LEGAL HISTORY
Fall Semester 2013 Syllabus
Professor Lopez
Room 311
alopez@law.ua.edu
Phone: 205.348.9831

Required Text


Course Goal

The goal of this class is to add perspective to the doctrinal knowledge acquired in your prior classes and illuminate other areas that may have gone without discussion in those classes. To work toward this goal, we will discuss the historical development of various legal doctrines over time. Many, if not most, of these legal doctrines should be familiar to you based upon your prior coursework. While they may be familiar as a matter of doctrine, the evolution of these doctrines is generally unexplored in doctrinal classes.

Course Topics

Chapter 1: Law in the Morning of America: The Beginnings of American Law to 1760
Chapter 2: Law in a Republican Revolution 1760 – 1815
Chapter 3: The Active State and the Mixed Economy 1812 – 1860
Chapter 4: Slavery, the Civil War, Reconstruction, and Segregation
Chapter 5: Nineteenth Century Law and Society 1800 – 1900
Chapter 6: Lawyers and the Rise of the Regulatory State 1850 – 1920
Chapter 7: Total War, Civil Liberties, and Civil Rights
Chapter 8: The Rise of Legal Liberalism, Economic Reform, and the New Deal 1900 – 1945
Chapter 9: Rights, Liberty, and Science in Modern America
Chapter 11: Law, Politics, and Terror

As a general matter, we will proceed chronologically though the above listed course topics. Please know, however, that we may/may not cover the entirety of each of the listed chapters. Furthermore, additional reading material beyond that in the book may be assigned throughout the semester.

Reading assignments for specific weeks will be addressed in class.

Attendance

This class will adhere to the Attendance Policy of the Law School. Please consult the Student Handbook for further information. You are responsible for keeping track of your attendance record. You will not receive a warning prior to being notified that you have violated the Law School’s Attendance Policy.

I expect you to attend class and to be prepared for class. I will not accept “passes” from being called upon in class. If I call on you and you are unprepared to discuss the material, your
unpreparedness will be recorded. In the event you are unprepared when you are asked
participate, you should be prepared to be called upon at some point during the next class
meeting. If you are unprepared for a second time at any point during the remainder of the
semester, your grade will be affected in accordance with Law School policy.

You are not permitted to record any class without my permission. Please do not allow your cell
phone to interrupt class.

You are bound by any rules or polices announced during class in addition to the policies
addressed in this syllabus and those required by the Law School.

**Grading**

The grade in this class will be based upon a paper analyzing a topic in legal history of your choice as well
as class participation. The final paper represents 80% of the final grade and class participation constitutes
the remaining 20% of final grade.

The distribution of grades will conform to the distribution described in the Student Handbook.

**Final Paper:** The final written paper shall be no less than 25 pages in length exclusive of
footnotes/endnotes. The final written paper should demonstrate that the student has performed substantial
historical and legal research to support a contribution to the historical knowledge of the student’s chosen
topic. Further information about the format of the paper and selection of a paper topic shall be addressed
during the first week of class.

You are welcome to submit/discuss any portion of your final written paper in advance of the final due
date for feedback purposes.

The final written paper is due at 5:00pm on the last day of finals. Absent circumstances that justify an
exception under the Student Handbook, any final written paper submitted after the deadline will be
subject to a penalty of one full letter grade (e.g., A to B).

To promote the development of the final written paper, we will discuss each individual’s choice of paper
topic as well as various aspects of the paper at several points throughout the semester. The tentative dates
on which the class will have such discussions and the due date of the final written paper are as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Assignment</th>
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<tbody>
<tr>
<td>September 10</td>
<td>Selection of Paper Topic</td>
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<tr>
<td>September 24</td>
<td>Discussion of Sources for Paper/Bibliography Discussion</td>
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<tr>
<td>October 8</td>
<td>Update on Paper</td>
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<tr>
<td>October 29</td>
<td>Rough Draft of Paper</td>
</tr>
<tr>
<td>November 19, 21</td>
<td>Class Presentations</td>
</tr>
<tr>
<td>December 18</td>
<td>Final Paper Due by 5pm</td>
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Please understand that you are not required to submit any formal writing regarding any aspect of the
paper (other than the final written paper) if you choose not to do so. However, you are still expected to
participate in the class discussions about your paper regardless of the absence of a written submission.

**Class Participation:** Because this is a seminar class, your participation in class discussion is essential in
order to have an interesting semester. You will be asked to submit 5-10 questions regarding the reading
assignment at various times throughout the semester. The questions should demonstrate that you have
thought about the material or add a line of thought absent from the reading. The questions must be submitted to me by 5pm on the Monday prior to the classes for the week to which you have been assigned. Late submissions will not be accepted. Failure to submit the questions for the material you are assigned will have a negative impact on the class participation component of the final grade.

In addition to the questions regarding the week’s course material, you are also required to present your paper to the class during the final week of class. Your presentation should last between 20-30 minutes. Failure to present your paper to the class or a presentation falling below suitable quality will have a negative impact on the class participation component of your grade.

**Disability Policy**

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 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 Claude Arrington, Associate Dean for Academic Affairs at (205) 348-6557 so that the individual’s needs for support services can be evaluated and accommodated in a timely manner.

**Academic Conduct**

All students in attendance at the University of Alabama are expected to be honorable and to observe standards of conduct appropriate to a community of scholars. The University and the Law School expect from its students a higher standard of conduct than the minimum required to avoid discipline. University policies, the Law School Honor Code, and other appropriate policies, will be followed in the event of misconduct. Academic misconduct includes all acts of dishonesty in any academic matter or facilitating, permitting, or tolerating any of the above by another student.