

Sexual Orientation and the Law

Syllabus

Spring 2007

Monday, 4:00-6:00 PM

Elizabeth Reilly, Coordinating Instructor

Sexual Orientation and the Law is a team-taught course that addresses legal issues that affect gay, lesbian, bisexual, transgendered and intersexual people. This course will range from the theoretical to the practical, with each professor bringing his or her expertise to the class. The class will address constitutional law, theory, political process, AIDS law, domestic relations issues, housing, employment, tax, torts, military law, estate planning, evidence and criminal law.

This course is not a replacement for raising and addressing the issues in the individual substantive law courses in which they arise. Rather, the course is an opportunity to study the issues across a number of substantive areas and perspectives, in order to give a deeper and more thematic perspective into the comparisons and contrasts in how the law treats the people and the subject matter when the issue of sexual orientation intersects with another legal issue. Students should be prepared to think both deeply and broadly about the areas studied, and to seek insights into both the issue of the treatment of sexual orientation and the particular legal issues in the area of substantive law being addressed.

This course will be paperless, and will use a TWEN site for all course readings, assignment submission and the like. Individual syllabi for each class, readings, assignments and assignment due dates will be posted on the site at least two weeks prior to the assigned class.

| DATE | TOPIC | PROFESSOR | PAPER DUE DATE |
|-------------|---|------------------|-----------------------|
| M 1/22 | Introduction: Biology? Choice? Does It Matter? | Lee/Reilly | |
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| M 1/29 | Due Process & Equal Protection | Huhn | |
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| M 2/5 | Constitutionality of Marriage Restrictions; Other Partnering Issues | Huhn | |
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| M 2/12 | First Amendment | Rich | |
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| M 2/19 | Political Process | Moritz | |
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| M 2/26 | Employment Discrimination | Lee | |
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| M 3/5 | Intersexuality & Transgender | Reilly | |
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| M 3/12 | Tax & Estate Planning | Dessin | |
| | | | |
| M 3/26 | Parenting | Reilly | |
| | | | |
| M 4/2 | Housing/Zoning | Jordan | |
| | | | |
| M 4/9 | Criminal Law Evidence/Jury Selection /Representation Issues | Koosed Cole | |
| | | | |
| M 4/16 | Outing & Covering | Reilly/Lee | |
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| M 4/23 | Equality Theory | Lee/Reilly | |
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Each student is required to write **five** three to five page papers during the course. Papers can be written for the following professors, in conformity with the assignment and topic that professor identifies for the papers. They will be due on the date the professor posts with the paper assignment, usually two weeks after the class, but sometimes earlier or even on the day of class. You must be sure of the relevant deadlines!

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|--------------------------------|----------------|
| Due Process & Equal Protection | (Prof. Huhn) |
| Marriage etc. | (Prof. Huhn) |
| Political Process | (Prof. Moritz) |
| Equality | (Prof. Lee) |
| Employment Discrimination | (Prof. Lee) |
| Tax & Estate Planning | (Prof. Dessin) |
| First Amendment | (Prof. Rich) |
| Criminal Law | (Prof. Cole) |
| Intersexuality & Transgender | (Prof. Reilly) |
| Outing & Covering | (Prof. Reilly) |

If you wish to write a paper on a topic for which none is assigned, you may speak with the professor to receive permission to write, at the professor's discretion.

Papers will be graded on a scale of 1-5, 5 being best. Grades will be posted online in the TWEN course. Once all papers are graded, the scores will be totaled and final grades will be based upon those combined scores.