Wednesday, November 18, 2016 [12-2 PM – Room 340]

We will watch a jurisprudential film of Fletcher’s choosing. . . . [plus pizza on Fletcher]

Wednesday, November 30, 2016

Read materials in *Lee v. Tam* and be prepared to discuss. Focus on the cert stage briefs – the Federal Circuit opinion is very long . . . .


December 5, 2016

Read materials in *Gloucester County School Board v. G.G.* Focus again on the cert stage briefs, but also read/skim the Fourth Circuit’s opinion.

Materials available on SCOTUSBlog here: [http://www.scotusblog.com/case-files/cases/gloucester-county-school-board-v-g-g/](http://www.scotusblog.com/case-files/cases/gloucester-county-school-board-v-g-g/)
How Realist versus Formalist are You?  [https://inacrowdedtheater.com/2016/10/25/how-realist-versus-formalist-are-you/]

Assign a numeric value to each question.

5 = Strongly agree
4 = Agree
3 = Neutral
2 = Disagree
1 = Strongly disagree

1. The life of the law is not logic, but experience.
2. Law is not a science; you cannot just apply a formula and divine the right answer.
3. Legal reasoning is not inherently self-justified; we have to look elsewhere (to sociology, political science, philosophy) to give legal concepts meaning.
4. There is no such thing as a neutral, objective assessment of the law.
5. The state action doctrine makes no conceptual sense; it is designed to oppress the disadvantaged and maintain our current power structures.
6. When a court flagrantly violates precedent to do what it knows to be right (and I agree with that conception of right), I feel happy.