

**PLS 375: Comparative Legal Systems
Fall 2021/WEB
(WKU Colonnade Eligible: Connections/Systems)**

INSTRUCTOR: Julie Shadoan
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OFFICE HOURS: Via Zoom, hours as posted on Blackboard or by appointment

Zoom link for office hours: <https://wku.zoom.us/j/8976429929>

COURSE INFORMATION:

A. Textbook:

1. Jaakko Husa, *A New Introduction to Comparative Law*
ISBN 978-1-84946-796-4



2. Various online postings and resources will be used including but not limited to:

www.lrc.ky.gov
www.kywd.uscourts.gov
www.ca6.uscourts.gov
www.supremecourt.gov
www.un.org;
www.asil.org;
Westlaw®;
Loislaw®; and
LexisNexis®.

B. Course Description/Objectives:

This course is a comparative study and analysis of the U.S. legal system and those of select foreign countries. This course will begin with a study of the comparative law approach. Using that approach, students will examine the history, structure, and institutions of civil law, common law, Sharia and/or socialist legal traditions to provide students with a broad understanding of the different legal systems that exist globally.

The methodological approach seeks to expose students to select legal systems of the world in order to: 1) compare alternative traditions with the U.S. Common Law tradition as a basis for understanding the differences and similarities between law and practice in

the U.S. and other countries; 2) draw conclusions as to the efficacy of legal institutions and legal actors within in each system; and, 3) appreciate the challenges of economic globalization and the role of law.

Points of comparative study will include but are not limited to: sources of law and codification, organization of courts and judicial processes, legal education and the legal profession, the role of law in society, and the protection of fundamental human rights and access to justice.

Course Learning Outcomes:

Upon successful completion of this course, students should be able to:

1. Analyze how select legal systems develop and evolve;
2. Compare the study of the individual components of select legal systems to each other and to the global concepts of law and order; and,
3. Evaluate how system-level thinking informs policy and process to more effectively deliver justice with increasingly global perspective.

Topics to be covered in this course are:

1. Sources of Legal Systems
2. Public versus Private Law
3. Substantive Features:
 - ▶ Federalism
 - ▶ Constitutions
 - ▶ Judiciary
 - ▶ Legislature
4. Access to Justice
5. Methods of Dispute Resolution
6. Civil Litigation
7. Criminal Prosecution and Defense

C. Class Information/Communication:

The Syllabus, Assignments, and Textbook Information will be posted permanently on Blackboard for your review. In addition, specific assignments will be posted weekly. The Instructor will communicate other course information via email and the announcement board. It is the student's responsibility to monitor Blackboard and email regularly for important information regarding this course.

D. Online Participation/Attendance:

Generally, all assignments will be posted on Wednesday of each week and will be due on the following Wednesday unless otherwise indicated. Attendance for online courses requires timely submission of all required work according to the posted specifications. You will receive an "F" in this course if you fail to timely submit more than two required assignments without an Instructor-granted excuse.

Excuses will normally be granted for emergencies such as death in the immediate family, serious illness requiring hospitalization or involving contagious disease, Covid 19-related quarantine and/or positive test, and/or incidents absolutely beyond a student's control. Excuse requests for emergency reasons must be properly documented by a third party and determination of whether a late submission will be accepted or will be accepted without penalty remains within the discretion of the Instructor. "My computer crashed,"

"My internet access failed," and/or "I didn't get the email," are not proper excuses. You should plan accordingly.

E. Honor Code:

WKU, Potter College of Arts & Letters, the Political Science Department and the Professional Legal Studies Program desire to maintain the highest academic integrity. Acts of plagiarism or any other form of cheating or dishonesty will not be tolerated. Anyone committing such acts shall be subject to disciplinary measures as outlined in the WKU Student Handbook, including but not limited to failure of this course.

Unless specifically authorized by the Instructor, NO assignments in this course are to be completed with the assistance of another student.

F. Student Behavior:

The Instructor reserves the right to remove any student from this course for disruptive or disrespectful behavior and/or misuse of Blackboard.

G. Student with Disabilities:

In order for the Instructor to make appropriate classroom accommodations for Students with learning or other disabilities, it is requested that the Student contact the Student Accessibility Resource Center regarding his/her disability prior to the beginning of this semester at: <https://www.wku.edu/sarc/>.

H. Grading:

GRADES ARE WEIGHTED. In order to calculate your grade in the course, you should multiply your score on a particular assignment by the weight value assigned to get the actual points earned for that assignment. For example, if you receive a "91" on a project worth 15%, you will multiply $91 \times .15$, earning you 13.65 points for that project toward the total of 100 points available for the course. At the end of the semester, add up all actual points earned and final grades will be awarded according to the standard scale: 90-100, A; 80-89, B; 70-79, C; 60-69, D; Below 60, F.

GRADING WEIGHTS FOR THIS CLASS:

Participation and Weekly Outlines	
Defined as timely and compliant submissions	
(5% each, 25 points total)	25
Discussion Boards (5% each, 25 points total)	25
Paper #1 (25%)	25
Paper #2 (25%)	25
TOTAL POINTS AVAILABLE:	100

Important Student Information:

All WKU Students may access information relating to Americans with Disabilities Act classroom/course accommodation requirements, Title IX sexual assault reporting requirements, student complaints and grievances, active shooter preparedness, emergency preparedness, student legal services, counseling services and police services at [Student Information Page](#).

COURSE CALENDAR:

WEEK	TOPIC	ASSIGNMENT
8/25	Comparative Law as a Discipline	READ: Chapters 1-4 Discussion Board #1
9/1	Benefits of a Comparative Approach to Law	READ: Chapters 5-6 Outline #1 Discussion Board #2
9/8	Macro versus Micro Comparisons	READ: Chapter 9 Outline #2 Discussion Board #3
9/15	Legal Families and Systems Romanistic, Germanic and Nordic	READ: Blackboard Postings Outline #3 Discussion Board #4
9/22	Legal Families and Systems Far East System	READ: Blackboard Postings Outline #4 Discussion Board #5
9/29	Legal Families and Systems Religious Systems	READ: Blackboard Postings Outline #5
10/6	Paper #1 Assignment Country of Focus Research	No Reading or Discussion
10/13*	Paper #1 Research/Drafting	Paper #1 Outline DUE
10/20	Paper #1 Research/Drafting	Paper #1 Editing
10/27	Paper #1 Research/Drafting	Paper #1 DUE @ 11:59 p.m.
11/3	Legal Families and Systems Anglo-American System	READ: Blackboard Postings
11/10	Legal Families and Systems Anglo-American System, Continued	READ: Blackboard Postings
11/17	Paper #2 Assignment Comparative Analysis	No Reading or Discussion
11/24**	Paper #2 Research/Drafting	Paper #2 Outline DUE
12/1	Paper #2 Research/Drafting	Paper #2 Editing
12/8	Paper #2 Research/Drafting	Paper #2 DUE @ 11:59 p.m.

*Week of WKU Fall Break

** Week of WKU Thanksgiving Break

This course calendar is preliminary in nature and may be revised throughout the semester based on changes to the University calendar and/or student progression through course materials.