

# COURSE SYLLABUS

Constitutional Law II – Section 217 D- Fall 2008

Professor Francisco Valdes

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This Course Syllabus presents an overview of the material that will be covered in Constitutional Law II, which generally addresses the role of individual rights and liberties under the 14<sup>th</sup> Amendment to the U.S. Constitution. The total number of pages is approximately 600, averaging 20-something pages per class session. **Generally, this pace is designed to emphasize quality over quantity.** Some of these materials will be covered in depth and some not, depending on the complexity and importance of the material, or on the progression of the class as a whole. However, **for exam purposes, all students are responsible for all assigned readings, including the “Notes & Problems” that are presented between the cases.** Use this Syllabus to read ahead or to anticipate future readings, but remember that assignments are governed by class announcements and that you must ascertain missed information for any days you are absent. You may also want to consider using this Syllabus as a general outline to help you structure your own study outline for the final exam, noting that the first half of the course is devoted to Equal Protection and the second half to Due Process.

**I. Introduction: Textual, Conceptual and Historical Overviews of “Equal Protection” and “Due Process in the U.S. Constitution**

**CASEBOOK: Pages xliii – lix**

**CLASS TIME: Approximately 2 class sessions**

**II. Equal Protection: Creating Constitutional Paradigms**

**CASEBOOK: Pages 447-716**

**CLASS TIME: Approximately 11 class sessions**

**III. Implied (and Express) Fundamental Rights: An Introduction to Substantive Due Process**

**CASEBOOK: Pages 717-768**

**CLASS TIME: Approximately 2 class sessions**

**IV. Equal Protection & Substantive Due Process: Intersectional Issues**

**CASEBOOK: Pages 768-844**

**CLASS TIME: Approximately 3 class sessions**

**V. “Modern” Substantive Due Process: Personhood & Private Relationships**

**CASEBOOK: Pages 845-967**

**CLASS TIME: Approximately 6 class sessions**

**VI. Procedural Due Process: Substance v. Procedure**

**CASEBOOK: Pages 967-988**

**CLASS TIME: Approximately 1 class session**

At important junctures, I also will provide overviews or exercises to help you organize your notes and outlines, and to help prepare you for the examination. Finally, please note that this Syllabus tracks our Casebook, so you should consult the Casebook’s Table of Contents for a more detailed breakdown of the covered topics. See you in class soon- please make sure you are well prepared!