Instructor: JUDGE JAMES V. MENNO
email: james.menno@jud.state.ma.us
Office: by appointment
Office Hours: prior to or after class
Telephone: 781-830-1281 Canton Cthouse
Schedule: Thursday 6:15 p.m. To 9:00 p.m.
January 15, 2015 to May 7, 2015
Room: Stokes Hall 213 (S)

Boston College Mission Statement

Strengthened by more than a century and a half of dedication to academic excellence, Boston College commits itself to the highest standards of teaching and research in undergraduate, graduate and professional programs and to the pursuit of a just society through its own accomplishments, the work of its faculty and staff, and the achievements of its graduates. It seeks both to advance its place among the nation’s finest universities and to bring to the company of its distinguished peers and to contemporary society the richness of the Catholic intellectual ideal of a mutually illuminating relationship between religious faith and free intellectual inquiry.

Boston College draws inspiration for its academic societal mission from its distinctive religious tradition. As a Catholic and Jesuit university, it is rooted in a world view that encounters God in all creation and through all human activity, especially in the search for truth in every discipline, in the desire to learn, and in the call to live justly together. In this spirit, the University regards the contribution of different religious traditions and value systems as essential to the fullness of its intellectual life and to the continuous development of its distinctive intellectual heritage.

Course Description

SC 365-1 LAW AND SOCIETY

Radical changes in the basic social fabric that dictate how people live, interact, communicate and work with one another create new demands for a legal system obligated to interpret and establish law. Examines emerging challenges to freedom of expression, public and private communication: cyberspace, bullying, the disparity of access to resources, family protection, national security and individual rights, difference ways of representing justice. It also explores how the balance of emotion and reason in our idea of justice “shifts” over time, cor9orate responsibility/irresponsibility, new definitions of guilt and innocence, what is just/unjust social behavior, can citizens depend on the legal system, what holds society together.

Judge Menno

Course Objectives
1. Students will learn to understand how statutory law and decisional law are made.
2. Students will learn to understand the concept of judicial review and interpretation of law under the U.S. Constitution.
3. Students will learn to understand the interplay between social institutions and cultural change and the law.
4. Students will demonstrate knowledge of the law across-cultural settings and will learn the impact of culture, gender and age on the law as demonstrated by actual appellate case law.
5. Students will learn to never look at the Law in the same way or as usually portrayed in the media.

Grading

This course consists of lecture; class discussion; group exercises; and mandatory one day attendance at the Probate and Family Court sitting in Canton. Students shall read actual appellate legal decisions and some articles. There are no papers. There is a midterm examination and a final examination. The exam questions consist of five hypothetical situations relating to legal, social and constitutional issues.
Class attendance is mandatory and critical to success in this course. If a student does not attend the majority of classes, said student shall receive an F grade.

A student’s grade is based on class attendance and participation (25%); midterm examination (25%); and final examination (50%).

WCAS Grading System
The undergraduate grading system consists of twelve categories: A (4.00), A- (3.67), excellent; B+ (3.33), B (3.00), B- (2.67), good; C+ (2.33), C (2.00), C- (1.67), satisfactory; D+ (1.33), D (1.00), D- (.67), passing but unsatisfactory; F (.00), failure; I (.00), incomplete; F (.00), course dropped without notifying office; W (.00), official withdrawal from course. The graduate grading system is A (4.00), A- (3.67), Excellent; B+ (3.33), B (3.00), good; B- (2.67), C (2.00), passing but not for degree credit; F (.00), failure.

Grade Reports. All students are required to log into the web through Agora to access their semester grades. Students must utilize their BC user-name and password to log on. If your user-name or password is not known the HELP Desk located in the Campus Technology Resource Center (CTRC) in O’Neill Library will issue a new one. The CTRC requires a valid picture ID (a BC ID, driver’s license or passport) to obtain your password.

Text(s)/Required readings

1. Compendium of appellate cases available in Bookstore.
Text(s)/Readings (Recommended)

Additional appellate decisions and social articles available on Internet.

Important Policies

Written Work
Graduate and undergraduate students are expected to prepare professional, polished written work. Written materials must be typed in the format required by your instructor. Strive for a thorough, yet concise style. Cite literature appropriately, using APA, MLA, CLA format per instructors decision. Develop your thoughts fully, clearly, logically and specifically. Proofread all materials to ensure the use of proper grammar, punctuation, and spelling. You are encouraged to make use of campus resources for refining writing skills as needed http://www.bc.edu/libraries/help/tutoring.html

Scholarship and Academic Integrity
It is expected that students will produce original work and cite references appropriately. Failure to reference properly is plagiarism. Scholastic dishonesty includes, but is not necessarily limited to, plagiarism, fabrication, facilitating academic dishonesty, cheating on examinations or assignments, and submitting the same paper or substantially similar papers to meet the requirements of more than one course without seeking permission of all instructors concerned. Scholastic misconduct may also involve, but is not necessarily limited to, acts that violate the rights of other students, such as depriving another student of course materials or interfering with another student’s work.

Request for Accommodations
If you have a disability and will be requesting accommodations for this course, please register with either Dr. Kathy Duggan (dugganka@bc.edu), Associate Director, Connors Family Learning Center (learning disabilities or AHD) or Dean Paulette Durrett, (paulette.durrett@bc.edu), Assistant Dean for students with disabilities, (all other disabilities). Advance notice and appropriate documentation are required for accommodations.
http://www.bc.edu/content/bc/libraries/help/tutoring/specialservices.html.

Attendance
Class attendance is an important component of learning. Students are expected to attend all classes and to arrive by the beginning of and remain for the entire class period. When an occasion occurs that prevents a student from attending class, it is the student's obligation to inform the instructor of the conflict before the class meets. The student is still expected to meet all assignment deadlines. If a student knows that he or she will be absent on a particular day, the student is responsible for seeing the instructor beforehand to obtain the assignments for that day. If a student misses a class, he or she is responsible for making up the work by obtaining a classmate's notes and handouts and turning in any assignments due. Furthermore, many instructors give points for participation in class. If you miss class, you cannot make up participation points associated with that class. Types of absences that are not typically excused include weddings, showers, vacations, birthday parties,
graduations, etc. Additional assignments, penalties and correctives are at the discretion of the instructor. If circumstances necessitate excessive absence from class, the student should consider withdrawing from the class. In all cases, students are expected to accept the decision of the instructor regarding attendance policies specific to the class.

Consistent with our commitment of creating an academic community that is respectful of and welcoming to persons of differing backgrounds, we believe that every reasonable effort should be made to allow members of the university community to observe their religious holidays without jeopardizing the fulfillment of their academic obligations. It is the responsibility of students to review course syllabi as soon as they are distributed and to consult the faculty member promptly regarding any possible conflicts with observed religious holidays. If asked, the student should provide accurate information about the obligations entailed in the observance of that particular holiday. However, it is the responsibility of the student to complete any and all class requirements for days that are missed due to conflicts due to religious holidays.

There may be circumstances that necessitate a departure from this policy. Feel free to contact the WCAS at 617-552-3900 for consultation.

**Course Assignments** (readings, exercises and/or experiences)

This is a (4) four credit class that meets for two hours and 30 min. In addition, each student will spend an entire day at the Norfolk Probate and Family Court in Canton, MA attending my court session and having a brown bag luncheon with myself to discuss the cases and issues that you hear in court that day. Specific days are designated below.

It is expected that eight hours per week of your study time will be spent on out of class reading and exercises. The schedule of topics and assignments are listed below. Please note that some weeks will require more time and some weeks less time, but the average is approximately 8 hours per week over the semester.

Students are expected to complete the following out of class course assignments:

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<td>01/15/15</td>
<td>COURSE INTRODUCTION</td>
<td>The Constitution, Judicial Review</td>
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<td><em>Marbury v. Madison</em>; Sociological Variables</td>
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<td>and Legal Analysis</td>
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<td>Class 2</td>
<td>01/22/15</td>
<td>CAPITAL PUNISHMENT</td>
<td><em>Roper v. Simmons</em>; 8th Amendment</td>
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<td>Class 3</td>
<td>01/29/15</td>
<td>CRIMINAL PROCEDURE</td>
<td>Due Process; 4th Amendment</td>
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<td><em>California v. Greenwood</em></td>
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<td>Class 4</td>
<td>02/05/15</td>
<td>THE RIGHT TO PRIVACY</td>
<td><em>Griswold v. Conn.</em></td>
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<td>Date</td>
<td>Class</td>
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<td>02/15</td>
<td>Class 5</td>
<td>SAME SEX MARRIAGE</td>
<td>Lawrence v. Texas Goodridge et al vs. Dept. of Welfare</td>
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<td>02/19/15</td>
<td>Class 6</td>
<td>THE RIGHT TO REFUSE MEDICAL TREATMENT</td>
<td>Brophy v. N.E. Sinai Hospital In re: Schiavo</td>
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<td>Class 7</td>
<td>MID TERM EXAM</td>
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<td>03/12/15</td>
<td>Class 8</td>
<td>THE CHANGING DEFINITION OF FAMILY</td>
<td>Moore vs. East Cleveland Blixt v. Blixt E.N.O. v. L.M.M.</td>
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<td>03/26/15</td>
<td>Class 9</td>
<td>FAMILY LAW ISSUES</td>
<td>A.Z. v. B.Z.</td>
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<td>04/02/15</td>
<td>Class 10</td>
<td>NO CLASS</td>
<td>Easter week</td>
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<td>04/09/15</td>
<td>Class 11</td>
<td>THE LAW, RACE AND DESEGREGATION</td>
<td>Brown v. Board of Education</td>
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<td>04/16/15</td>
<td>Class 12</td>
<td>AFFIRMATIVE ACTION</td>
<td>Baake v. Univ. Cal Davis; Gratz v. Bolinger</td>
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<td>04/23/15</td>
<td>Class 13</td>
<td>CYBER BULLYING</td>
<td>EVANS V. BAYER 1st Amendment; J.S. vs. Bethlehem School District</td>
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<td>04/30/15</td>
<td>Class 14</td>
<td>TERRORISM</td>
<td>Hamdi v. Rumsfeld</td>
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<td>05/07/14</td>
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<td>FINAL EXAM</td>
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The following are the dates for the mandatory court appearance:

2. February 26, 2015
3. March 26, 2015
4. April 9, 2015
5. April 30, 2015

Students are expected to arrive at the Canton Courthouse located at 35 Shawmut Rd., Canton, MA by 9:30 AM. They will spend the day at the courthouse, which includes a brown bag lunch (bring your own lunch and drink) in my conference room where we will discuss the morning cases and my reasoning with decision-making.