

Constitutional Law I

Prof. Fletcher

Syllabus

Class Time: 7:45 – 9:25 PM, Tuesdays

Classroom: 473

Office: 405B

Phone 432-6909

Email: matthew.fletcher@law.msu.edu

Office Hours: TBD & By appointment

Required Book:

WILLIAM FUNK, INTRODUCTION TO AMERICAN CONSTITUTIONAL STRUCTURE (Thomson West 2008)

Recommended Book:

ERWIN CHEMERINSKY, CONSTITUTIONAL LAW: PRINCIPLES AND POLICIES (Aspen 3rd ed. 2006)

Students are required to check the Turtle Talk blog for some of their class materials, and for the discussion questions I prepare before class that should be available the Friday before class or earlier. Many of the discussion questions are intended to help you understand the facts and the holding, and do not expect that the questions will serve as the roadmap for the classroom instruction. I will also post background materials for many of the cases on Turtle Talk.

The Con Law I page on Turtle Talk is here – <http://turtletalk.wordpress.com/matthew-lm-fletcher/constitutional-law-i-fall-2009-materials/>. From the main Turtle Talk page you can get to the page by clicking my name at the top of the page, and then clicking “Constitutional Law I (Fall 2009 – Class Materials).”

Week 1 (8/25/09) – Introduction to the Constitution

Read Funk 1-43

Week 2 (9/1/09) – *Marbury*, Judicial Review, and the States

Read Funk 44-67

Read *The Cherokee Cases and President Jackson* on Turtle Talk (emphasis on pp. 729-736; 745-761)

Week 3 (9/8/09) – Standing, Political Questions, and Other Limits on Judicial Power

Read Funk 74-117

Week 4 (9/15/09) – The Necessary and Proper Clause and the Commerce Clause

Read Funk 142-160

Read *United States v. Kagama* on Turtle Talk

Read Funk 182-194

Week 5 (9/22/09) – The Modern Commerce Clause

Read Funk 194-219

Read *United States v. Lara* on Turtle Talk

Week 6 (9/29/09) – The Taxing and Spending Clause, the Treaty Clause and the Tenth Amendment

Read Funk 219-248

Week 7 (10/6/09) – The Eleventh Amendment

Read Funk 134-141

Read *Seminole Tribe v. Florida* on Turtle Talk

Week 8 (10/13/09) – The Reconstruction Amendments

Read Funk 248-292

Week 9 (10/20/09) – Introduction to Executive Power

Read Funk 375-413

Recommended: *Amicus* Brief by *Quirin* Historians on Turtle Talk

Week 10 (10/27/09) – The War on Terror Cases Part 1

Read *Johnson v. Eisentrager* on Turtle Talk

Read Funk 414-423

Week 11 (11/3/09) – The War on Terror Cases Part 2

Read *Hamdan v. Rumsfeld* on Turtle Talk

Read *Boumediene v. Bush* on Turtle Talk

Week 12 (11/10/09) – The Special Case(s) of Richard Nixon

Read *In re Subpoena to Nixon* on Turtle Talk

Read Funk 479-486

Read *United States v. United States District Court (Keith)* on Turtle Talk

Week 13 (11/17/09) – *Certiorari* and Supreme Court Processes

Read *Certiorari* Materials on Turtle Talk

Read the Nixon Tapes Case Materials on Turtle Talk

Read *New York v. United States* Cert Pool Memo

Read *United States v. Lopez* Cert Pool Memo

Week 14 (12/1/09) – Play Constitutional Jeopardy