate the various fields of law in a fashion that emphasizes common themes and problems. The first half of the course focuses on private law—including the law of property, contract, and torts. The second half wades into the complexities of public law in the modern administrative state. This includes an extended look at U.S. constitutional law.

This approach aims to help students become comfortable approaching an array of legal problems and legal developments. Our readings, and my ambition, are oriented around a key objective: to develop in you the capacity for inquiry, critique, and problem solving associated with the American legal tradition.

Materials

All readings can be found on the course's Canvas web site or via a straightforward web search. Tentative reading assignments are listed at the schedule at the end of the syllabus.

We may have occasional visiting lecturers from the legal and business worlds. I may also change or add to those readings over the course of the semester. If so, I will let you know in class and post the updated assignment on Canvas.

Device Policy

Electronic devices will not be permitted in class. Emailing, shopping, texting, and gaming negatively affect group dynamics. If an emergency requires that you have connectivity, talk with me before class.

Grading and Assignments

Your final grade in this course will be based on the following:

- Quizzes & reading responses (25%)
- Class participation (20%)
- Group presentation (5%)
- Midterm (25%)
- Final exam (25%)

Quizzes & Reading Responses (25%)

The most important thing you can and should do for this class is to do the readings and think critically about what you read. It is key that you complete the assigned readings *before* class on the day shown.

At every class for which readings are assigned, there will be a 45% chance of having to take a short in class quiz that tests your knowledge of the day's readings. Whether or not you have a quiz will be determined by a random number generator. Thus, having a quiz one day is not predictive of whether you will have a quiz the next day (*i.e.*, don't fall prey to the gambler's fallacy!).

These quizzes are designed to ensure that you have carefully read and considered the assigned readings. Most of the quizzes will require you to summarize or analyze one or more of the readings or explain a question they raised for you, but other quiz formats are possible. Each quiz will be graded on a scale ranging from 0 to 2. **Your lowest quiz score will be dropped.**

You will receive a score of zero if you are absent or late for a quiz. However, you can erase three quizzes from your record if, prior to the start of class, you submit a well-written summary and analysis of the reading(s) on the day you will miss. You should submit this summary via email to me (shanor@upenn.edu). The subject line of your email should read: "LGST 101: Reading Response."

Your reading response should include ~250 words of summary and ~250 words of thoughtful analysis. It is not to exceed one page, single-spaced, using 12-point Times New Roman font and one-inch margins. Submissions that do not adhere to these requirements will not be accepted. You must show that you have carefully read and understood the assigned readings and that you put time, thought, and effort into your reading response. A last minute, slipshod effort will not be accepted—and neither will a reading response submitted after the start of class. Each reading response will be graded on the same scale as the quizzes, ranging from 0 to 2, and will replace the grade of the quiz you missed.

Sometimes life happens. Up to once in the semester, therefore, if you cannot finish the day's readings, you can email me at least one hour before the start of class, and I will not call on you or expect you to take a quiz if one occurs.

Class Participation (20%)

Law is a communicative and collaborative endeavor. My central goal is for you not only to learn, explore, and consider the ideas covered in this class—but to learn how to think, critique, strategize, and problem solve in the ways characteristic of American law, policy, and scholarship. That is, to learn some of the ways of thinking, norms, and practices key to success in law—which are useful far beyond it as well.

The course will combine lectures, “cold calling” (the instructional method commonly used in American law schools), and group discussion. Your grade is based in part on your participation in each, according to the criteria below.

Group Presentation (5%)

Each class day student(s) will present a brief (~2 minute) review of the big ideas from the last class and pose questions for the group’s discussion, based on the readings. You all will choose when and on what you present.

Midterm (25%) and Final (25%) Exams

I will provide more information on both the midterm and final exams as they approach. They will include types of questions common to law school exams (including issue spotters, short answer, and essay questions).

In the week prior to both exams, you should post all questions to the discussion board on Canvas—if you have a question, chances are other people do, too!—and I will answer them for everyone.

Grading Criteria

All assignments and class participation will be graded on seven criteria:

- *Creativity and insight:* Your ideas are original, engaging, and evince compelling insight.
- *Analytical rigor:* Your ideas are presented in an analytically rigorous manner.
- *Depth and quality of analysis:* You demonstrate thorough reading/ research, incisive thinking, and thoughtful consideration.
- *Integration with course content:* You use, apply, and extend concepts covered in the class.
- *Organization and structure:* You employ a logical, clear framework.
- *Legal norms:* You display an increasing ability to talk, think, and problem solve like a legal actor.
- *Style:* You write and verbally present using appropriate grammar, spelling, punctuation, and the like.

Policies for Grades and Late Assignments

Grades are final. There are no re-grades. This is to ensure fairness to all students. As in the business and legal worlds, work must be submitted on time. You are always welcome to hand in an assignment before its due date if you know that you will be busy as the due date approaches.

Feedback and Questions

You are important to me! I want this course to be a valuable learning experience for you. After the first month, we will evaluate our progress, and I will make any necessary changes to keep us on track. I also welcome your feedback and questions any time during the semester. It is easiest to reach me by email or office hours, but I am always happy to set up an appointment.

Informal Get-Togethers & Field Trips

Let's get coffee or a meal! My TA will also put together at least one social gathering for the class, place and time TBA.

If there is sufficient interest, I will organize trips to a local prison and/or a Third Circuit Court of Appeals argument.

Instructor Biosketch

Amanda Shanor is an Assistant Professor at the Wharton School at the University of Pennsylvania, where her scholarship focuses on constitutional law—and in particular the First Amendment.

Prior to joining the academy, Shanor was a practicing lawyer in the National Legal Department of the American Civil Liberties Union, where she worked on the organization's Supreme Court litigation. This included *Masterpiece Cakeshop*, a case involving a bakery that declined to sell a wedding cake to a gay couple.

Shanor is a graduate of Yale Law School and Yale College, and a PhD candidate in law at Yale University. She served as a law clerk to Judges Cornelia T.L. Pillard and Judith W. Rogers on the D.C. Circuit, and Judge Robert W. Sweet in the Southern District of New York.

She has taught at both Yale and Georgetown law schools and has published in the *New York University Law Review*, the *Harvard Law Review Forum*, and the *Yale Law Journal Forum*, among others. She is a contributor to the blog *Take Care* and the co-author of a textbook on counterterrorism law.

Previously, while a fellow at Georgetown Law, Shanor litigated a number of constitutional and national security cases with Professor David Cole, including *Humanitarian Law Project v. Holder*, a First Amendment case argued before the Supreme Court. Before law school, Shanor worked in social movement organizing, immigrant workers rights, and corporate social responsibility.