

Columbian College of Arts and Sciences

Course Number	PPPA 2001-11 CRN 24424	Semester: Spring 2025
Course Title:	Justice and the Legal System 2: Constitutional Law for the 21 st Century	
Meeting Time/Place:	Monday from 12:45 PM to 3:15 PM MPA 305	
Instructor:	Professor Jill F. Kastle Media and Public Affairs Building, Room 607 (202) 994-8213 - kastle@gwu.edu	

“People ask me sometimes, ‘When will there be enough women on the court?’ My answer is: ‘When there are nine.’ Ruth Bader Ginsburg, Associate Justice, United States Supreme Court 1993-2020

“The best way to gain self-confidence is to do what you are afraid to do.” – Swati Sharma

The Lawyer’s Creed: Mind Your Manners. Tell the Truth. Know the Law.

I. Introduction to the Course

As we begin this class in January 2025, a convicted felon named Donald Trump is about to be sworn in to the Presidency for the second time (and has already talked about running for a third time in direct violation of the 22nd Amendment to the Constitution). Trump’s policies range from the ludicrous (tariffs) to the disastrous (removal of immigrants). His nominees for Cabinet positions (such as Matt Gaetz, Trump’s first pick for Attorney General), are mind-boggling. And if history is any guide, a compliant Supreme Court will support all but Trump’s worst excesses.

Despite (or maybe because of) the complications in our national politics, you want to go to law school. Great!

In order to give you some preparation for law school—but more importantly, to increase your general knowledge of constitutional law—this course will cover four areas:

- 1) Donald Trump and the Rule of Law
- 2) Law School (and law school assignments)
- 3) Legal Scholarship
- 4) Cases Currently Before the Supreme Court

II. What will I learn in this course?

You will continue to read Supreme Court opinions closely and analyze legal arguments. You will develop your ability to write in a brief and clear style. You will learn the basics of oral advocacy, the legal term for public speaking. You will get a preview of law school. You will gain confidence in your ability to grasp complex legal concepts, construct effective arguments, and express yourself orally and in writing. The process will be demanding, challenging, frustrating, and deeply rewarding.

III. What are the course objectives?

- 1) This semester, you will build on the skills that you acquired in the first half of the course: writing in a brief and clear style, reading complex legal material, and understanding how the legal system works. Another course objective is to help you understand how the Supreme Court does its job.
- 2) You will also learn a new skill: oral advocacy. As you undertake to learn this skill, remember that you are in a class of people who are just as nervous as you are. Remember also that I am here to support you.
- 3) I hope this class deepens your appreciation for the Constitution.

IV. Are there prerequisites for this course?

This course is different from every other course you have ever had. Unless you already have a law degree (which seems unlikely), nothing in your past educational career has prepared you for this course. What makes the course different is the emphasis on thinking like a lawyer, writing like a lawyer, and speaking like a lawyer.

V. Who teaches the course? Is she nice?

The professor in the course is Jill F. Kasle. I earned bachelor's and master's degrees from Northwestern University and a law degree from Boston University. In my professional life, I have done almost everything that a lawyer can do except become a judge and get indicted. My proudest academic achievement is my membership in Phi Beta Kappa. More than anything, I want to help you learn and be successful in this class. My approach to the class is a lot like Professor McGonagall's approach to her Transfiguration classes with occasional touches of Professor Snape. (For those who don't understand the references, see the Harry Potter books.)

V. Meeting with the professor

As always, I am happy to meet with you to talk about anything you want to talk about, whether related to the course or not.

I do not hold formal office hours but I will be happy to make an appointment to meet with you at almost any mutually convenient time. To make an appointment, send me your availability and I will get back to you as soon as possible with a meeting day and time. The meetings will probably take place over Zoom. Here is the link: <https://gwu-edu.zoom.us/j/93182894234?pwd=V2ZrM1ZXM3VXS3Z0UzlrZVZub1pjQT09>

Sometimes students feel uncomfortable asking me questions – they don't want me to know that they're confused. Fortunately, this class has a secret weapon for dealing with this very situation: my student helper Victoria Senderzon. Victoria is a sophomore and took both semesters of the class last year. She is incredibly smart (of course: all my students are incredibly smart) and is a particularly able writer.

When you go to Victoria for help, she will let me know that a student has come for help but she will never tell me the name of the student who sought the help. So your visits with Victoria are completely anonymous as far as I'm concerned. Victoria's email is victoria.senderzon@gmail.com.

Tip: if you make an appointment with Victoria or me, please keep the appointment. If you must cancel, send an email cancelling the appointment – you do not need to give a reason for the cancellation. The point is, do not ghost us – ghosting will have a negative effect on your standing in the class.

VI. Communicating with the professor

I try my best to respond to student emails within 24 hours and I would appreciate your doing the same with my emails to you.

VII: YIKES! What have I gotten myself into?

Is it true that most students get an A in this class?

Yes.

Really?

Really. Work *with* me (instead of *against* me) and you will do fine.

VIII. Grading Percentages and Assessments

- | | |
|-------------------------|-----|
| 1) Participation credit | 25% |
| 2) Midterm | 25% |
| 3) Final Exam | 50% |

Participation Credit: The readings in this class are court opinions, almost all from the Supreme Court. Before each class, please read the assigned cases and prepare a case abstract for each case. When you come to class, I will employ the time-honored law school technique of cold calling, *i.e.*, I will randomly call on students and ask questions about the assigned reading. The answers to my questions will be in your case abstracts. **You earn participation credit by answering the questions.** There is only one wrong answer to any of my questions: “I don’t know.” If I ask you a question and your response is “I don’t know”, you are telling me that you haven’t read the case and you’re working against me (see above).

Midterm and Final: In the first half of this course, grades were based on written work. In this half of the course, grades are based on written and oral work (see above: **Is it true that most students get an A in this class?**)

IX. Readings

Monday, January 13

Introduction to the class
Trump v. New York

Monday, January 20

NO CLASS – Martin Luther King Day and Inauguration Day

Monday, January 27

Marbury v. Madison

[Background](#)

[Opinion](#)

Korematsu v. US <http://law2.umkc.edu/faculty/projects/ftrials/conlaw/korematsu.html>

Trump v. Hawaii - https://www.supremecourt.gov/opinions/17pdf/17-965_h315.pdf
read the Opinion of the Court and Justice Sotomayor’s dissent

TikTok v. Garland - Court of Appeals opinion

https://storage.courtlistener.com/recap/gov.uscourts.cadc.40861/gov.uscourts.cadc.40861.1208687460.0_4.pdf

Brief of Amicus Donald Trump in TikTok case

Monday, February 3

Introduction to law school assignments: case file (to be distributed)

Monday, February 10

Case file (continued)

Monday, February 17 – NO CLASS – PRESIDENT’S DAY

Monday, February 24

Introduction to law school assignments: writing a brief

Monday, March 3

Oral argument

Monday, March 10 – NO CLASS – SPRING BREAK

Monday, March 17

Introduction to legal scholarship

Monday, March 24 to end

Current Supreme Court cases

Miscellaneous but Extremely Important Material

University Policy on Religious Holidays

Students should notify me in writing during the first week of the semester of their intention to be absent from class on their day(s) of religious observance. If you tell me orally that you plan to be absent from class to observe a religious holiday, chances are good that I won't remember and I'll wonder why you're not in class. Absence from class for the observance of religious holidays is an absence without penalty.

University Counseling Center (UCC)

Any student who may need assistance addressing personal, social, career, or academic problems should contact the University Counseling Center at (202) 994-5300. The Center is located on the ground floor of the Marvin Center. The Center offers a variety of services including crisis and emergency mental health consultations, confidential assessment, counseling services (individual and small group), and referrals. For more information, go to <http://counselingcenter.gwu.edu>.

Average minimum amount of out-of-class or independent learning expected per week

In a 15-week semester, including exam week, students are expected to spend a minimum of 100 minutes of out-of-class work for every 50 minutes of direct instruction for a minimum total of 2.5 hours of instruction/study per week. A 3-credit course should include 2.5 hours of direct instruction and a minimum of 5 hours of independent learning, totaling a minimum of 7.5 hours of instruction/study per week. More information about GW's credit hour policy can be found at provost.gwu.edu/policies-forms (webpage); or provost.gwu.edu/files/downloads/Resources/Assignment-Credit-Hours-7-2016.pdf (form).]

Title IX language:

The George Washington University and its faculty are committed to creating a safe and open learning environment for all students. If you or someone you know has experienced sexual harassment (including sexual assault, dating or domestic violence, and stalking) you are encouraged to report these events to the university's Title IX office at (202) 994-7434 or at titleix@gwu.edu.

Please be aware that faculty members are required to disclose information about suspected or alleged sexual harassment or other potential violations of the Title IX Sexual Harassment and Related Conduct Policy to the Title IX Office. If you, or another student you know, wishes to speak to a confidential resource who does not have this reporting responsibility, please contact Counseling and Psychological Services through the Colonial Health Center 24/7 at 202-994-5300, or the Office of Advocacy and Support at 202-994-0443 or at oas@gwu.edu.

