

Supreme Court Seminar
Fall 2022
University of Iowa College of Law
Professor Todd Pettys (Room 472, 335-6814, todd-pettys@uiowa.edu)
Administrative Assistant: Melanie Stutzman (Room 433, 335-9055)
Tuesdays, 2:00-3:40, Room 265

Required Materials

You will find all the required course materials on the “Courses” page of my website, www.todd-pettys.com.

Office Hours

In addition to teaching this course, I teach on Mondays, Tuesdays, and Wednesdays until 12:30 and have ongoing administrative commitments that dot my schedule throughout the week. As a general matter, I am happy to talk with you any time other than M/T/W mornings, either on Zoom or in my office.

Attendance and Participation

During each of our class sessions, you will be playing the roles of individual justices, voting on cases and discussing your and your colleagues’ drafts of opinions. As a result, you must arrive for each class session on time and attendance at each class session is mandatory, without exceptions. If you foresee any conflicts on your calendar, please make alternative arrangements now so that you will be able to join us each time we meet throughout the semester. If you have one or more unavoidable conflicts, please drop the course now—unfortunately, we will need to bring in a person from the waiting list to replace you. Because attendance and active participation are required due to our course design, I will not be recording our class sessions.

Grading

One-fourth of each student’s grade will be based on the quality of his or her first draft; one-fourth will be based on the quality of his or her second draft; one-fourth will be based on the quality of his or her final draft; and one-fourth will be based on the quality of his or her feedback on colleagues’ drafts, the quality of his or her contributions to our weekly discussions, and his or her timeliness in meeting the deadlines described in this syllabus. Failure to attend a substantial part of any class session will result in a 1.0-point grade reduction in the student’s final course grade (e.g., a student who otherwise would have received a 4.0 would receive a 3.0). Failure to attend a substantial part of a second class session will result in disenrollment from the course. I will use my discretion, based on the circumstances, to determine what counts as “substantial.”

Course Overview and Learning Objectives

In this course, you will study nine cases that are pending before the United States Supreme Court. You will read the primary briefs, research the law, debate the merits, and write opinions that reflect how you believe those cases should be decided. My chief learning objectives for you this semester are that, by the end of the semester, you will be able to produce a professional-quality judicial opinion, respond constructively to critiques of your work, offer insightful feedback on other students' drafts, and be able to discuss your disagreements with one another in a productive and professional manner.

As you will see on the schedule below, we will divide the nine cases into groups of three ("Set One," "Set Two," and "Set Three") for purposes of discussing the cases' merits and circulating drafts of opinions. Each student will write one opinion.

There are two websites that you might find especially useful. The first is <http://www.scotusblog.com/>. That website gathers all the briefs filed in the U.S. Supreme Court's cases (the petitions for and against certiorari, the parties' briefs on the merits, and the amicus briefs). SCOTUSblog also provides commentary about many of the Court's pending cases. The second is <http://www.supremecourtus.gov/>, which contains information about the Court. If you click on "Case Documents" and then "Docket Search," there is a box where you can type the docket number of any case of interest and obtain all the filings for it.

Document Format

When completing the writing assignments, please adhere to the rules of citation described in *The Bluebook: A Uniform System of Citation*. Please prepare your drafts in Word, using 12-point Times New Roman font and double spacing the lines. Also, to facilitate group discussion of your drafts' contents, ***please number your pages***.

Providing Oral and Written Feedback

Throughout the semester, you will be providing one another with both oral and written feedback on drafts. The oral feedback will come during our class sessions. For the written feedback, you must separately email your comments to each author at least two hours prior to the start of the class sessions in which we are scheduled to discuss their drafts. Those comments can appear in the form of comments inserted in a draft's Word document that you email to the drafts' authors or in an email summarizing your primary suggestions for improvement. No matter how you choose to provide your feedback, ***you must CC me when you email it to the authors***. Do not email your comments to the entire class—just to me and to the author of the draft you are critiquing.

Disability Accommodations

Please contact Dean Carin Crain directly for disability accommodation requests: carin-crain@uiowa.edu or 319-335-9648.

Schedule and Assignments

As you will see below, there are designated Tuesdays throughout the semester when you will be required to submit drafts of your opinions via email, as well as provide feedback on other authors' work. On those Tuesdays, *you will be emailing your drafts to me and to all the other students in the class*, so that the entire group will have sufficient time to read the drafts and prepare to discuss them at the following week's class session. With just one noted exception, those Tuesday deadlines are set for Noon and 10:00 p.m. Those Noon and 10:00 p.m. deadlines are mandatory. They are written in stone. They are not to be missed.

Week One

August 23: Discuss and cast votes for Set One.

Week Two

August 30: Discuss and cast votes for Set Two.

Week Three

September 6: Discuss and cast votes for Set Three.

Week Four

September 13: Class discussion; no preparation required.

Week Five

September 20: No class today. No later than 10:00 p.m., distribute via email all opinions for Set One, being sure to include me and your eight colleagues.

Week Six

September 27: Discuss all opinions for Set One. No later than two hours prior to class—i.e., by Noon—email your written feedback to each Set One author, being sure to CC me (Pettys) on the email. No later than 10:00 p.m., distribute via email all opinions for Set Two, being sure to include me and your eight colleagues.

Week Seven

October 4: Discuss all opinions for Set Two. No later than two hours prior to class—i.e., by Noon—email your written feedback to each Set Two author, being sure to CC me (Pettys) on the email. No later than 10:00 p.m., distribute via email all opinions for Set Three, being sure to include me and all your eight colleagues.

Week Eight

October 11: Discuss all opinions for Set Three. No later than two hours prior to class—i.e., by Noon—email your written feedback to each Set Three author, being sure to CC me (Pettys) on the email.

Week Nine

October 18: No class today. No later than 10:00 p.m., distribute via email all revised opinions for Set One, being sure to include me and your eight colleagues.

Week Ten

October 25: Discuss all revised opinions for Set One. No later than two hours prior to class—i.e., by Noon—email your written feedback to each Set One author, being sure to CC me (Pettys) on the email. No later than 10:00 p.m., distribute via email all revised opinions for Set Two, being sure to include me and your eight colleagues.

Week Eleven

November 1: Discuss all revised opinions for Set Two. No later than two hours prior to class—i.e., by Noon—email your written feedback to each Set Two author, being sure to CC me (Pettys) on the email. No later than 10:00 p.m., distribute via email all revised opinions for Set Three, being sure to include me and your eight colleagues.

Week Twelve

November 8: Discuss all revised opinions for Set Three. No later than two hours prior to class—i.e., by Noon—email your written feedback to each Set Three author, being sure to CC me (Pettys) on the email.

Week Thirteen

November 15: No class today.

Week Fourteen

November 22: No class today. Happy Thanksgiving!

Week Fifteen

November 29: No class today. No later than **4:00 p.m.—note the earlier time!**—distribute via email *all final opinions* for Sets One, Two, and Three, being sure to include me and your eight colleagues. Congratulations on finishing!

*

*

*

*

Syllabi Contents Mandated by the University of Iowa¹

Free Speech and Expression

¹ <https://provost.uiowa.edu/student-course-policies>

The University of Iowa supports and upholds the First Amendment protection of freedom of speech and the principles of academic and artistic freedom. We are committed to open inquiry, vigorous debate, and creative expression inside and outside of the classroom. Visit the [Free Speech at Iowa website](#) for more information on the university's policies on free speech and academic freedom.

Accommodations for Students with Disabilities

The University is committed to providing an educational experience that is accessible to all. If a student has a diagnosed disability or other disabling condition that may impact the student's ability to complete the course requirements as stated in the syllabus, the student may seek accommodations through [Student Disability Services](#) (SDS). SDS is responsible for making Letters of Accommodation (LOA) available. The student must provide a LOA to the instructor as early in the semester as possible, but requests not made at least two weeks prior to the scheduled activity for which an accommodation is sought may not be accommodated. The LOA will specify what reasonable course accommodations the student is eligible for and those the instructor should provide. Additional information can be found on the [SDS website](#).

Absences for Religious Holy Days

The University is prepared to make reasonable accommodations for students whose religious holy days coincide with their classroom assignments, test schedules, and classroom attendance expectations. Students must notify their instructors in writing of any such Religious Holy Day conflicts or absences within the first few days of the semester or session, and no later than the third week of the semester. If the conflict or absence will occur within the first three weeks of the semester, the student should notify the instructor as soon as possible. See [Operations Manual 8.2 Absences for Religious Holy Days](#) for additional information.

Classroom Expectations

Students are expected to comply with University policies regarding appropriate classroom behavior as outlined in the [Code of Student Life](#). While students have the right to express themselves and participate freely in class, it is expected that students will behave with the same level of courtesy and respect in the virtual class setting (whether asynchronous or synchronous) as they would in an in-person classroom. Failure to follow behavior expectations as outlined in the [Code of Student Life](#) may be addressed by the instructor and may also result in discipline under the [Code of Student Life](#) policies governing E.5 Disruptive Behavior or E.6 Failure to Comply with University Directive.

Non-discrimination Statement

The University of Iowa prohibits discrimination in employment, educational programs, and activities on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S.

military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual. The university also affirms its commitment to providing equal opportunities and equal access to university facilities. For additional information on nondiscrimination policies, contact the Director, [Office of Institutional Equity](#), the University of Iowa, 202 Jessup Hall, Iowa City, IA 52242-1316, 319-335-0705, oie-ui@uiowa.edu. Students may share their pronouns and chosen/preferred names in [MyUI](#), which is accessible to instructors and advisors.

Sexual Harassment/Sexual Misconduct and Supportive Measures

The University of Iowa prohibits all forms of sexual harassment, sexual misconduct, and related retaliation. The [Policy on Sexual Harassment and Sexual Misconduct](#) governs actions by students, faculty, staff and visitors. Incidents of sexual harassment or sexual misconduct can be reported to the [Title IX and Gender Equity Office](#) or to the [Department of Public Safety](#). Students impacted by sexual harassment or sexual misconduct may be eligible for academic supportive measures and can learn more by [contacting the Title IX and Gender Equity Office](#). Information about confidential resources can be found [here](#). Watch the [video](#) for an explanation of these resources.

Mental Health

Students are encouraged to be mindful of their mental health and seek help as a preventive measure or if feeling overwhelmed and/or struggling to meet course expectations. Students are encouraged to talk to their instructor for assistance with specific class-related concerns. For additional support and counseling, students are encouraged to contact University Counseling Service (UCS). Information about UCS, including resources and how to schedule an appointment, can be found at counseling.uiowa.edu. Find out more about UI mental health services at: mentalhealth.uiowa.edu.

Basic Needs and Support for Students

Student Care & Assistance provides assistance to University of Iowa students experiencing a variety of crisis and emergency situations, including but not limited to medical issues, family emergencies, unexpected challenges, and sourcing basic needs such as food and shelter. More information on the resources related to basic needs can be found at: basicneeds.uiowa.edu/resources/. Students are encouraged to contact Student Care & Assistance in the Office of the Dean of Students (Room 135 IMU, dos-assistance@uiowa.edu, or 319-335-1162) for support and assistance with resources.

Sharing of Class Recordings

Students may be enrolled in a class where some sessions will be recorded or live-streamed. Such recordings/streaming will only be available to students registered for the class. These recordings are the intellectual property of the faculty and they may not be

shared or reproduced without the explicit, written consent of the faculty member. Further, students may not share these sessions with those not in the class or upload them to any other online environment. Doing so would be a breach of the Code of Student Conduct, and, in some cases, a violation of state and federal law, including the Federal Education Rights and Privacy Act (FERPA).