

Introduction to Law and Social Values
LGST 101
1:45pm-3:15pm (EST)
3:30 pm-5pm (EST)
Prof. William S. Laufer
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Course Description

This course is an introduction to law and legal process with a particular focus on criminal law, constitutional law, tort law, and contract law.

Course Materials

Cases and materials will be posted on Canvas.

Course Requirements

Exams and assignments will require references to and analysis of assigned cases, statutes, and other materials discussed in class. All assigned cases should be briefed in preparation for class. Students will be expected to add value to class discussions by volunteering answers or responding to cold calls.

Examinations

A multiple choice mid-term examination will be scheduled at the mid-point of the semester, followed by a multiple choice final examination (cumulative) at the University's prescribed date, time, and location (see Canvas for final examination details).

Final Exam Make-up Policy

All requests for make-up exams should be submitted to a teaching assistant through email at least 14 days before the exam date. Students must explain their situation and extraordinary circumstances that would justify the administration of a non-scheduled examination.

Office Hours

Please contact the teaching assistants with questions about the class and, in particular, the grading of class assignments (Frank Hong; Tel: (215) 578-0528; Email: frankhon@wharton.upenn.edu; Esther M. Lee, Tel: (646) 884-4576; Email: estmlee@sas.upenn.edu. If questions and/or concerns still remain, please contact Prof. Laufer via email (lauferw@wharton.upenn.edu) or text/call, Tel: (917) 257-0168.

Grading

Class Participation (10%)

This class is designed to be interactive. You will not only learn about different substantive

areas of law but also how to think critically about law. Like a typical law school class, cold-calling will be used to promote class discussion. Participation in class discussion, which includes performance on weekly discussion posts, will determine this portion of your grade. You may make contributions to the discussion group on Canvas in order to get credit for class participation. One discussion post per week is reasonable. Discussion comments should (1) be a maximum of 150 words, (2) be relevant to the discussion thread (if created in response to another comment), and (3) refer to the material covered in the week's lecture or readings. Deadline: 11:59pm EST Sunday following the Wednesday's class.

Oral Argument (10%)

Early this semester each member of the class will be assigned to a United States Supreme Court case for oral argument. There will be six oral arguments this semester (petitioner and respondent arguments are each thirty minutes long with five students making the argument in each group). There will be a rotation of nine students in each class who will serve as justices, asking probing questions.

Graded In-Class Group Exercises (10%)

Throughout the semester you will be asked to respond to specific prompts during class in randomly assigned groups. Your group will work together through breakout sessions to complete the specific prompts and submit work product by the end of the class session. Responses will be graded.

Mid-Term Exam (30%)

Final Exam (40%)

Final grades will be scaled to represent a reasonable curve

The instructor reserves the right to hold unannounced class exercises for exam and course grade increases that do not change the overall grade curve

Class Schedule

Introduction: What role should law play to ensure that justice is done?

Racial Justice (choosing “unequal justice” or “equal injustice”?)
Corporate Justice (prosecuting corporations for criminal wrongdoing?)
COVID-19 Justice (liability for failed responses to a pandemic?)

Background Reading: L. L. Fuller, *Law as an Instrument of Social Control and Law as a Facilitation of Human Interaction*

Introduction to Criminal Law

Minnesota v. Chauvin (complaint); Keeler v. Superior Court; Elonis v. United States

Background Reading: L. J. Nelson, *A Crisis for Women's Rights: Surveying Feticide Statutes for Feticide Statutes for Content, Coverage, and Constitutionality*

In-class Group Exercise: Do you support the enactment of state feticide laws?

Invited Lecture: Jordan Wasserberger, Criminal Justice Reform in New York
Please watch: <https://www.youtube.com/watch?v=yYjcJvdGCfs>

Introduction to Constitutional Law

Tennessee v. Garner; Kennedy v. Louisiana

Background Reading: L. Tribe, *On Reading the Constitution*

In-class Group Exercise: How can we reimagine police use of force?

Introduction to Tort Law

Cohen v. Petty; Lubitz v. Wells; Flaming Marshmallow

Background Reading: S.D. Sugarman, *Doing Away with Tort Law*

In-class Group Exercise: COVID-19 tort reform?

Introduction to Contract Law

Trump v. Maher; Vokes v. Arthur Murray, Inc.; Hopper v. All Pet Animal Clinic

Background Reading: G. R. Shell, When is it Legal to Lie in Negotiations?

In-class Group Exercise: Zimpel: The ethics and law of pre-contractual negotiations.

Introduction to Law and the Legal System

Criminal Law Cases I

Overview; Principles of Punishment; Criminal Statutes

Criminal Law Cases II

Actus Reus; Mens Rea

Oral Argument: *Elonis v. United States* (2015)

Criminal Law Cases III

Causation; Criminal Homicide

Criminal Defenses

Oral Argument: *Heien v. North Carolina* (2014)

Criminal Statutes

Criminal Law Cases IV

Corporate Criminal Liability

Criminal Law Cases V

Corporate Sanctions

The end of corporate criminal liability?

Constitutional Law Cases I

Overview

Oral Argument: *Lange v. California* (2021)

Constitutional Law Cases II

Fourth Amendment Protections

Constitutional Law Cases III

Eighth Amendment Protections

Oral Argument: *McCleskey v. Kemp* (1987)

Tort Law Cases I

Negligence and Strict Liability

Oral Argument: *Nestle USA, Inc. v. Doe et al.* (2021)

Tort Law Cases II

Intentional Torts

Tort Law Cases III

Products Liability

Oral Argument: *Kisela v. Hughes* (2018)

Contract Law Cases I

Contract Law Cases II

Course Review

The life of William Kunstler: Disturbing the Universe

FINAL EXAMINATION (cumulative)