

Introduction to the Legal System of the United States

LAW 7932, Class # 24430 – 2 credits

LL.M. in U.S. Law

Fall 2025

Prof. Timothy McLendon

Thursdays, 3:30 PM

Holland Hall, Room 355A

SYLLABUS

Professor: Timothy McLendon

Office: 320 Holland Hall (on the 3rd floor at the far west of the building, in the office suite of the Center for Governmental Responsibility)

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E-mail: mclendon@law.ufl.edu

Office Hours: Mondays, 11.00-11.30am

Thursdays, 1.30-2.30pm and other times by appointment.

Required Textbook: William Burnham & Stephen F. Reed, *Introduction to the Law & Legal System of the United States* (7th ed., 2021).
Additional course materials will be placed on Canvas

Course Objectives:

To prepare students to earn the maximum benefit from their pursuit of LL.M. studies at the University of Florida Levin College of Law by providing basic introductions to the Comparative Method and to fundamental principles of U.S. law, its legal system and legal professionalism.

By the end of this course, you should:

- Have a basic understanding of the Comparative Method and how to use it to accomplish your educational and professional goals;
- Have a basic understanding of the legal structures of the United States;
- Have a basic understanding of certain general areas of the laws of the United States;
- 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.

Grading:

This class is graded by letter grade.

Your final grade in the course will be determined by:

1. Final Exam and Mid-term Essay Project (Testing Score): 80%

You will have to complete a practical project that will consist of drafting a short essay on a topic we have covered during the term. This project will be assigned during the second half of the semester and will account for 10% of your testing score and it will be graded on a pass/fail basis. The remaining 90% of your testing score will be a points-graded, open-book, take-home examination.

2. Participation: 20%

This includes: 1) attendance; 2) satisfactory work on all assignments, and 3) compliance with course policies and class expectations. (See Class Expectations below)

You must complete all assignments to pass the course.

Information on UF Law Grading Policies:

Letter Grade	A	A-	B+	B	B-	C+	C	C-	D+	D	D-	E
Grade Points	4.0	3.67	3.33	3.0	2.67	2.33	2.0	1.67	1.33	1.0	.67	0

The law school grading policy is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>.

Class Participation:

Students are expected to complete all readings prior to class. Your readings are outlined in the syllabus. Additional readings may be assigned during the semester and posted to the Canvas site.

Your participation grade is based on not only in class participation, but also on your successful completion of all assignments. Each assignment will be evaluated for completeness, accuracy and timeliness.

This 2-credit course complies with ABA Standard 310. It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in-class assignments for every 1 hour in class.

Attendance:

Attendance is mandatory. I will allow one unexcused absence per semester on a no-questions-asked basis. Additionally, 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, illness, 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. Absences due to observance of a religious holy day shall be treated as excused absences. Requests for excused absences must be submitted to me via E-mail. Your final grade in the course may be lowered one level (e.g. B to B-) for each unexcused absence.

Other Policy Statements:**A. Policy related to Make-up exams or other work.**

The law school policy on exam delays and accommodations can be found [here](#).

B. Statement regarding accommodations for students with disabilities.

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

C. Evaluations.

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluer.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

D. Academic Misconduct.

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

Plagiarism. Representing another's work as your own constitutes plagiarism. Further, paraphrasing or quoting from a case, law review article, or any other source without properly acknowledging the source or without including quotation marks where such marks are appropriate constitutes plagiarism. Any paper evidencing plagiarism will receive a failing grade and will be referred to the law school's Honor Committee. Ignorance or lack of intent are no defense to a charge of plagiarism.

E. Observance of religious holidays.

UF Law respects students' [observance of religious holidays](#).

- 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.

F. Health and Wellness.

U Matter, We Care:

If you or a friend is in distress, please contact umatter@ufl.edu or 352-392-1575 so that a team member can reach out to the student.

Counseling and Wellness Center:

<http://www.counseling.ufl.edu/cwc/Default.aspx>, 352-392-1575, and the University Police Department: 352-392-1111, or 911 for emergencies.

Sexual Assault Recovery Services (SARS)

Sexual Health Care Center, 352-392-1161.

University Police Department

352-392-1111, or 911 for emergencies.

<http://www.police.ufl.edu/>

G. Policy on Recording Classes.

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 guest 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 and Student Conduct Code.

Class Meetings – Topics and Assignments

This syllabus represents my current plans and objectives. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Additional readings may be posted on the Canvas page for the course.

Thursday, August 21, 2025

Topic

- Overview of Introduction to the Law and Legal System of the United States; History & Governmental Structure

READ: Syllabus with class rules and expectations; Burnham Chapter I: History and Governmental Structure, pages 1-47.

Thursday, August 28, 2025

Topic

-History and Governmental Structure

READ: Burnham Chapter I: History and Governmental Structure, pages 48-58

Readings posted on Canvas: From John Locke, *An Essay Concerning the True Extent & End of Civil Government* (1690)

From Charles de Montesquieu, *The Spirit of Laws* (1748)

Federalist No. 10 (1787)

Federalist No. 51 (1788)

From William J. Brennan, *State Constitutions and the Protection of Individual Rights*, 90 HARV. L. REV. 489 (1977)

Thursday, September 4, 2025

Topic

-Legal Methodology

READ: Burnham Chapter II: Legal Methodology, pages 59-113

Readings posted on Canvas: Common Law & Precedent:

From SIR WILLIAM BLACKSTONE, COMMENTARIES ON THE LAWS OF ENGLAND (1st ed., 1765), Section III “Of the Laws of England”

FLA. STAT. § 2.01

Rylands v. Fletcher, [1868] UKHL 1, (1868) LR 3 HL 330

Cities Service Co. v. State, 312 So. 2d 799 (Fla. 2d DCA 1975)

CUNY, John Jay Law Library, “How to Brief a case”, *available online at:*
<http://www.lib.jjay.cuny.edu/research/brief.html>

Role of Statutory Law:

From SIR WILLIAM BLACKSTONE, COMMENTARIES ON THE LAWS
OF ENGLAND (1st ed., 1765), Section III “Of the Laws of England”

Thursday, September 11, 2025

Topic

-Legal Methodology, continued

READ: Burnham Chapter II: Legal Methodology, pages 40-85

Thursday, September 18, 2025

Topic

-The Adversary System and Jury Trials

READ: Burnham Chapter III: The Adversary System and Jury Trials, pages 123-188

ABA, Division for Public Education, “How Courts Work”, *available online at:*
https://www.americanbar.org/groups/public_education/resources/law_related_education_network/how_courts_work/juryinstruct/

Richard Lempert, *The American Jury System: A Synthetic Overview*, 90 CHI.-KENT L. REV. 825 (2015).

Adam Benforado, *Reasonable Doubts about the Jury System*, THE ATLANTIC, June 16, 2015, *available online at:* <https://www.theatlantic.com/politics/archive/2015/06/how-bias-shapes-juries/395957/>

Thursday, September 25, 2025

Topic

-The Legal Profession in the United States & Information session on Legal Research

READ: Burnham Chapter IV: The Legal Profession, pages 189-244

Exercises on Legal Research posted on Canvas.

Thursday, October 2, 2025

Topic

-The Judicial System

READ: Burnham Chapter V: The Judicial System, pages 245-286

Readings posted on Canvas: Judicial Review and Power of the Courts:

Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803).

Cooper v. Aaron, 358 U.S. 1 (1958).

Thursday, October 9, 2025

Topic

-The Judicial System, continued

READ: Burnham Chapter V: The Judicial System, pages 287-303

Thursday, October 16, 2025

Topic

-Civil Procedure Personal Jurisdiction & Choice of Law

READ: Burnham Chapter VII: Civil Procedure Personal Jurisdiction, pages 418-435

Choice of Law, related to *Erie*, pages 436-446

Readings posted on Canvas: Rules of Civil Procedure:

Selected excerpts from *Federal Rules of Civil Procedure & Florida Rules of Civil Procedure*

Personal jurisdiction & service of process

Venetian Salami Co. v. Parthenais, 554 So.2d 499 (1989).

Civil Procedure Case Study – *Partridge v. Two Unidentified Police Officers*:

Partridge v. Two Unidentified Police Officers, 791 F.2d 1192 (5th Cir. 1986).

Thursday, October 23, 2025

Topic

-Constitutional Law - Judicial Review & Federalism

READ: Burnham Chapter IX: Constitutional Law

Part I. Judicial Review. 553-591

Readings posted on Canvas:

Federalism issues - supremacy & pre-emption:

United States v. Lopez, 514 U.S. 549 (1995).

Reno v. Condon, 528 U.S. 141 (2000).

Geier v. American Honda Motor Co., 529 U.S. 861 (2000).

Thursday, October 30, 2025

Topic

-Constitutional Law – Individual Rights

READ: Burnham Chapter IX: Constitutional Law

Part II. Individual Rights Protected by the Constitution, pages 592-660

Readings posted on Canvas: Freedom of Speech:

U.S. v. Cohen, 403 U.S. 15 (1971).

Texas v. Johnson, 491 U.S. 397 (1989).

Citizens United v. Fed. Election Comm’n, 558 U.S. 310 (2010).

University of Cincinnati Cha. of Young Americans for Liberty v. Williams,
Case No. 1:12-cv-155, 2012 WL 2160969 (S.D. Ohio, June 12, 2012)
(order granting plaintiffs’ motion for a preliminary injunction).

Thursday, November 6, 2025

Topic

-Constitutional Law - Judicial Review & Federalism

READ: Burnham Chapter VI: Administrative Law

Part I. Law & Procedures of Administrative Agencies, pages 303-346

Jack M. Beermann, *The Never-Ending Assault on the Administrative State*, 93 NOTRE DAME
L. REV. 1599 (2018).

Thursday, November 13, 2025

Topic

-Review

Final Exam: Take-home

Instructions on this will be posted on Canvas later in the semester.