

POLS 4710 –Constitutional Law: Rights and Liberties  
Fall 2025  
Mondays, Wednesdays, and Fridays 1:50PM- 2:40PM  
Baldwin Hall Room 102

### **INSTRUCTOR INFORMATION AND ACCESSIBILITY**

Instructor: Dr. Jonathan M. King, Assistant Professor, Political Science  
Email: jonathan.king@uga.edu  
Office Hours: M/W 10-11AM or by appointment; Baldwin 376

### **COURSE DESCRIPTION**

This course is designed to examine the development of individual liberties and protections provided by the U.S. Constitution as interpreted by the U.S. Supreme Court. Specifically, we will focus on how the Supreme Court defines, establishes, and interprets provisions enumerated in the Bill of Rights and ensuing amendments, and how this process has developed over time. Students should leave this class with a fundamental understanding of the Constitution, how the Supreme Court operates in a common law system, and critical knowledge of the Court's decisions that have defined and shaped the history of the United States. This course is not about the mere recitation of case law or opinions. While there will be opportunities for discussion, students should be able to support their views with well-reasoned legal justifications. The writing, analytical thinking, and general topic of this course provides excellent preparation for future legal and government works/ studies and aims to make you a more informed citizen.

### **OBJECTIVES AND LEARNING OUTCOMES**

1. Develop a substantive understanding of historical and modern developments in the constitutional law of civil rights and civil liberties.
2. Understand how societal and political factors interact with the law. Particularly, understand how these factors influence Supreme Court justices, and their interpretation of the Constitution and decisions making these issues.
3. Develop the ability to read, understand, and interpret U.S. Supreme Court decisions, and effectively summarize their decisions.
4. Apply your understanding gained from course readings and lectures to current and hypothetical legal issues to arrive at a well-reasoned decision that you can clearly articulate with sufficient legal justification.
5. Enhance your oral and written communication skills through classroom discussion and written assignments.

### **COURSE MATERIALS**

Please obtain a copy of the following book for this class (either digital, physical copy, or audiobook is fine, but if you use the digital copy/ audiobook, it is your responsibility to locate the corresponding page numbers).

- Epstein, Lee, Kevin T. McGuire, and Thomas G. Walker. 2024. *Constitutional Law for a Changing America: Rights, Liberties, and Justice*. Twelfth Edition. Washington D.C.: CQ Press. ISBN-13: 978-1071901663.

Although previous editions of Epstein, McGuire, and Walker exist, I will be teaching out of the twelfth edition. While previous editions are cheaper, a lot of constitutional law has changed between these editions and significant information may be missing. All assignments, quizzes, and exams will be from the content in this edition. If you opt to use earlier editions, know you are responsible for any missing material.

All other course material will be placed on eLC. Please ensure you have access to eLC at the beginning of the semester; if you do not, please email me during the first week of class.

For any eLC issues, *call* for tech support:  
706-542-3106

## COURSE REQUIREMENTS

Your grade will be determined using the following weights:

Area	Weight
Module Quizzes	35%
Briefing Memos	35%
Final	15%
Attendance/Participation	10%
Pre/Post Quiz	5%
<b>Total</b>	<b>100%</b>

### Pre/Post Quiz (5%):

One of the aims of this course is to increase your knowledge of the Constitution, judiciary, and constitutional law. We will have a pre-and post-course quiz to gauge changes in knowledge over the course of the semester. Prior to the start of course content, you will take a pre-course quiz. Your last assignment in this course will be a post-course quiz. These quizzes will **only be graded for completion** and not the accuracy of your response. These two quizzes are closed-note and closed-book.

### Module Quizzes (35%):

Over the course of the class, you will be taking seven quizzes following the completion of each module. Each quiz will have between 10 and 15 multiple choice questions and 2-3 short answer questions (3-5 sentences of writing) per quiz. Quizzes will be timed with 30 minutes to complete each quiz. These quizzes are not cumulative. The first quiz will cover the material from the first module. Each subsequent quiz will cover the material examined since the last quiz.

The quiz schedule is included at the end of the syllabus. Quizzes will be open-note and open-book and taken on eLC. Quizzes may be taken any time during the specified module but must be completed by the due date. Quizzes completed after the listed due date will be subject to late penalties. Exceptions to the late penalties will be made in extreme circumstances including, but not limited to: 1) medical emergencies; (2) emergencies involving a family member that necessitate your absence from campus; (3) participation in a university-sponsored activity; or (4) observance of a religious holiday. All claims must, when possible, be made prior to the quiz that you will miss. But, because life happens, I will drop your lowest quiz score (meaning your final quiz grade will be from your six best quizzes). That means you can miss one quiz without incurring a penalty. Quizzes must be completed by 11:59 PM Athens time on the due date; late submissions will be penalized as follows:

- 1-60 minutes late: -10% of grade
- 60-120 minutes late: -15% of grade
- 121-180 minutes late: -20% of grade
- 181-360 minutes late: -30% of grade
- 361-720 minutes late: -40% of grade
- More than 720 minutes late: -100% of grade

### Briefing Memos (35%):

During the semester, you will be completing six briefing memos that outline important information about cases we will be studying. We will be using the “Facts, Issue, Rule, Application, Conclusion” (FIRAC) briefing style wherein you create one-page long (maximum) memos outlining what happened in the case, how the Court ruled, what legal rules were applied, and why this case is important. While you are only required to do eight memos over the course of the semester, if you are interested in attending law school, I *highly recommend* using this method on all cases we discuss. They will be useful for future recall and makes studying cases easier than paging through a textbook.

Each memo will receive a grade based off the accompanying rubric. See the “Briefing Memos” document in eLC for more specific information.

Memos are due by 11:59PM Athens time on the due dates posted. Memos should be submitted to eLC (Assignments > Memo X). Late submissions will be penalized as follows:

- 1-60 minutes late: -10% of grade
- 60-120 minutes late: -15% of grade
- 121-180 minutes late: -20% of grade
- 181-360 minutes late: -30% of grade
- 361-720 minutes late: -40% of grade
- More than 720 minutes late: -100% of grade

I will provide more details about these memos, including the grading rubric and associated due dates, in a separate document that is posted on eLC.

### Final (15%):

To evaluate all that you learned throughout the semester, there will be a final for the class. This final will be cumulative, timed, and will consist of ~50 multiple-choice questions and several short answer questions. ~40 of the multiple-choice questions will come from previous in-class quizzes, while ~10 will be new questions from over the semester. Like quizzes, the final will be open-book, open-note, and taken on eLC. The final is due by **3PM on Monday, December 8<sup>th</sup>**; late submissions for the final exam **will not be accepted**:

All exams must be taken during the period in which they are scheduled. Exceptions will be made only in extreme circumstances, including (1) medical emergencies; (2) emergencies involving a family member that necessitate your absence from campus; (3) participation in a university-sponsored activity; (4) observance of a religious holiday; or (5) three or more exams are scheduled for the same day during finals week. All claims must, when possible, be made at least two weeks prior to when the exam is scheduled. Failure to follow these guidelines will result in a grade of "0" being awarded for the final. I reserve the right to have the makeup exam be of a different format than the exam that is given during class.

### Attendance/Participation (10%):

Coming to class and participating is important. Throughout the semester, we will have random attendance “quizzes” on topics covered in either the previous or current lecture. Quizzes will be given randomly throughout lectures (so, not always at the beginning of lecture) and taken using the TopHat app (can be downloaded on your phone or laptop). These quizzes will be graded for attendance only (you will not lose points if you get the answer wrong). Of these quizzes, I will drop at least 4 quizzes, no questions asked. **You do not need to email me if you miss class**. This corresponds to missing at least two weeks of class. Any additional missed quizzes will detract from your attendance grade. For example, if we have 10 attendance quizzes and you only take 9, you will receive a 9/10 (90%) attendance grade.

You are prohibited from taking quizzes for classmates who are absent. Students suspected of engaging in this activity will receive a grade of zero for the *entire* quiz portion of the course and will have formal disciplinary proceeding for academic dishonesty initiated against them. The same action will be taken against the student(s) with quizzes taken for them.

### GRADING SCALE

I will use the following scale to assign course grades:

Percentage	Grade
93-100%	A
90-92%	A-
87-89%	B+
83-86%	B
80-82%	B-
77-79%	C+
73-76%	C
70-72%	C-
67-69%	D+
63-66%	D
60-62%	D-
59% or less	F

Percentages greater than or equal to 0.5 will be rounded up to the next highest whole percentage (Ex: 86.7% will be rounded up to 87%).

### AVAILABILITY OF COURSE PERSONNEL

Email is the best way to contact me. My email address is [jonathan.king@uga.edu](mailto:jonathan.king@uga.edu). If you email me, include "POLS 4710" in the subject line to make sure the email does not get missed. Please allow 24 hours for a response during the week (Monday-Thursday) and 36 hours during the weekend (Friday-Sunday). If you do not get a response in that time, please resend your email, as I probably missed it.

I will have office hours every Monday and Wednesday from 10 to 11AM. I set aside this time for you to ask questions about course material outside of class, so please utilize it. If you cannot make it to office hours, I am also available by appointment if you have anything you would like to discuss.

### COURSE PROCEDURES

#### Course Communications

All course communication will go through eLC, including occasional updates and notes. You can set up eLC such that it will email or text you whenever a new announcement is posted. If you choose not to do so, you are still responsible for checking eLC for any course updates.

#### Classroom Content Recording and Sharing:

As members of a learning community, students are expected to respect the intellectual property of course instructors. All course materials presented to students are the copyrighted property of the course instructor and are subject to the following conditions of use:

- Students may record lectures or any other classroom activity and use the recordings only for their own course-related purposes.
- Students may share the recordings with other students enrolled in the class. Sharing is limited to using the recordings only for their own course-related purposes.

- Students may not post the recordings or other course materials online or distribute them to anyone not enrolled in the class without the advance written permission of the course instructor and, if applicable, any students whose voice or image is included in the recordings.

Any student violating the conditions described above may face academic disciplinary actions.

#### Grade Appeals:

If you receive a grade and see that it contains an arithmetic error (i.e., I miscalculated your grade), please inform me of the issue. If you have a question or concern about your performance on any course work, please contact me as soon as possible. All concerns must be stated in writing (email), beginning with a statement that concisely explains why you believe your grade should be altered.

All concerns, whether arithmetic or otherwise, must be raised within one week of that assignment/quiz's release to students. This includes attendance concerns. If you do not raise your question within this one-week period, you forfeit your ability to appeal your grade.

### **COURSE POLICIES**

#### General Statement:

I take academic integrity seriously. As a student, you are responsible for familiarizing yourself with all relevant departmental, college, and university policies governing your conduct in this course. This includes, but is not limited to, policies relating to plagiarism, academic integrity, and accommodations for students with documented disabilities. If ever in doubt, please ask!

UGA's *A Culture of Honesty* states: "I will be academically honest in all of my academic work and will not tolerate the academic dishonesty of others." The University's procedures for handling cases of suspected dishonesty can be found at [honesty.uga.edu](https://honesty.uga.edu).

According to UGA, "academic dishonesty" means cheating, attempting to cheat, or assisting someone else in cheating, even if unintentional. Examples of academic dishonesty include, but are not limited to:

- Plagiarism – using another's work as your own without correct citations/attribution
- Unauthorized assistance – giving or receiving help for assignments without prior approval from your instructor
- Lying/tampering – giving false information related to academic work or in connection with a facilitated discussion, continued discussion, meeting with multiple violations review board, or appeal
- Theft – stealing any information related to academic work

Therefore, unless authorized by your instructor, you are expected to complete all course assignments, including homework, lab work, quizzes, tests and exams, without assistance from any source. **This includes your classmates, using GroupMe to get answers from your classmates, ChatGPT, or any other AI tool.** Unless authorized by the instructor, all coursework is expected to be completed without assistance from others unless explicit permission for group or partner work is given. You are expected to develop original work for this course; therefore, you may not submit course work you completed for another course to satisfy the requirements for this course. Students found using GroupMe or ChatGPT for course answers – unless specifically stipulated in assignment(s) – will be subject to academic integrity violations. Absolutely no form of academic dishonesty will be tolerated. Anyone found guilty of cheating, plagiarism, or any other violation of academic integrity will receive an automatic grade of 0.0 for the assignment. Additionally, all other penalties within the University will be pursued to the fullest extent.

For more information about academic dishonesty and UGA's policy regarding them, see UGA's [Academic Honesty Policy](#). It is your responsibility to familiarize yourself with these policies.

TurnItIn Policy:

Consistent with UGA's efforts to enhance student learning, foster honesty, and maintain integrity in our academic processes, I have chosen to use a tool called TurnItIn to compare your papers with multiple sources. The tool will compare each paper you submit to an extensive database of prior publications and papers, providing links to possible matches and a 'similarity score.' The tool does not determine whether plagiarism has occurred or not. Instead, I will make a complete assessment and judge the originality of your work. All submissions to this course may be checked using this tool.

You should submit written assignments to eLC without identifying information included in the paper (e.g., name or student number), the eLC system will automatically show this information to me when I view the submission, but the information will not be retained by Turnitin. If you forget and submit your paper with your identifying information on it, it will be retained in the Turnitin repository.

Accommodations for Disabilities:

If you plan to request accommodations for a disability, please register with the Disability Resource Center. They can be reached by visiting Clark Howell Hall, calling 706-542-87719 (voice) or 706-542-8778 (TTY), or by visiting [accessibility.uga.edu](https://accessibility.uga.edu).

UGA Well-Being Resources:

UGA Well-Being Resources promote student success by cultivating a culture that supports a more active, healthy, and engaged student community.

Anyone needing assistance is encouraged to contact Student Care and Outreach (SCO) in the Division of Student Affairs at 706-542-8479 or visit [sco.uga.edu](https://sco.uga.edu). Student Care and Outreach helps students navigate difficult circumstances by connecting them with the most appropriate resources or services. They also administer the [Embark@UGA](mailto:Embark@UGA) program, which supports students experienced, or who have experienced, homelessness, foster care, or housing insecurity.

UGA provides both clinical and non-clinical options to support student well-being and mental health, any time, any place. Whether on campus or studying from home or abroad, UGA Well-Being Resources are there for help:

- Well-Being Resources: [well-being.uga.edu](https://well-being.uga.edu)
- Student Care and Outreach: [sco.uga.edu](https://sco.uga.edu)
- University Health Center: [healthcenter.uga.edu](https://healthcenter.uga.edu)
- Counseling and Psychiatric Services: [caps.uga.edu](https://caps.uga.edu) or CAPS 24/7 crisis support at 706-524-2273
- Health Promotion/Fontaine Center: [healthpromotion.uga.edu](https://healthpromotion.uga.edu)
- Disability Resource Center and Testing Services: [accessibility.uga.edu](https://accessibility.uga.edu)

Additional information, including free digital well-being resources, can be accessed through the UGA app or by visiting <https://well-being.uga.edu/>

Syllabus Adjustments:

I reserve the right to modify this syllabus at any point in the course to suit the needs of the class. All changes will be noted in eLC and sent to students via email in advance of class. A revised version of the syllabus will be posted, as well.

## **COURSE OUTLINE AND DUE DATES**

### **MODULE 0: SYLLABUS/ COURSE INTRODUCTION**

**August 13 (W)**

Course Introduction

- Syllabus
- Pre-course quiz (Due 8/17 by 11:59PM)

**August 15 (F)**

TBD

### **MODULE 1: INTRODUCTION AND INCORPORATION**

Week 1 (August 18-22)

The United States Supreme Court

- Ch. 1 pp 11-44

Understanding Opinions and Judicial Review

- FIRAC Introduction
- Judicial Review (pp.45-53)

Week 2 (August 25-29)

Institutional Constraints on Judicial Power

- Jurisdiction (pp. 55-65)
  - *Ex parte McCardle* (1869)

Bill of Rights

- Incorporation of Bill of Rights (pp. 67-74)
  - *Barron v. Baltimore* (1833)
  - *Hurtado v. California* (1884)
- First briefing memo due (Due 8/31 by 11:59PM)

Week 3 (September 1-5)

**No Class Labor Day (9/1)**

Bill of Rights (Cont.)

- Fundamental Rights Analysis (pp.74-88)
  - *Palko v. Connecticut* (1937)
  - *Duncan v. Louisiana* (1968)
- Module 1 quiz (due 9/7 by 11:59 PM)

### **MODULE 2: FIRST AMENDMENT RIGHTS- FREEDOM OF RELIGION**

Week 4 (September 8-12)

Free Exercise Clause (pp.91-113)

- The Compelling Interest Standard
  - *Cantwell v. Connecticut* (1940)
  - *Sherbert v. Verner* (1963)
  - *Wisconsin v. Yoder* (1972)

### Free Exercise Clause (Cont.) (pp.113-126)

- The Smith Standard
  - *Employment Division v. Smith* (1990)
- RFRA/RLUIPA
  - *City of Boerne v. Flores* (1997)
  - *Burwell v. Hobby Lobby* (2014)

### Week 5 (September 15-19)

#### Establishment Clause- Church State Entanglement (pp.126-142)

- Pre-Lemon
  - *Everson v. Board of Education* (1947)
  - *School District of Abington Township v. Schempp* (1963)
  - *Lemon v. Kurtzman* (1971)

#### Establish Clause- Church State Entanglement (Cont.) (pp.142-162)

- Post-Lemon
  - *Edwards v. Aguillard* (1987)
  - *Zelman v. Simmons-Harris* (2002)
  - *Town of Greece v. Galloway* (2014)

### Week 6 (September 22-26)

#### Establishment Clause- Displays and Government Involvement (pp.162-179)

- Religious Displays
  - *Van Order v. Perry* (2005)
  - *American Legion v. American Humanist Association* (2019)
- Government Involvement in Religious Organizations
  - *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC* (2012)
- Module 2 Quiz (due 9/28 by 11:59PM)

## **MODULE 3: FIRST AMENDMENT RIGHTS- FREEDOM OF SPEECH, ASSEMBLY, AND ASSOCIATION**

### Development of Legal Standards (pp.181-201)

- Pre-WWII
  - *Abrams v. U.S.* (1919)
  - *Schenck v. United States* (1919)
  - *Gitlow v. New York* (1925)
- Post-WWII
  - *Brandenburg v. Ohio* (1969)

### Week 7 (September 29-October 3)

#### Development of Contemporary Standards (pp.203-216;234-237)

- *U.S. v. O'Brien* (1968)
- *Cohen v. California* (1971)
- *Texas v. Johnson* (1989)
- *303 Creative LLC v. Elenis* (2023)



### Student Speech (pp.238-245;222-226)

- *West Virginia State Board of Education v. Barnette* (1943)
- *Tinker v. Des Moines Ind. Comm. School District* (1969)
- *Morse v. Frederick* (2007)
- *Mahanoy Area School District v. B.L.* (2021)

### Week 8 (October 6-10)

#### Commercial Speech and Freedom of Association (pp.252-255;218-223)

- Commercial Speech
  - *Bates v. State Bar of Arizona* (1977)
  - *Central Hudson Gas v. Public Service Commission of NY* (1980)
- Freedom of Association
  - *Boy Scouts of America v. Dale* (2000)
- Module 3 Quiz (due 10/12 by 11:59PM)

### **MODULE 4: FIRST AMENDMENT RIGHTS- FREEDOM OF THE PRESS**

#### Prior Restraint (pp.264-281)

- *Near v. Minnesota* (1931)
- *New York Times v. U.S.* (1971)
- *Hazelwood School District v. Kuhlmeier* (1988)

### Week 9 (October 13-17)

#### Government Control of Press Content and Media Special Rights (pp.281-286)

- Content Regulation
  - *Miami Herald v. Tornillo* (1974)
- Media Special Rights
  - *Branzburg v. Hayes* (1972)

#### Libel (pp.288-301)

- *New York Times v. Sullivan* (1964)
- *Hustler Magazine v. Falwell* (1988)
- Module 4 Quiz (due 10/19 by 11:59PM)

### **MODULE 5: THE RIGHT TO KEEP AND BEAR ARMS**

### Week 10 (October 20-24)

#### The Right to Bear Arms (pp.329-338)

- *United States v. Miller* (1939)
- *District of Columbia v. Heller* (2008)
- *McDonald v. City of Chicago* (2010)
- *New York State Rifle and Pistol Association v. Bruen* (2022)

## MODULE 6: RIGHT TO PRIVACY

Right to Privacy (pp.341-351; 364-371)

- Developing a Right to Privacy
  - *Griswold v. Connecticut* (1965)
- Reproductive Rights
  - *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992)
  - *Dobbs v. Jackson Women's Health Organization* (2022)

Week 11 (October 27-31 (spooky))

Privacy (Cont.)- Sexual Activity and Orientation (pp.372-386)

- *Lawrence v. Texas* (2003)
- *Obergefell v. Hodges* (2015)
- Module 5/6 Quiz (due 11/2 by 11:59PM)

**No Class Fall Break (10/31)**

## MODULE 7: RIGHTS OF THE CRIMINALLY ACCUSED

Week 12 (November 3-7)

Search and Seizures (p.405-439)

- *Mapp v. Ohio* (1961)
- *Terry v. Ohio* (1968)
- *Florida v. Jardines* (2013)

Search and Seizures (Cont.) and Self-Incrimination (p.445-460)

- *Miranda v. Arizona* (1966)
- *Missouri v. Seibert* (2004)

Week 13 (November 10-14)

Right to Counsel, Fair Trials, and the Eighth Amendment (p.463-508)

- *Gideon v. Wainwright* (1963)
- *Gregg v. Georgia* (1976)
- *Batson v. Kentucky* (1986)
- Module 7 Quiz (due 11/16 by 11:59PM)

Rational Basis and Strict Scrutiny (pp.559-566) (p.)

- *Loving v. Virginia* (1967)
- *Cleburne v. Cleburne Living Center* (1985)
- *Fisher v. University of Texas* (2016)

Intermediate (Heightened) Scrutiny and Discrimination (p.582-605)

- *United States v. Virginia* (1996)
- Module 8 Quiz (due 11/16 by 11:59PM)

Week 14 (November 17-21)

Voting Rights and Political Representation (p.617-648)

- *Reynold v. Sims* (1964)
- *Miller v. Johnson* (1995)
- *Shelby County v. Holder* (2013)

Campaigns and Elections (p.653-672)

- *Bush v. Gore* (2000)
- *Citizens United v. Federal Election Commission* (2010)

Week 15 (November 24-28)

Monday (11/24)- TBD

**Thanksgiving Break (26-28)**

Week 16 (December 1-2)

- Review Day (12/1)
- Post-course quiz (Due 12/5 by 11:59PM)

**Final Exam Due by 3PM on Monday, December 8<sup>th</sup>.**