LAW AND SOCIAL VALUES
LEGAL STUDIES 1010 - Fall 2023
Wharton School, University of Pennsylvania
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MW 1:45-3:15, G50

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, with a particular focus on contracts and applications of traditional legal concerns in emerging technology policy contexts, and will conclude with an introduction to America's place in the legal world order.

OFFICE HOURS: Tuesday 11:00-12:00, or send me an email (and it's not a bad idea to send me an email if you're thinking of dropping in regardless – I'm open for business Tuesday morning, but capable of drifting off to the coffee machine). If you need to see me remotely, set it up with me in advance, and try this Zoom: https://upenn.zoom.us/j/96389739239?pwd=QnRUdVhZLzgwalZSNEdIeVY0V3NMdz09.

MATERIALS: A set of readings customized for this course is available on Canvas/Study.net/via Lippincott. I may add occasional additional readings over the course of the semester. If you're a non-Wharton student, set up an account at https://apps.wharton.upenn.edu/iam/accountcreator/.

SCHEDULE: We have approximately 28 classes, and, as you can see, 26 topics to cover, plus some presentations by you. We may adjust the schedule as the semester continues. Nonetheless, you should plan to read the next assignment for the next class, even if we haven't exhausted all discussion of the current one.

COURSE FORMAT: The course combines lecture, Socratic dialogue, and group discussion. Active class participation is expected. Excellent class participation, as determined by my sole discretion, counts as 10% of your final grade. .

ELECTRONIC DEVICE POLICY: I don't permit the use of electronic devices in class in person, so bring your notebooks when we get there.

MODERATE USE OF GENERATIVE AI PERMITTED: You may use generative AI programs (e.g., tools like ChatGPT) to help generate ideas and brainstorm. However, you should note that the material generated by these programs may be inaccurate, incomplete, or otherwise problematic. Beware that use may also stifle your own independent thinking and creativity. You may not submit any work generated by an AI program as your own. If you include material generated by an AI program, it should be cited like any other reference material (with due consideration for the quality of the reference, which may be poor). Any plagiarism or other form of cheating will be dealt with severely under relevant Penn policies.

GROUP PROJECTS: Later in the semester, I will put you in groups to draft comments on a current government policy, after which you will file the comments with the government agency. You will also present the comments, and the context for them to the class at the end of the semester. You can find some guidance on effective comment writing here: http://eli-ocean.org/wp-content/blogs.dir/2/files/Making-Your-Voice-Heard.pdf.

GRADING:

- Group Projects, commenting on a government policy – 15%
- Midterm exam – 45%
- Final exam – 30%
- Class participation – 10%

MIDTERM EXAM DATE: October 18, in class (subject to modest change)

Class Subjects:

(Page number in coursepack, reading number on Canvas/Study.net)

1   **Vehicles in the Park**

           Reading 1

2   **Introduction to the Legal System**

           Readings 2-5 (through No Secret Books), DHS v. Cal. Bd. of Regents

3   **Speluncean Explorers – The Judge**

           Readings 6 (Speluncean Explorers)

4   **Civil Procedure – Litigation**

           Readings 7 and 8 (through Legal Process)

5   **Civil Procedure – The Jury**

           Readings 9-13 (through The American Jury….)

6   **Property – Personal and Real**

           Readings 14-17 (through Sturges)

7   **Real Property**

Readings 18-19 (through Fagerstrom)

8   **Contracts: Introduction**

Readings 20-22 (through Steinberg)

9   **Contracts: Consideration and the Offer**

Reading 23 (through consideration)

10 **Contracts: Intent to Contract: Offer and Acceptance**

Reading 24 (offer and acceptance)

11 **Contracts: Acceptance**

Readings 25-27 (through Marchiondo)

12 **Contracts: Specific Performance**

Readings 28-30 (through equitable remedies)

13 **Contracts: Damages**

Reading 31 (remedies)

14 **Contracts: Limitations on Damages**

Readings 32-34 (through Parker)

15 **Contracts: Promissory Estoppel**

Readings 35-38 (through Hoffman)

16 **Contracts: Unconscionability & Review**

Reading 39 (Walker Thomas)

17 **In Class Midterm,** currently scheduled for October 18

18 **Constitutional Law: Takings**

Readings 40-41 and the US Constitution, as amended (through Takings)

19 **Constitutional Law: Separation of Powers 1**

Readings 42-43 (through Selia Law)

20   **Constitutional Law: Separation of Powers II**

Reading 44 (Raich)

21   **Administrative Law**

Readings 45-46 (through place of agencies)

22   **Statutory Interpretation**

`   Readings 47-48 (through Burwell)

23   **Public Law In Depth I: The Law of Insider Trading part 1**

Readings 49-52 (through Chiarella)

24   **Public Law In Depth I: The Law of Insider Trading, part 2**

Readings 53-55 (through Salman)

25   **Public Law In Depth II: The Law of Privacy**

Readings 56-59 (through Condon)

All Comments Accompanying the Group Presentations Are Due One Day Before the Your Presentation.

26   **Intellectual Property**

Readings 60-65 (through Christopher)

27 & 28   **Comment on Government Policy – Group Presentations**