George Mason University
Graduate Course Approval/Inventory Form

Please complete this form and attach a copy of the syllabus for new courses. Forward it as an email attachment to the Secretary of the Graduate Council. A printed copy of the form with signatures should be brought to the Graduate Council Meeting. Complete the Coordinator Form on page 2, if changes in this course will affect other units.

Please indicate:  ____X__ NEW  ____ MODIFY  ____ DELETE

Local Unit: Public & International Affairs/ADJ  Graduate Council Approval Date:

Course Abbreviation:  JLCP  Course Number:  722

Full Course Title: Civil Justice

Abbreviated Course Title (24 characters max.): Civil Justice

Credit hours:  3  Program of Record: Justice, Law, and Crime Policy

Repeatable for Credit?  ____ D=Yes, not within same term  Up to hours

  ____ T=Yes, within the same term  Up to  hours

  _X_ N=Cannot be repeated for credit

Activity Code (please indicate):  ____ Lecture (LEC)  ____ Lab (LAB)  ____ Recitation (RCT)

  ____ Studio (STU)  ____ Internship (INT)  ____ Independent Study (IND)  _X_ Seminar (SEM)

Catalog Credit Format  3:3:0  Course Level:  GF(500-600)  ____  GA(700+)  _X_

Maximum Enrollment:  20  For NEW courses, first term to be offered: Fall 2005

Prerequisites or corequisites:  JLCP 720/GOVT 728 or instructor’s permission.

Catalog Description (35 words or less)  Please use catalog format and attach a copy of the syllabus for new courses:  JLCP 722 Civil Justice (3:3:0). Prerequisite JLCP 720/GOVT 728 or instructor’s permission. Understanding of the civil justice system, rules that govern civil justice, their origins and effects. Strengths and weaknesses of civil law doctrines and processes to understand the power of law to order social behavior.

For MODIFIED or DELETED courses as appropriate:

Last term offered:  Previous Course Abbreviation:  Previous number:

Description of modification:

APPROVAL SIGNATURES:

Submitted by:  ___________________________________________ email: smastrof@gmu.edu

Department/Program:  ________________________________ Date:  ________________

College Committee:  ________________________________ Date:  ________________

Graduate Council Representative:  ________________________________ Date:  ________________
GEORGE MASON UNIVERSITY
Course Coordination Form

Approval from other units:

Please list those units outside of your own who may be affected by this new, modified, or deleted course. Each of these units must approve this change prior to its being submitted to the Graduate Council for approval.

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Graduate Council approval: ____________________________________________ Date: ____________
Graduate Council representative: ________________________________________ Date: __________
Provost Office representative: __________________________________________ Date: __________
George Mason University  
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Please indicate:  ____ NEW  ____ MODIFY  ____ DELETE

Local Unit: Public & International Affairs/ADJ  
Graduate Council Approval Date:

Course Abbreviation: GOVT  
Course Number: 707

Full Course Title: Civil Justice

Abbreviated Course Title (24 characters max.): Civil Justice

Credit hours: 3  
Program of Record: Political Science M.A.

Repeatable for Credit?  
D=Yes, not within same term  
T=Yes, within the same term  
N=Cannot be repeated for credit

Activity Code (please indicate):  
Lecture (LEC)  Lab (LAB)  Recitation (RCT)  
Studio (STU)  Internship (INT)  Independent Study (IND)  Seminar (SEM)

Catalog Credit Format  3:3:0  
Course Level: GF(500-600)  GA(700+)  X

Maximum Enrollment: 20  
For NEW courses, first term to be offered: Fall 2005

Prerequisites or corequisites: JLCP 720/GOVT 728 or instructor’s permission.

Catalog Description (35 words or less) Please use catalog format and attach a copy of the syllabus for new courses: GOVT 707 Civil Justice (3:3:0). Prerequisite JLCP 720/GOVT 728 or instructor’s permission. Understanding of the civil justice system, rules that govern civil justice, their origins and effects. Strengths and weaknesses of civil law doctrines and processes to understand the power of law to order social behavior.

For MODIFIED or DELETED courses as appropriate:  
Last term offered:  
Previous Course Abbreviation:  
Previous number:

Description of modification:

APPROVAL SIGNATURES:  
Submitted by:  
email: smastrof@gmu.edu

Department/Program:  
Date:

College Committee:  
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Graduate Council Representative:  
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GEORGE MASON UNIVERSITY  
Course Coordination Form

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Graduate Council approval: ____________________________ Date: ____________
Graduate Council representative: __________________________ Date: ____________
Provost Office representative: __________________________ Date: ____________
Topic Description

Despite media accounts to the contrary, few Americans actually have contact with the criminal justice system. By contrast, most of us deal with the civil justice system every day. When we sign contracts, acquire property, get married or divorce, or settle personal wrongs we are drawing on the civil justice system.

This course examines that system, seeking to understand the rules that govern civil justice, their origins and effects. We will examine the strengths and weaknesses of civil law doctrines and processes, all with an eye on understanding the power of law to order social behavior.

Course Prerequisites

JLCP 720/GOVT 728 or instructor’s permission.

Course Objectives and Learning Methods

Students will be expected to learn the basic tenets of four central doctrines within civil law – torts, property, contracts, and family law/divorce. They will also be expected to understand the mechanisms and processes by which civil law is administered. More importantly, the course calls on students to examine the bases and effects of these doctrines and processes, their strengths and weaknesses.

Instruction will be a mix of lecture, discussion, and group projects. The class will be very-much “hands on,” requiring students to take responsibility for leading discussion and examining case studies.

Course Requirements and Grading

X For all but the first week of class I will assign three questions to consider about the reading assignments. Students must select one of the questions and answer in a 1-2 page paper due at the beginning of each class (25% of final grade).

X Students will prepare a 20-30 page research paper involving class themes. Topics will be approved mid-way through the semester, with the final paper due at the end of the term. Sources and research materials must be different than those presented in class (55 % of final grade).

X Students must come to class having read the day’s material and prepared to participate in class discussion. Throughout the term students will take responsibility for leading class discussion (20 % of final grade).

Assigned Texts/Readings

Most of the reading can be found in a coursepack that will be available at the Book Store. In addition, students must read selections from the following books, which will be on reserve at the Library:

Lawrence Levine, Julie Davies, and Edward Kionka, A Torts Anthology
Brian Blum, Contracts: Examples and Explanations
Simon Deakin and Jonathan Michie, Contracts, Co-operation, and Competition: Studies in Economics, Management and Law
Week One: What is Civil Justice
   Hazard, “Social Justice Through Civil Justice”
   Gifford, Civil Justice Survey of State Courts

Week Two: The Tort Law System
   Levine, Davies and Kionka, A Torts Anthology

Week Three: Compensating Accident Victims: Tort Law and Insurance
   Friedman, Total Justice
   Royko, “A Crash Course in How to Succeed Chicago Style”
   Gerlin, “A Matter of Degree: How a Jury Decided that a Coffee Spill is Worth $2.9 million”
   Schwartz, “Product Liability and Medical Malpractice in Comparative Context”
   Tanase, “The Management of Disputes: Automobile Accident Compensation in Japan”

Week Four: The Law of Contracts
   Blum, Contracts: Examples and Explanations

Week Five: The Effects of Contract Law
   Deakin and Michie, Contracts, Co-operation, and Competition

Week Six: Property Rights
   Ryan, Property and Political Theory
   Chused, A Property Anthology

Week Seven: The Effects of Property Law
   Ely, Property and Contract in their Relation to the Distribution of Wealth
   Pipes, Property and Freedom

Week Eight: Why People File Suit
   McIntosh, The Appeal of Civil Law: A Political Economic Analysis of Litigation
   Felstiner et al., “Naming, Blaming, Claiming”
   Adler, “Wizards of Odds”
   Krtizer, “A Comparative Analysis on Settlement and Bargaining in Personal Injury Cases”

Week Nine: Is There a Litigation Crisis?
   Neely, “Loser Pays Nothing: Why Our Courts are Overcrowded”
   Shanley and Peterson, Comparative Justice: Civil Jury Verdicts in San Francisco and Cook County
   Haltom, Report on the Courts
   Vidmar, Medical Malpractice and the American Jury
Week Ten: Tort Reform
Seton Hall Symposium, “Does Tort Reform Threaten Judicial Independence”
Alliance of American Insurers, Ten Proposals for Civil Justice Reform

Week Eleven: Divorce
Erlanger, et al., “Participating and Flexibility in Informal Processes: Cautions from the Divorce Context”

Week Twelve: How Lawyers Shape the Results
Kagan, “American Lawyers, Legal Culture, and Adversarial Legalism”
Kagan and Rosen, “On the Social Significance of Larger Law Firms”
Mather, et al., Divorce Lawyers at Work

Week Thirteen: Juries
Daniels, “The Question of Jury Competence”
Daniels and Martin, Civil Juries and the Politics of Reform
Hans and Vidmar, Judging the Jury
Litan, Verdict: Assessing the Civil Jury System

Week Fourteen: Alternative Dispute Resolution
Sander, Alternative Dispute Resolution: An ADR Primer
Ray, Alternative Dispute Resolution: Bane or Boom to Attorneys?

Academic Policies

Although I am sure we will not have to worry about infractions, George Mason University maintains an Honor Code. The code is available in the University Catalog. Please make sure that you consult it and understand its terms. You will be held to them.

If you have a disability that requires an accommodation, please consult the University’s Disability Resource Center. I cannot make any accommodations until the Center has authorized them.

If you have not already done so, you will need to activate your GMU email address. Any class announcements will be delivered to that email address. That said, all written work must be submitted in hard copy.
Catalog Copy:

**JLCP 722 Civil Justice (3:3:0).** Prerequisite JLCP 720/GOVT 728 or instructor’s permission. Understanding of the civil justice system, rules that govern civil justice, their origins and effects. Strengths and weaknesses of civil law doctrines and processes to understand the power of law to order social behavior.