

George Mason University Antonin Scalia Law School
FLEX LLM – LAW 0089
Introduction to U.S. Law and Professional Responsibility (Spring 2024)
Suzzette Hurley DeMers|shurley2@gmu.edu

Course Overview

This course provides an introduction and overview of the United States legal system and an introduction to Professional Responsibility.

Student Learning Objectives

By the end of the session, students will be able to demonstrate the following knowledge and skills:

- Explain and answer questions regarding the history and structure of the U.S. legal system and the substantive areas of law which will be further studied in the FLEX LLM program.
- Explain the import and practice of Professional Responsibility and answer questions regarding the requirements these standards impose on U.S. attorneys.
- Analyze and synthesize cases based on their study seminal cases in foundational areas of U.S. law.
- Display their knowledge and understanding of course material by completing the course examination in which they will prepare “short answer” responses to exam questions in well-written English.

Course Materials

Required Text: [Introduction to the Law and Legal System of the United States](#) (Seventh Edition), William Burnham & Stephen F. Reed, West Academic Publishing 2021 (referred to as “B&R” in Class Schedule below).

Available at <https://www.westacademic.com/Burnham-and-Reeds-Introduction-to-the-Law-and-Legal-System-of-the-United-States-7th-9781684675838>

Online Resources: Links to various resources upon which we will rely in the course will be made available on Blackboard.

Class Participation and Communication

Course information and announcements will be made available on Blackboard (<https://mylawschoolportal.gmu.edu>). Students should check Blackboard daily for course information.

This course will be conducted online using the law school’s Zoom platform (link is available on Blackboard course page). Students are expected to activate their cameras and appropriately participate in class discussion.

Email is the best method of communication with Suzzette Hurley DeMers (shurley2@gmu.edu). Students should send emails from their registered gmue.edu email addresses. In the event of an emergency or matter requiring urgent attention, students may call me.

Course Grade

The grade for this course will be determined by class participation (10%), weekly assignments (15%), and the final exam (75%). The final exam will be completed following the last class meeting. Details regarding the assignments and exam will be discussed during class.

Class Schedule

Reading assignments listed below should be completed **before** the class session for which they are assigned. Additional reading materials and resources will be made available via Blackboard for instructional purposes.

	TOPIC Textbook Reading <i>Cases</i>	Additional required resources
1. 16 January 2024		
	History and Government Structure B&R pp. 1-57 <i>Marbury v. Madison</i> , 5 U.S. 137 (1803)	U.S. Constitution
	Legal Methodology B&R pp. 59-83, 99-108	
	Adversary System B&R pp. 123-138	
	Legal Ethics/Professional Responsibility (PR) B&R pp. 235-244	Model Rules of Professional Conduct (MRPC)
2. 23 January 2024		
	Judicial System B&R pp. 245-261, 282-293	US Code
	The System at Work <i>Hoffman v. Jones</i> , 280 So.2d 431 (Fl. 1973) available at B&R Appendix p. 1211	

	<p>Constitutional Law (Part I) B&R pp. 553-592 <i>United States v. Lopez</i>, 514 U.S. 549 (1995)</p>	<p>US Constitution</p>
<p>3. 30 January 2024</p>		
	<p>PR Attorney-Client Relationship <i>Togstad v. Vesely, Otto, Miller & Keef</i>, 291 N.W.2d 686 (Minn. 1980)</p>	<p>MRPC 1.2, 1.13, 1.16, 1.18, 2.1, 7.1, 7.2</p>
	<p>Evidence B&R pp. 164-174 <i>Daubert v. Merrell Dow Pharm., Inc.</i>, 509 U.S. 579 (1993)</p>	<p>Federal Rules of Evidence</p>
	<p>Civil Procedure B&R pp. 365-383, 419-432 <i>Worldwide Volkswagen</i>, 444 U.S. 286 (1980) <i>Ford Motor Co. v. Montana Eighth Judicial District</i>, 114 S. Ct. 1017 (2021)</p>	<p>Federal Rules of Civil Procedure</p>
<p>4. 6 February 2024</p>		
	<p>PR Confidentiality <i>Upjohn Co. v. United States</i>, 449 U.S. 383 (1981)</p>	<p>MRPC 1.6, 1.18, 3.3, 4.1</p>
	<p>Contracts B&R pp. 681-704 <i>Sherwood v. Walker</i>, 66 Mich. 568 (1887)</p>	<p>[Uniform Commercial Code]</p>
	<p>Torts B&R pp. 733-757, 760-765 <i>Palsgraf v. Long Island R. Co.</i>, 248 N.Y. 339 (1928)</p>	
<p>5. 13 February 2024</p>		
	<p>PR Conflicts <i>Maritrans GP Inc. v. Pepper Hamilton & Scheetz</i>, 602 A.2d 1277 (Pa 1992)</p>	<p>MRPC 1.7 – 1.10</p>
	<p>Property B&R pp. 785-815 <i>Kelo v. City of New London</i>, 545 U.S. 469 (2005)</p>	

6. 20 February 2024	
	<p>PR Communications & Fees</p> <p>MRPC 1.4, 1.5, 4.2</p>
	<p>Criminal Law B&R pp. 905-957 <i>Katz v. United States</i>, 389 U.S. 347 (1967) <i>Miranda v. Arizona</i>, 384 U.S. 436 (1964)</p> <p>[Model Penal Code]</p>
	<p>Business Law B&R pp. 957-1012 <i>Shlensky v. Wrigley</i>, 95 Ill.App.2d 173 (1968)</p>
7. 27 February 2024	
	<p>Constitutional Law (Part II) B&R pp. 467-528, 621-672 <i>Grutter v. Bollinger</i>, 539 U.S. 306 (2003) <i>Students for Fair Admission v. Harvard</i>, -- S.Ct. -- (2023) (stop at Westlaw page 24) <i>New York Times v. Sullivan</i>, 376 U.S. 254 (1964)</p>