ADVANCED CONSTITUTIONAL LAW: EQUAL PROTECTION
General Information

1. **TEXT:** I am working on a new equal protection chapter for a Constitutional Law casebook. We will use those materials in our course. I will supplement those materials as needed. Once our enrollment is set, each of you will receive an electronic copy of the course materials.

2. **ATTENDANCE:** You are responsible for keeping track of your attendance in compliance with law school policies.

3. **PARTICIPATION:** I value class participation, especially in courses with small enrollments. Students who in my judgment make an exceptional contribution to the class may have their final grade raised by 1/3 of a letter grade.

4. **EXAMINATION:** There will be a take home examination or a research paper option for your final grade. If you elect the paper, it will be a 20 page minimum on a contemporary Equal Protection topic.

5. **OFFICE HOURS:** I will have office hours on Tuesdays from 1:15 until 2:45.

6. **READING ASSIGNMENTS:** We will try to cover each topic on the dates indicated in the syllabus.

7. **ADA ACCOMMODATIONS:** The Law School is committed to meeting the needs of students with physical, learning, and other disabilities, and provides appropriate accommodations and services tailored to each person's specific requirements. The Law School's deans and the University's Office of Disability Services work together to help individuals with disabilities achieve and maintain individual autonomy. Students with disabilities are encouraged to contact Jenelle Marsh, Associate Dean for Students/Academic Services at (205) 348-5750 or 348-5751 or jmarsh@law.ua.edu so that the individual's needs for support services can be evaluated and accommodated in a timely manner.
Assignments

Classes 1 and 2 (January 10, 12)

Introduction to Equal Protection Theory-

Reading: tenBroek and Tussman’s The Equal Protection of the Law

Classes 3 and 4 (January 19, 24)

A. State Economic Regulations 762

Classes 5, 6, 7, 8, 9 and 10 (January 26, 31, February 2, 7, 9, 14)

B. Racial Classifications (race films) 768
   1. Separate but Equal 773
   2. Desegregation 780
   3. Diversity 820

Classes 11, 12, 13 and 14 (February 16, 21, 23, 28)

C. Gender (gender films) 835
   1. Early Gender Jurisprudence 835
   2. Doctrinal Turmoil and Evolution 838
   3. Recognition of Differences 843
   4. Discrimination Against Men 854
   5. Gender Classification in Context 863

Classes 15, 16, and 17 (March 2, 7, 9)

D. The Rights of Aliens 872
   1. The Right to Receive Social Welfare Benefits, to Practice Law, and
to Seek Employment in the Civil Service 873
   2. Restrictions Based on the “Political Function” Doctrine 876
   3. Federal Regulation of Aliens 881
Classes 18, 19, 20 and 21 (March 21, 23, 28, 30)

E. The Rights of Unmarried Parents and Their Children
   1. Inheritance Rights
   2. Rights to Sue and to Receive Government Benefits
   3. Rights of Unmarried Parents to Retain Custody of Their Children
   4. Immigration Preferences

Class 22 (April 4)

F. The Rights of Persons with Mental Disabilities

Class 23 and 24 (April 6, 11)

G. Sexual Orientation/Sexual Preference

Classes 25, 26, 27, and 28 (April 13, 18, 20, 25)

H. The Fundamental Rights Strand of Equal Protection
   1. Freedom of Speech
   2. Access to the Justice System: The Right to Counsel
   3. The Right to Travel
   4. Voting
   5. Education