

Federal Courts

Spring 2026

Law 226 (002)

Professor William Fitzpatrick

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### **Syllabus**

Day/Time of Class: Tuesday and Thursday 6:05 p.m. to 7:30 p.m.

Course Text: Hart and Wechsler's *The Federal Courts and the Federal System* (Eighth Edition)

Learning Objectives: At the conclusion of this course students should be able to demonstrate an in-depth knowledge of the Federal courts, their constitutional and statutory role, as well as their structure and jurisdiction, including the scope of their authority, limitations on their authority, common federal causes of action and available remedies. Students will also exhibit a working knowledge of every phase of civil litigation, including the applicable Federal Rules of Civil Procedure.

Class Participation and Exam: Class participation will account for 15% of your grade. The final exam will account for 85% of your grade. The final exam is scheduled for May 6, 2026, at 6:00 p.m. The exam will consist of essay and short answer questions. The exam is closed book, except you may use an outline that you have prepared. Your outline is the **only** resource that you may use in the exam.

AI Policy (Moderate Use Policy): Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to help you understand and explore the material we will discuss but may not use AI as the primary source for research, as the primary source for text for written assignments, during any quiz or exam, nor during Socratic dialogue. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

### Course Calendar:

January 15:	Course Administration, Objectives and Expectations. Structure of the Federal Judiciary. Constitutional and Statutory Authority of Federal Courts.
January 20:	<i>Marbury v. Madison</i> , 5 U.S. 137 (1803) Text, pp. 76-101

Parties, Finality, and Collusion  
Text, pp. 101-119

January 22: Standing to Sue (Part 1)  
Text, pp. 125-166

January 27: Standing to Sue (Part 2)  
Text, pp. 166-244

January 29: Mootness/Ripeness/Political Question  
Text, pp. 244-324

February 3: Federal Question Jurisdiction  
Constitutional and Statutory Scope (Part 1)  
Text, pp. 993-1050

February 5: Federal Question Jurisdiction  
Constitutional and Statutory Scope (Part 2)  
Congressional Control  
Text, pp. 406-418, 431-464  
Declaratory Judgments  
Text, pp. 837-849

February 10: Diversity Jurisdiction  
The Basics of Diversity; Complete Diversity (Part 1)  
Text, pp 1071-1091;  
28 U.S.C. §§ 1332, 1335, 1369

February 12: Diversity Jurisdiction  
The Basics of Diversity; Complete Diversity (Part 2)  
  
Supplemental Jurisdiction  
28 U.S.C. § 1367  
Federal Question, Text, pp. 1110-1115;  
Diversity, Text, pp. 1110-1135

February 17: Lifecycle of a Civil Case (Part 1)  
Federal Rules of Civil Procedure

February 19: Lifecycle of a Civil Case (Part 2)  
Federal Rules of Civil Procedure

- February 24: Challenging Official Action (Part 1)  
Suits against the United States or Federal Officers  
Text, pp. 1147-1165
- February 26: Challenging Official Action (Part 2)  
Suits against States or State Officers  
Text, pp. 1165-1184
- March 3: Challenging Official Action (Part 3)  
Suits against States or State Officers  
Text, pp. 1184-1262
- March 5: Challenging Official Action (Part 4)  
Civil Rights Actions (§ 1983 and *Bivens*)  
Text, pp. 1275-1310; 42 U.S.C. §1983
- March 10: No Class (Spring Break)
- March 12: No Class (Spring Break)
- March 17: Challenging Official Action (Part 4)  
Official Immunities  
Text, pp. 908-949  
Statutory Remedies  
Text, pp. 1340-1347
- March 19: Challenging Private Action  
Title VII of the Civil Rights Act  
Title IX of the Civil Rights Act
- March 24: Limitations of Federal Jurisdiction  
Injunctions  
Text, pp. 1370-1382  
Abstention (Part 1)  
Text, pp. 1398-1400
- March 26: Limitations of Federal Jurisdiction  
Abstention (Part 2)  
Equitable Restraint  
Text, pp. 1430-1459; 1400-1416
- March 31: Temporary Restraining Orders; Preliminary Injunctions; Permanent Injunctions; Declaratory Judgments (Part 1)
- April 2: Temporary Restraining Orders; Preliminary Injunctions; Permanent Injunctions; Declaratory Judgments (Part 2)

- April 7: Anatomy of a Federal trial
- April 9: Supreme Court Jurisdiction  
Text, pp. 346-371  
28 U.S.C. § 1251
- April 14: Collateral Review-Habeas and Executive Detention  
Text, pp. 1461-1546 (Part 1)
- April 16: Collateral Review-Habeas and Executive Detention  
28 U.S.C. §§ 2241, 2254-55 (Part 2)
- April 21: Review for the Final Exam