

POLS 4710 –Constitutional Law: Rights and Liberties
Fall 2026
Tuesdays and Thursdays 2:55PM- 4:15PM
Baldwin Hall Room 301

INSTRUCTOR INFORMATION AND ACCESSIBILITY

Instructor: Dr. Jonathan M. King, Assistant Professor, Political Science
Email: jonathan.king@uga.edu
Office Hours: T/R 1-2:30PM or by appointment; Baldwin 303C

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

It is recommended (not required) to 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
Briefing Memos	30%
Module Quizzes	25%
Hypotheticals	15%
Final	15%
Attendance/Participation	10%
Pre/Post Quiz	5%
Total	100%

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.

Briefing Memos (30%):

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 six 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.

Module Quizzes (25%):

Over the course of the class, you will be taking six 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 in class. While quizzes are open-note and open-book, they are not open-internet access. That is, if you wish to use notes, they will need to be printed out and brought to class on quiz days. Make-up quizzes (for extreme circumstances) will be offered at the professor's schedule and may be a different quiz than the rest of the class. Make-up exceptions 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.

Hypotheticals (15%):

Many of you are taking this class because you want to go to law school. In law school, a key assessment in many classes will be responding to hypothetical cases and using what you have learned in class to recommend case outcomes. Twice this semester, you will be doing exactly that! You will be presented with hypothetical cases before the Supreme Court. Using relevant case law, you will be expected to identify relevant constitutional issues and apply legal principles/precedent to make an argument for why a case should be decided one way or another. The responses should demonstrate an understanding of cases discussed in class and judicial reasoning as well as provide evidence of effective legal arguments.

The syllabus provides the dates of the two in-class hypotheticals. Examples of past hypothetical answers will be provided on eLC and the assignment will be discussed more in-depth in class.

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 in person.

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. **If you miss more than 6 classes (three weeks of class), you will receive a 0% for your attendance/participation grade.** This should not affect the vast majority of students and, if attendance becomes an issue, please email me *immediately* to discuss options.

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
94-100%	A
90-93%	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. 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 Tuesday and Thursday from 1 to 2:30PM. 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:

In the absence of written authorization from the UGA Disability Resource Center, students may not make a visual or audio recording of any aspect of this course. Students who have a recording accommodation agree in writing that they:

- Will use the records only for personal academic use during the specific course.

- Understand that faculty members have copyright interest in their class lectures and that they agree not to infringe on this right in any way.
- Understand that the faculty member and students in the class have privacy rights and agree not to violate those rights by using recordings for any reason other than their own personal study.
- Will not release, digitally upload, broadcast, transcribe, or otherwise share all or any part of the recordings. They also agree that they will not profit financially and will not allow others to benefit personally or financially from lecture recordings or other course materials.
- Will erase/delete all recordings at the end of the semester.
- Understand that violation of these terms may subject them to discipline under the Student Code of Conduct or subject them to liability under copyright laws.
- For more information on securing an accommodation to record lectures, see: <https://accessibility.uga.edu/faculty-guidelines-for-record-lecture/>

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.

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.

Generative AI (GAI):

To ensure you develop and master the foundational knowledge and skills in this course, the use of Generative AI (GAI) is strictly prohibited. This includes all stages of your work process, even the preliminary ones. This prohibition extends to AI writing tools such as (but not limited to) Grammarly and Wordtune as well as GAI tools like ChatGPT, Copilot, Writesonic, Rytr, and Rtutor. If you are uncertain about using a particular tool to support your work, please consult with me before using it.

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.

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. 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 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
- Student Care and Outreach: sco.uga.edu
- University Health Center: healthcenter.uga.edu
- Counseling and Psychiatric Services: caps.uga.edu or CAPS 24/7 crisis support at 706-524-2273
- Health Promotion/Fontaine Center: healthpromotion.uga.edu
- Disability Resource Center and Testing Services: 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

Week 1 (August 18)

Course Introduction

- Syllabus
- **Pre-course quiz (Due: 8/23)**

MODULE 1: INTRODUCTION AND INCORPORATION

Week 1

The United States Supreme Court

- Ch. 1 pp 11-44

Week 2 (August 25)

Understanding Opinions and Judicial Review

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

Institutional Constraints on Judicial Power

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

Week 3 (September 1)

Bill of Rights

- Incorporation of Bill of Rights (pp. 67-74)
 - *Barron v. Baltimore* (1833)
 - *Hurtado v. California* (1884)
- **First briefing memo due (9/6)**

Bill of Rights (Cont.)

- Fundamental Rights Analysis (pp.74-88)
 - *Palko v. Connecticut* (1937)
 - *Duncan v. Louisiana* (1968)

MODULE 2: SCRUTINY AND EQUAL PROTECTION

Week 4 (September 8)

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

- *Loving v. Virginia* (1967)
- *Cleburne v. Cleburne Living Center* (1985)
- *Fisher v. University of Texas* (2016)
- **Module 1 quiz (9/8)**

Intermediate (Heightened) Scrutiny and Determining Levels of Scrutiny (p.582-605)

- *Students for Fair Admission v. Harvard* (2023)
- *West Virginia v. B.P.J.* (2026)
- *United States v. Virginia* (1996)

MODULE 3: FIRST AMENDMENT RIGHTS- FREEDOM OF RELIGION

Week 5 (September 15)

Free Exercise Clause (pp.91-113)

- The Compelling Interest Standard
 - *Cantwell v. Connecticut* (1940)
 - *Sherbert v. Verner* (1963)
 - *Wisconsin v. Yoder* (1972)
- **Module 2 Quiz (9/17)**

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 6 (September 22)

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 7 (September 29)

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)
- **Hypothetical 1 (10/1)**

MODULE 4: FIRST AMENDMENT RIGHTS- FREEDOM OF THE PRESS

Week 8 (October 6)

Prior Restraint (pp.264-281)

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

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 5: FIRST AMENDMENT RIGHTS- FREEDOM OF SPEECH, ASSEMBLY, AND ASSOCIATION

Week 9 (October 13)

Development of Legal Standards (pp.181-201)

- Pre-WWII
 - *Abrams v. U.S.* (1919)
 - *Schenck v. United States* (1919)
 - *Gitlow v. New York* (1925)
- **Module 3 Quiz (10/13)**
- Post-WWII
 - *Brandenburg v. Ohio* (1969)

Week 9/10 (October 20)

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)
- *Chiles v. Salazar* (2026)
- **Module 4 Quiz (10/20)**

Week 10 (October 20)

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)

MODULE 6: THE RIGHT TO KEEP AND BEAR ARMS

Week 11 (October 27)

Foundations of 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)
- **Module 5 Quiz (10/27)**

Contemporary Developments of the Right to Bear Arms

- *New York State Rifle and Pistol Association v. Bruen* (2022)
- *Wolford v. Lopez* (2026)
- *United States v. Hemani* (2026)

MODULE 7: PRIVACY AND EQUAL PROTECTION

Week 12 (11/3)

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)
 - **Module 6 Quiz (11/5)**

Week 13 (11/10)

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

- *Lawrence v. Texas* (2003)
- *Obergefell v. Hodges* (2015)

Week 14 (11/17)

- **Hypothetical 2 (11/17)**
- Review Day (11/19)
- **Post-course quiz (12/6)**

Thanksgiving Break – No class (11/24 & 11/26)

Final Exam: Tuesday, December 8th (12/8) from 3:30PM-6:30PM