Classes: 2 credits: Tuesdays, 10 to 11:50 a.m., plus ONE MANDATORY half-day (8:30 a.m. to noon) Saturday session on Jan. 26 or Feb. 16 at the law school. Failure to attend at least one session for any reason – including a family emergency, a wedding, an opportunity for personal or professional growth, a defective alarm clock, or anything else – will disqualify you from credit for the course. So attend the Jan. 26 session. That way you won’t risk disqualification if you cannot attend on Feb. 16. 3 credits: Tuesdays, 10 to 11:50 a.m., plus TWO MANDATORY all-day (8:30 a.m. to 4:30 p.m.) Saturday sessions on Jan. 26 and Feb. 16. If you miss all or part of either one for any reason – including those listed above – your grade will not be affected, but you will be switched to the 2-credit course and the associated requirements. So, if you enroll for 3 credits, hedge (by not relying on that third credit in order to graduate) or be prepared to make a sacrifice (by missing a big event, leaving home early enough to be certain of arriving on time even if there is heavy traffic, postponing graduation, or whatever) in the event that you miss all or part of a session.

Purpose and sketch of the course: Think of this as an opportunity to develop your skills in legal research, writing, and analysis. We will (a) take a close look at the history of famous and obscure cases, statutes, and other sources, manifestations, and creatures of law; (b) study their places in executive, legislative, judicial, and private decision-making; and (c) practice the deep digging and careful thinking required to make sense of such things. We will begin with a famous case and a not-so-famous statute and a fine example of the close study of both. Then we will hear from Paul Haas on research resources, followed by several weeks of additional reading and discussion, plus two Saturdays devoted to deeper study and use of on-line and other resources for legal and historical research. We will spend most of the Feb. 12 class on students’ ideas for paper topics. For this course, your paper must focus on a 19th-century statute or patent. (You should begin prospecting for topics no later than the first day of class.) Finally, we will spend a few weeks on in-class presentations, giving students a chance to evaluate each other’s work before finishing their papers. By then, all of us should be better students, scholars, and practitioners of American legal history.

Reading Assignments: (They are subject to change at the discretion of the instructor.)

Jan. 8: An act providing for the indemnification of certain claimants of public lands in the Mississippi territory, 3 Stat. 116 (1814); C. Peter Magrath, Yazoo: Law and Politics in the New Republic (1966)

Class schedule:

Jan. 8: discuss assigned reading
Jan. 15: Paul Haas presentation
Jan. 22: discuss assigned reading
*Jan. 26: all-day research session at GMUSL
Jan. 29: discuss assigned reading
Feb. 5: discuss assigned reading
Feb. 12: discuss reading and paper topics
Feb. 16: all-day research session at GMUSL
Feb. 19: student presentations (2)
Feb. 26: student presentations (2)
Mar. 5: student presentations (2)
Mar. 12: spring break
Mar. 19: student presentations (2)
Apr. 2: student presentations (2)
Apr. 9: student presentations (2)
Apr. 16: student presentations (2)
May 14: paper deadline

For each class session, please:

(a) Read and think deeply about the assigned material. You should stay an assignment or two ahead of schedule, just in case.

(b) Leave all electronics outside the classroom or, if you must bring them with you, keep them closed and stowed during class. This means, of course, that you must print out (or borrow or buy) and bring to class an ink/toner-on-paper version of the reading.

(c) Note and follow in-class instruction. If you miss a class you must get notes from a classmate. Make arrangements in advance as a precaution against unanticipated absences. There is a strong tradition in law of sharing notes with colleagues in need. Be a part of it.

(d) Look up words you do not know. I recommend the latest of editions of Black’s Law Dictionary, the OED, and American Heritage.

Presentations: They are required. You will deliver a 45-minute work-in-progress presentation based on an outline emailed to me and to all students in the course by midnight on the Friday before you are to give a presentation based on that outline.

Commentary: Also required. You must email at least one substantive comment on each fellow student’s outline to me and to all students in the course by 12 noon on the day before that fellow student is to give a presentation based on that outline.

Grades: They are based on your 3,000-word paper (5,000 words if you opt for 3 credits), presentation, commentary, and participation. It is your responsibility to deliver and confirm delivery by the appropriate deadline of (a) your outline to every member of the class; (b) your comments on another’s outline to me and to the author of that outline; and (c) your final paper to me. An outline, comment, or paper turned in late but less than one week late will result in your grade being lowered one step (e.g., B to B-minus), one to two weeks late, two steps (e.g., B to C-plus), two to three weeks late, three steps (e.g., B to C) and so on. Fair warning: Plagiarism is forbidden and I reserve the right to detect plagiarists by any reasonable means, including, but not limited to, plagiarism-detection software.

Intellectual property: I own all course content I create, regardless of form. You may share copies of that content with classmates during the course, but other than that you must keep all of it in any format to yourself forever. Recording of class sessions: Is forbidden.

I have read and do understand the rules of this course. I will abide by all of them. Signed: _______________________ Date: __/__/__