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Latin@s and the Law Seminar

LAW-6936 Section CLAT
Course Number 27726

Professor Pedro A. Malavet
Spring 2022 (2 credits)
Wednesday, 1:15 to 3:15 p.m.
Room HH-355A

Latin@s and the Law Quicklinks

Course Description
(#Description)

Required Text (#Text)

Participation, Paper and Grading (#Grading)

University Policies
(#University_Policies)

Assignment Units
(#Assignment_Units)

(Updated 10 January 2022).

A Note About The COVID–19 Pandemic Response at UF

Please Exercise Good Judgment. When it comes to the challenges of in-person teaching in the middle of a pandemic, we are all in this together. It is very important that we all exercise good judgment and have consideration for others in order to have a healthy and productive semester.

Virtual Participation. ZOOM participation into my classroom or office will be available throughout the semester including for those students who may become ill or be placed in contact-tracing protocols.

Physical Distancing from Me. The current state of affairs that mandates high-density in-person classes but forbids mask or vaccine requirements is highly irresponsible given the current Omicron surge in COVID-19 cases, especially in our state and region. The sensible practice is for all of us to wear masks in settings such as classrooms, even when fully-vaccinated. **I will wear a face mask whenever I am at the College of Law, including the classroom, even though I am fully-vaccinated. Since I will not know your vaccination status, students WILL maintain physical distancing from me at all times in and outside of my classroom, especially if you are not wearing a face mask.**

POSSIBLE ADJUSTMENTS. The realities of the pandemic and the size and nature of the seminar may require me to make some adjustments to the syllabus during the term.

Latin@s and the Law—Syllabus

Although originally conceived as a course, this first-time offering will now become a seminar. I will be adjusting the reading assignments accordingly and adding language about the research paper requirements, including drafts and student presentations, in the coming days.

Course. A two or three-credit examination and discussion of the legal construction of Latinas and Latinos, LatinX, Latin@ groups in the law and legal systems of the United States, with a critical race theory perspective, using legal scholarship to contextualize federal and state constitutions, cases, statutes, treaties and other texts.

Seminar. A two-credit seminar meeting once a week for a 120-minute session over thirteen (13) weeks. Each class will consist of two 55-minute sessions with a ten-minute break.

Seminar Description, Teaching and Expected Outcomes

Description. A general examination and discussion of the legal construction of Latinas and Latinos, LatinX, Latin@ groups in the legal systems of the United States with particular emphasis on decisions of the United Supreme Court that especially affect Latin@s as an identifiable group. The seminar will have a critical race theory perspective, using legal scholarship to contextualize federal and state constitutions, cases, statutes, treaties and other texts. Two (2) or Three (3) Credits.

Prerequisite Knowledge and Skills. This seminar is designed for U.S. law students who have completed at least two full semesters in their J.D. program. Students must have completed the first-year curriculum and developed the skills required to analyze legal problems and to apply critical thinking skills.

Purpose. To prepare students to apply critical thinking skills to properly understand constitutional provisions, statutes, judicial opinions and other basic legal texts that address the treatment of Latin@s in the United States as an identifiable category with accompanying legal significance in the U.S. law. Latin@s are the fastest-growing demographic group in the U.S. and Florida has seen extremely fast growth among this group in the past ten years. Over 60 million Latin@s reside in the 50 states and DC and there over three million more in the U.S. territorial possessions, more than 80% of us are U.S. citizens. Understanding how law treats Latin@s critically will prepare students to represent Latin@s and our legal and social challenges in the twenty-first century.

Instructional Methods. This will be a discussion and perspectives class that will engage students in critical analysis of legal texts supplemented by inter-disciplinary material to provide historical, philosophical, sociological and other relevant context. I try to present information in different ways so as to reach students with different learning styles (visual, oral, etc.). I use technology in and outside of the classroom in order to accomplish this goal. I will gladly spend additional time explaining matters related to the course to individuals or study groups during office hours. I will also use short videos, made available through Canvas, to provide background information and to review important concepts.

Classroom and Study Time-Management.

2-credit variant for the seminar.

We are scheduled for a thirteen-week semester with one 120-minute session per week that will be divided into two 55-minute segments with a ten (10) minute break (failure to return promptly at the end of the break will be treated as an absence).

Additional Study Time.

In addition to the usual 110-minutes of classroom time each week, you should plan to allocate about four (4) to six (6) hours per week to class preparation and review throughout the semester as well as during the examination period.

The [Assignments and Notes](#) page on the website or Canvas assignment provides you the units that we will cover, organized by session, week and chapter.

Preparation time should initially be spent reading the assigned texts.

You should also regularly review your notes and the materials that I post on the website and the course Canvas on eLearning (<http://elearning.ufl.edu>) page.

By the end of this seminar, I expect you to:

- have a basic understanding of the legal construction of Latinx persons in different U.S. legal texts and by different U.S. legal actors;
 - have a basic understanding of certain general areas of the laws of the United States that particularly affect Latin@ persons;
 - be able to use this knowledge to maximize your educational experience at the Levin College of Law, given your particular substantive interests and future professional goals;
 - be prepared to use inter-disciplinary critical legal studies methodology in general when relevant to your law practice.
- In the seminar, research tools and skills will also be discussed together with writing a final paper that is worthy of a good, not simply passing, grade as well as earning an advanced writing certification for graduation.

Required Text

The required class materials are:

Casebook: Richard Delgado, Leticia M. Saucedo, Marc-Tizoc González, Jean Stefancic and Juan F. Perea, Latinos and the Law (West American Casebook Series 2nd ed. 2021).

I realize that this new text is not an insubstantial investment. But this is a new class and the updated text is the best option available to us at this time. It is also a very good resource for your research papers.

Supplemented by materials that I will post on the Canvas page:

Cases, primarily opinions of the Supreme Court of the United States

Edited law review articles on particular subjects

Book chapters or excerpts on topics that are covered.

Participation, Paper and Grading

There are two basic components to your final grade:

50% of your final grade is participation.

This is a seminar. Regular participation based upon good class preparation is essential to our discussion. Full preparation for class and on time attendance in class is expected.

Excessive absenteeism will negatively impact the final grade. A seminar class meets once a week, therefore anything more than two absences for the entire semester is excessive. Failure to return from class breaks in a timely fashion will result in the student being noted as absent for the class

Failure to actively participate in class will negatively impact the final grade. Full class participation will not be awarded simply because a student shows up in class. Students must demonstrate that they have read assigned materials and can contribute to class discussions of the materials.

50% of your final grade is the research paper.

The final paper is to be twenty-five pages in length and must be in Bluebook or Chicago Manual format. If students require the Advanced Writing Certification, the paper must be 25 pages in length **excluding** footnotes. I will provide a formula for computing length in a separate document.

Outline and Topic. Each student will be required to submit an outline of her/his/their paper topic for my approval, together with a proposed tentative bibliography no later than February 1, 2022. It is always best to write a paper on a subject you are interested in as opposed to one assigned to you. **Once I return the outline and approve your topic, that topic may not be changed without my approval.**

Drafts. At least one preliminary draft of the paper will be required. The professor reserves the right to request a second draft if necessary and appropriate (which it usually is). The final draft will be due on or before the end of the term.

Failure to submit the outline and/or any required drafts will negatively impact the final grade.

The paper is a legal research paper, meaning you are researching a question of law which impacts the law's understanding or application of often racialized treatment of Latin@s in the United States as an identifiable category with accompanying legal significance in the U.S. law.

The paper must use primary as well as secondary resource material. Primary resource material would be cases, statutes, treaties, executive decisions, regulations and pleadings if you have access to them. Secondary source material would be law review articles and books. You may also use references to web-based materials, news articles online and other internet related material **however**, this is a legal research paper, the majority of your source material should be to legal materials

Papers which do not meet these criteria will not be awarded an advanced writing certificate, although they may satisfy the writing requirement for the course. For those students not needing an advanced writing certificate, which would only be a student who already has a certificate, other arrangements can be made to satisfy the writing requirement.

Grading Scale: The University of Florida follows a letter grade and grade point average system with a maximum letter grade of "A" and a maximum GPA of 4.0. Please visit the University Registrar's site for information on the current grade scale. [<https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx>]

Letter Grade	Point Equivalent
A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C (Satisfactory)	2.00

C-	1.67
D+	1.33
D (Poor)	1.00
D-	0.67
E (Failure)	0.00

College of Law Grading Policy. The College of Law's grading policies are published in the Student Handbook (<https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>). The faculty at the College of Law voted to approve a new grading policy that became effective for the Fall 2020 term.

Grading Scale, Adjusted to the College of Law Mandatory Curve. This is my personal assessment of and advice about how you should interpret your grades at the Levin College of Law.

Letter Grade	Point Equivalent
A (Excellent)	4.00
A- (Good)	3.67
B+ (Above Average)	3.33
B (Below Average)	3.00
B-	2.67
C+ (Poor)	2.33
C	2.00
C- (Very Poor)	1.67
D+	1.33
D	1.00
D-	0.67
E (Failure)	0.00

General Information and Policies

Office Hours.

Schedule. I will have regular office hours on **Mondays and Tuesdays from 12:00 to 1:30 p.m. via ZOOM** starting on Monday January 24, 2022. I will also hold one in-person office hour in my seminar classroom starting at **3:15 p.m.**

ZOOM Link. I will post a link for the ZOOM office hours in the course CANVAS page for easy access.

Appointment Scheduler. I will also post a scheduler that will allow students to sign up for the Tuesday office hours on the CANVAS calendar, but you are not required to sign up for office hours, you may attend as long as the meeting is open to all students.

Virtual Office Hours: I have found that these virtual office hours work quite well and even encourage better participation from the entire class. ZOOM is especially conducive to having small group discussions of the material we cover in class in a more relaxed but very pedagogically useful setting. Accordingly, office hours as well as appointments will be held virtually in the ZOOM platform.

Meeting Locked. If you enter the meeting waiting room and find it locked, that means one of two things: (1) I am having a private conversation with another student or (2) I am taking a short comfort break. Please wait as long as there is time left during that office hour window.

Purpose of Office Hours.

Critical in a Seminar. We will have to discuss your paper topic as well as what progress you are making throughout the semester both during our sessions as well as in office hours.

Take advantage of office hours as early as possible in the semester. Do not wait until the end of the course to review material and bring your questions to me. Our discussion of your paper topics and regular communication about your progress will be critical. Review material regularly, at least as we finish different sections. Additionally, if you feel lost, or if you have doubts that cannot be resolved during class or during the period immediately following it, please do not hesitate to come and see me. Office time is also a good opportunity to explore matters that are not directly related to the material being discussed in class.

Office hours are also an opportunity for you to become more comfortable with my mandatory class-participation policy. You are encouraged to come by and talk to me during office hours before you sign up to participate in class, or in anticipation of your turn, to chat with me about the material. In the past, I have been pleased to see that students who dread class-participation have really done well by simply "talking it through" with me beforehand.

Private Discussions.

When we need to have a private discussion, I will schedule individual meetings with the student, which will be held via ZOOM. If we need to have a private discussion during virtual office hours, I will close the ZOOM meeting. Private discussions will naturally not occur during the in-person office hours in the classroom.

University Mandate.

"**Office Hours:** The university and state require professors to designate at least two hours of office hours per week for each course. The time of these weekly office hours must be publicized, and office hours may not be restricted to "by-appointment only". In addition, each professor must designate at least one office hour a week for in-person meetings. In-person office hours may take place in a professor's office, outside, or in larger indoor spaces, such as the student commons area, so long as the exact location is clearly identified in advance."

E-mail. You may communicate with me by E-mail, but only for administrative matters and I find that the Canvas messaging system is more reliable for class-related communications and thus encourage you to use it. My address is MALAVET@LAW.UFL.EDU (mailto:malavet@law.ufl.edu). E-mail messages from students must include the student's full name, so that I may ensure that I am communicating with a member of the class. I rarely answer substantive questions by E-mail because I find it a very inadequate medium to discuss course content. However, given the current state of affairs, you are welcome to send questions via email, but I will likely schedule a private ZOOM meeting to answer them properly instead of sending a substantive reply. I rarely reply to attendance-related messages, since I check that at the end of the semester, but I take note of excused absences in the attendance survey for each particular class session.

Web Page, eLearning on Canvas. This Syllabus and the currently-available weekly Assignment Sheets will be posted on my web site (<http://plaza.ufl.edu/malavet> (<http://plaza.ufl.edu/malavet>)). It is your responsibility to review the website and the Canvas on eLearning (<https://lss.at.ufl.edu>) course page regularly for updated class information; this is considered as part of your class participation for my course.

If you have any problems accessing the course website, please contact me directly via email.

If you have any problems accessing the course Canvas page, please contact the UF Helpdesk:

Available 24 hours a day, 7 days a week

(352) 392-HELP (4357)

helpdesk@ufl.edu (mailto:helpdesk@ufl.edu)

Class Attendance and Conduct: Attendance is mandatory and the university is mandating that it be in person. Additionally, students arriving late or leaving the room during class are an undue distraction. Roll will be taken daily by hand and recorded in the Roll Call Attendance assignment on Canvas. Please note that Part A and B of our 120-minute sessions are treated as separate "hours" for attendance purposes. I am willing to be flexible about allowing a few excused absences, late arrivals or early departures, for good cause —such as a doctor's appointment, child-care problem or job interview— *provided* that the good cause is brought to my attention beforehand or as soon as possible thereafter in the case of unanticipated occurrences. Excuses must be submitted in writing via E-mail or Canvas message. Students will have no more than seven days after the time of the unanticipated occurrence to bring excuses to my attention, **unless I send you a specific message about the absence via email or CANVAS message in which case failure to respond within 24 hours will result in my deeming the absence to be unexcused**, and I will not accept any excuses offered after our last session of the semester. **In a seminar, it is difficult for me to conceive that more than two days worth of absences, even if excused, will not result in administrative removal.**

Absences due to not being cleared will only be treated as excused if the student is sick or experiencing symptoms or in mandatory contact-tracing. Not cleared for failing to fill out the form as required will not be treated as an excused absence even though you MAY NOT BE ON CAMPUS.

If you are able to attend, I will allow ZOOM attendance by students who have a valid excuse and treat it as regular attendance.

Law School "Class Recording Policy: All classes will be recorded via Mediasite in case students must miss class for health reasons. The Office of Student Affairs will determine when students may have access to these recordings, and the recordings will be password protected." **Please note that there is separate language regarding HB-233 class recordings below.**

Using ZOOM Technology:

I will use ZOOM for most office hours and appointments during the semester. Medical or other practical needs may also require that students be able to attend via ZOOM at least occasionally.

UF ZOOM Quick-Start (https://elearning.ufl.edu/zoom/#zoom_quick_start)

How to Join A ZOOM Meeting on eLearning on Canvas (pdf) (<https://elearning.ufl.edu/media/elearningufledu/zoom/How-to-Join-a-Meeting.pdf>)

How to Join A ZOOM Meeting on eLearning on Canvas (video) (<https://elearning.ufl.edu/media/elearningufledu/zoom/How-to-Join-a-Zoom-Meeting.mp4>)

No Reasonable Expectation of Privacy but Confidentiality Rules Apply

Please be advised that all of our sessions will be recorded and they will automatically become available as determined by the Office of Student Affairs via Mediasite as noted above. Additionally, ZOOM records audio and video of the instructor and anyone who participates in the class will also be heard. It also records your device screen if you share it. The recordings will only be accessible through the ZOOM recordings tab on CANVAS that requires Gatorlink authentication and is available only to students registered in the course, and of course to me.

There are also “confidence monitors” displaying ZOOM participants in the classroom, at least for the instructor, and perhaps for students in the classroom as well. I may also use an iOS device to provide an additional “confidence ZOOM view” of the student area of the classroom for those attending via ZOOM, and to see and manage ZOOM attendees from the podium.

You are hereby warned that you do not have a reasonable expectation of privacy in the ZOOM environment relative to having your likeness, voice or the general vicinity of your seat and your device’s screen when shared captured by the video and audio devices that are used for these purposes, whether that is “live” during an in-room class or recorded virtual environment.

I strongly encourage you to use virtual backgrounds during ZOOM sessions in order to protect your privacy from even accidentally-prying eyes. The College of Law has created some very nice ones that are free to download here: [Go To LCOL Virtual Backgrounds Page (<https://www.law.ufl.edu/zoom-backgrounds>)].

HOWEVER, the video and sound of classes whether “live” during the synchronous class or recorded, are subject to confidentiality laws and regulations including, but not limited to, FERPA. Accordingly, it is inappropriate to share screen or sound “grabs” of any kind produced by any means, or the recordings of the sessions in total or in part, in any way, with anyone outside the class, without the express written consent thereof of everyone participating in the session, including me.

It is also inappropriate to use ZOOM, whether “live” or as recorded, to bully or to disparage other students in any way within or outside those registered for the class.

Electronics During Class. Pagers and cellular telephones should be turned off during class (unless you need to be “on call” for serious matters; in such cases, however, please put the phone or pager on “vibrate only” mode).

Laptop or Tablet Use. Laptop computers and tablets are wonderful tools for class-related note-taking and reference, however, during class time it is inappropriate to use electronics for any other purpose.

Professionalism During Class. Naturally, you are all bound by the Regulations of the University of Florida, University Student Code of Conduct, the College of Law Honor Code and my rules. But more than obeying rules, classroom/ZOOM behavior is about showing proper professionalism. Proper conduct during class is intended to encourage everyone to participate in, to derive benefit from, and ultimately to enjoy the class. It is perfectly acceptable, and indeed professionally required, that you demand professional behavior of your classmates in and out of class. If you see conduct that is unprofessional and that affects your quality of life in the real or virtual classroom or at the college of law, you should privately approach the offending student and ask that they modify their behavior. If private discussion is impractical or unsuccessful, you should bring the matter to the attention of the instructor or an appropriate official at the College of Law or the University of Florida. You should do so privately, though not anonymously, but you are strongly encouraged to bring serious matters to my attention, or that of other pertinent authorities, as soon as possible, so that I, or they, may take appropriate measures.

University Policy on Academic Misconduct. Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php> (<http://www.dso.ufl.edu/students.php>).

Sanctions. Absences, tardiness and any other unprofessional conduct will be initially dealt with on a case-by-case basis as a matter of course grading, at the discretion of the instructor. The imposition of disciplinary measures will follow the process provided in the Regulations of the University of Florida, University Student Code of Conduct and the College of Law Honor Code. Serious class disruptions may result in expulsion from the disrupted session. Excessive absences —even if an excuse is offered*— may result in administrative removal of the offending student from the course or in a reduction of his/her grade. Absent waiver, other matters will be referred to the pertinent committee or administrative hearing, without prejudice to the instructor’s normal grading discretion.

While I would not reduce someone’s grade for excessive *excused* absences, I might administratively remove them from the course, although I would ensure that this was done on a “passing” basis. I would do this if, in my judgment, the person has missed so much of the semester that they cannot really benefit from the course. Keep in mind my admonition above that in a seminar there is little room for absences.

Other University Policies

Religious Holy Days. Absences due to observance of a religious holy day shall be treated as excused absences. Please inform me via email.

The College of Law’s Policy on Religious Holy Days states: The College of Law respects students’ observance of major religious holidays. If an instructor has an attendance policy limiting the number of absences, reasonable alternative means shall be established by the instructor to satisfy the attendance policy and accommodate the religious obligations of the student.

The University of Florida Policy on Religious Holy Days is as follows: Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith. Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence. Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances. If a faculty member is informed of or is aware that a significant number of students are likely to be absent from his or her classroom because of a religious observance, a major exam or other academic event should not be scheduled at that time. A student who is to be excused from class for a religious holy day is not required to provide a second party certification of the reasons for the absence.

University Policy on Classroom Accommodation for Students with Disabilities. Students requesting classroom accommodation must first register with the Dean of Students Office (<http://www.dso.ufl.edu/drc/>). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking

accommodations. Students are strongly encouraged to communicate with their professor and with the College of Law's office of student affairs (<http://www.law.ufl.edu/student-affairs>) to ensure that they receive proper accommodation.

GatorEvals. Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/> (<https://gatorevals.aa.ufl.edu/students/>). Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or via <https://ufl.bluera.com/ufl/> (<https://ufl.bluera.com/ufl/>). Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/> (<https://gatorevals.aa.ufl.edu/public-results/>).

HB–233 Class Recordings. The university has issued the following language regarding this statute:

“Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

“A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture **does not** include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

“Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.”

Etiquette and Netiquette

When communicating electronically you should always:

Treat the instructor and your classmates with respect, even in email or in any other online communication

Always use your professors' proper title, which in law school is “Professor,” not “Mr.,” “Mrs.,” “Ms.,” or “Miss,” followed by last name

Avoid the generic use of “professor” without a last name

Unless specifically invited, don't refer to a member of the faculty by first name.

Use clear and concise language

Remember that all college of law level communication should have correct spelling and grammar

Avoid slang terms such as “wassup?” and texting abbreviations such as “u” instead of “you”

Use standard fonts such as Times New Roman and use a size 12 or 14 pt. font

Avoid using the caps lock feature AS IT CAN BE INTERPRETTED AS YELLING

Limit and possibly avoid the use of emoticons like :)

Be cautious when using humor or sarcasm as tone is sometimes lost in an email or discussion post and your message might be taken seriously or offensive

Be careful with personal information (both yours and other's)

Sign your e-mail message with your full name (first and last names) and return e-mail address

When participating in class discussion:

Take what you are about to say seriously

Be as brief as possible while still making a thorough comment

Always be respectful of others' opinions even when they differ from your own

When you disagree with someone, you should express your differing opinion in a respectful manner

Do not make personal or insulting remarks

Do not disparage, bully or otherwise abuse your classmates in any way, including electronically, especially in the ZOOM environment and its related content

Be open-minded

We Discuss Sensitive Topics

If you ever feel that a particular discussion will be too difficult, please communicate with me privately so that I may excuse you from the class or make arrangements for alternate participation methods.

If, however unintended it may be, discussion during our class should upset you as a victim, or for some other reason, please let me know privately or please seek assistance as discussed below.

Are you in distress?: Please Ask for Help

If you are having real-life problems that are affecting your general well-being or your studies, please let someone know. You are most welcome to come to me if you wish to talk about it. Additionally, the Office of Student Affairs (<https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/>), the University Counseling and Wellness Center (<http://www.counseling.ufl.edu/cwc/>) and UMatterWeCare (<http://www.umatter.ufl.edu>) are good places to start.

Florida Bar Mental Health and Wellness Center

The Florida Bar, to its credit, is taking proactive steps to help improve the mental health and wellness of its members. In their own words:

The Florida Bar's Special Committee on Mental Health and Wellness of Florida lawyers will work to destigmatize mental illness, recommend best practices and remedies, and help bring more balance into members' daily professional lives.

<https://www.floridabar.org/member/healthandwellnesscenter/> (<https://www.floridabar.org/member/healthandwellnesscenter/>)

Assignment Units

(Units will be adjusted to adapt to our seminar schedule, one week, i.e., 110 minutes of sessions over 13 weeks, or 165 minutes of sessions over 13 weeks).

Unit/Week Units using Latinos and the Law Textbook are identified by "Latinos and the Law" at the start

Richard Delgado, Leticia M. Saucedo, Marc-Tizoc González, Jean Stefancic & Juan Perea, *Latinos and the Law: Cases and Materials* (American Casebook Series 2nd ed. 2021).

Units using other edited texts will be specifically identified.

Week 1. 1. **Wednesday, January 19, 2022**

1. Introduction to the Syllabus and to the Course.
2. Introduction Latinos and the Law, pages 1-5
3. Demographics
 1. Demographics. <https://www.pewresearch.org/topic/race-ethnicity/racial-ethnic-groups/hispanics-latinos/> (<https://www.pewresearch.org/topic/race-ethnicity/racial-ethnic-groups/hispanics-latinos/>)
 2. <https://www.census.gov/en.html> (<https://www.census.gov/en.html>)
4. LECTURE: Latina/o Critical Legal Theory
 1. Francisco Valdes & Steven W. Bender, *LatCrit: From Critical Legal Theory to Academic Activism* (NYU Press 2021).
5. READING: Latinos and the Law
 - Chapter 1. Mexican Americans, pages 9-58

2.

NOT YET UPDATED BELOW THIS LINE FOR SPRING 2022

3. 1. Latinos and the Law
 - Chapter 2. Puerto Ricans, pages 59-98
4. 1. Latinos and the Law
 - Chapter 3. Cuban Americans, pages 99-133

5.
 1. Latinos and the Law
 1. Chapter 4. Legal Status of Latinos, pages 135-170
 2. Chapter 5. Culture and Identity, 171-204

6.
 1. A Closer Look at Law, Conquest and U.S. Territorial Expansion:
 1. Johnson v M'Intosh, 21 U.S. 543 (1823) <https://www.law.cornell.edu/supremecourt/text/21/543> (<https://www.law.cornell.edu/supremecourt/text/21/543>)
 2. Dred Scott v. Sandford, 60 U.S. 393 (1856) <https://www.law.cornell.edu/supremecourt/text/60/393> (<https://www.law.cornell.edu/supremecourt/text/60/393>)
 2. Guadalupe T. Luna, *On the Complexities of Race: The Treaty of Guadalupe Hidalgo and Dred Scott v. Sandford*, 53 Miami L. Rev. 691 (1999).

7.
 1. A Closer Look at The Mexican-American War, Territorial Expansion and the Mexican-Americans
 2. The Treaty of Guadalupe Hidalgo and Citizenship
 3. Property Dispossession Despite Citizenship Rights
 1. United States v. Sandoval, 167 U.S. 278 (1897) (<https://supreme.justia.com/cases/federal/us/167/278/> (<https://supreme.justia.com/cases/federal/us/167/278/>))
 2. Steven W. Bender, *From Sandoval to Subprime: Excluding Latinos from Property Ownership and Property Casebooks, in Vulnerable Populations and Transformative Law Teaching: A Critical Reader* 111-24 (Soc'y of Am. Law Teachers & Golden Gate U. Sch. of L. eds., 2011)

8.
 1. The Spanish-American War, Island Territories, U.S. "Subjects" and New Citizens
 2. The Insular Cases and Citizenship re-Defined
 1. Downes v. Bidwell, 182 U.S. 244 (1901).
 2. Balzac v. People of Porto Rico, 258 U.S. 298 (1922).
 3. Pedro A. Malavet, *The Inconvenience of a "Constitution [that] follows the flag ... but doesn't quite catch up with it": From Downes v. Bidwell to Boumediene v. Bush*, 80 Mississippi Law Journal 181-257 (Fall 2010).
 3. Comparative analysis of the Treaty of Guadalupe Hidalgo of 1848 and the Treaty of Paris of 1898, with particular emphasis on citizenship and property provisions

9.
 1. Latinos and the Law
 - Chapter 14. Immigration in Latino and Anglo Society, pages 465-529.

10.
 1. Latinos and the Law
 - Chapter 15. Immigration and the Law, pages 567-607
 1. Local Enforcement and Sanctuary Cities, form previous to here?, pages 530-646

11.
 1. Latinos and the Law
 - Chapter 16. Cultural Stereotypes of Latinos, pages 609-610, 611-666

12.
 1. Latinos and the Law
 - Chapter 17. Hate Speech Against Latinos/as, pages 667-716

13. 1. The Supreme Court, Anti-Latin@ Discrimination and Identity: From Ethnicity to Race
 1. Hispanic or Mexican-American "Ethnicity" as protected class
 1. Hernandez v. Texas, 347 U. S. 475 (1954)
 2. Hernandez v. New York, 500 U. S. 352 (1991)
2. Latin@ Racialization: Peña-Rodríguez v. Colorado, 580 U. S. ____, 137 S.Ct. 855, 197 L.Ed. 2d 107, 2017 U.S. LEXIS 2074 (2017)
 1. Anti-Latina/o "Racial" discrimination by deciding jurors.

Topics Expanded Topics with Suggested Readings

1. Introduction: Going over the Syllabus
 Subject Overview: Background and History of Latin@s in the United States
 An Introduction to Latina/o Critical Legal/Race Theory
 Current Demographics: The 2020 Census
 Selected Readings from:
 Francisco Valdes & Steven W. Bender, *LatCrit: From Critical Legal Theory to Academic Activism* (NYU Press 2021).
 Richard Delgado, Leticia M. Saucedo, Marc-Tizoc González, Jean Stefancic & Juan Perea, *Latinos and the Law: Cases and Materials* (American Casebook Series 2nd ed. 2021).
 Demographics. <https://www.pewresearch.org/topic/race-ethnicity/racial-ethnic-groups/hispanics-latinos/>
 (<https://www.pewresearch.org/topic/race-ethnicity/racial-ethnic-groups/hispanics-latinos/>)
<https://www.census.gov/en.html> (<https://www.census.gov/en.html>)
2. Conquest and U.S. territorial expansion:
 Johnson v M'Intosh, 21 U.S. 543 (1823) <https://www.law.cornell.edu/supremecourt/text/21/543>
 (<https://www.law.cornell.edu/supremecourt/text/21/543>)
 Dred Scott v. Sandford, 60 U.S. 393 (1856)
<https://www.law.cornell.edu/supremecourt/text/60/393> (<https://www.law.cornell.edu/supremecourt/text/60/393>)
 Guadalupe T. Luna, *On the Complexities of Race: The Treaty of Guadalupe Hidalgo and Dred Scott v. Sandford*, 53 Miami L. Rev. 691 (1999).
3. The Mexican-American War, Territorial Expansion and the Mexican-Americans
 The Treaty of Guadalupe Hidalgo and Citizenship
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 United States v. Sandoval, 167 U.S. 278 (1897) (<https://supreme.justia.com/cases/federal/us/167/278/>)
 (<https://supreme.justia.com/cases/federal/us/167/278/>)
 Steven W. Bender, *From Sandoval to Subprime: Excluding Latinos from Property Ownership and Property Casebooks*, in *Vulnerable Populations and Transformative Law Teaching: A Critical Reader* 111-24 (Soc'y of Am. Law Teachers & Golden Gate U. Sch. of L. eds., 2011), KF336 .V85 2011 at Classified Stacks
4. The Spanish-American War, Island Territories, U.S. "Subjects" and New Citizens
 The Insular Cases and Citizenship re-Defined
 Downes v. Bidwell, 182 U.S. 244 (1901).
 Balzac v. People of Porto Rico, 258 U.S. 298 (1922).
 Pedro A. Malavet, *The Inconvenience of a "Constitution [that] follows the flag ... but doesn't quite catch up with it": From Downes v. Bidwell to Boumediene v. Bush*, 80 Mississippi Law Journal 181-257 (Fall 2010).

 Comparative analysis of the Treaty of Guadalupe Hidalgo of 1848 and the Treaty of Paris of 1898, with particular emphasis on citizenship and property provisions.

5. The Supreme Court, Anti-Latin@ Discrimination and Identity
 - Hernandez v. Texas, 347 U. S. 475, 479 (1954)
 - Hispanic or Mexican-American "Ethnicity" as protected class
 - Hernandez v. New York, 500 U. S. 352, 355 (1991)
 - Discrimination against Hispanic "Ethnicity"
 - Peña-Rodríguez v. Colorado, 580 U. S. ____, 137 S.Ct. 855, 197 L.Ed. 2d 107, 2017 U.S. LEXIS 2074 (2017)
 - Anti-Latina/o "Racial" discrimination by deciding jurors.