

# LS 190–Law and Social Change: Public Interest Impact Litigation

Fall 2020

## Syllabus

### Instructor Information

**Instructor:** Anne Bloom

**Email:** [annebloom@berkeley.edu](mailto:annebloom@berkeley.edu)

**Office Hours:** Mondays, 12-1 p.m.; Fridays, 2-3 p.m. Pacific Time

### Course Information

#### Meetings:

- Lecture/Discussion online via Zoom, Mondays: 2 – 3:30 p.m. Pacific Time, plus three mandatory individual or small group meetings with the instructor to discuss the course during the semester, to be scheduled.
- Zoom meetings will be scheduled through bCourses.
  - The lecture and zoom link will appear on your bCourses calendar.
  - The zoom link will also be in the Module for each week.
  - Your primary email in bCourses must match your email address in Zoom.
- Class videos will be available to stream on bCourses approximately 24 hours after we meet.

### Prerequisites or Co-requisites

Students are strongly encouraged to take Legal Studies 132AC before enrolling in this class.

Credit Hours: 4

### Texts/Course Materials

Scheingold, Stuart, [The Politics of Rights](#)

Williams, Patricia, [The Alchemy of Race and Rights](#)

Darrow, Clarence, [Attorney for the Damned](#) (Weinberg)

Readings and videos to be posted on bCourses or available online

### Course Description

This course will explore the many ways that public interest impact litigation figures into the politics of social struggle and change. We will analyze public interest impact litigation in terms of particular institutions (courts, agencies), professional elites

(lawyers, judges), and cultural norms such as "rights" discourses that are routinely mobilized by public interest legal activists. Does law matter in the struggle for social change? How do law and lawyers influence social change? How do courts influence social change? What variables influence the social impact of lawyers and law? What kinds of legal strategies are most likely to succeed? We will consider all of these questions and more while working our way through several legal classics and evaluating several significant "impact" cases – both historical and current.

## Learning Outcomes

At the end of the course, you should be able to:

- Identify and explain how lawyers and courts operate in the context of public interest impact litigation, including typical strategies and approaches.
- Make effective oral and written arguments about the potential role of public interest impact litigation in producing social change.
- Analyze and assess legal scenarios in terms of their potential to produce social change.

## Technical Requirements

- This course is built on a Learning Management System (LMS) called Canvas and UC Berkeley's version is called [bCourses](#). It can be accessed with a computer, tablet, or smartphone.
- If you are having technical difficulties, please alert one of the instructors immediately. In addition, please email tech support immediately to resolve any issues.
  - In bCourses, click on "Help" in the panel on the left.
- We will use [Zoom](#) for synchronous meetings (e.g., lecture, discussion, and office hours).
  - [Activate your free UC Berkeley Zoom account](#)[Links to an external site.](#) and always join the Zoom meeting with your Berkeley account.
  - You may join a Zoom meeting with a computer, tablet, smartphone, or by calling in. Please join with a computer with a camera and microphone (built-in or external) if possible as it will give you the best access to content

## Zoom Policies

- Please keep the Zoom link private—do not share with anyone outside of the course.
- Please set your Zoom name to be the name you would like the instructors to call you. You may optionally include your personal pronouns.

- Please set your Zoom picture to an appropriate profile picture of you to foster a sense of community and enhance interactions. If you are not comfortable using an image of yourself, you may use an appropriate picture of an avatar.
- We encourage participating in class and discussion with your video on to foster a sense of community and enhance interactions. However, we understand that some students are not comfortable with video or may not be able to participate by video.
- We will be recording all Zoom classes. We will announce when the recording is beginning during each lecture. If you do not wish to be recorded, please turn off your video, mute your audio, and use chat to ask questions. The chat record will be deleted immediately after class ends.
- The 15-Minute Rule. Since the live version of the class relies on technology that can fail (e.g., wifi failure, rolling blackouts, Zoom crashing, etc.), the 15-minute rule applies. If the Zoom session does not begin within 15 minutes of class time then you can assume that there has been a failure somewhere in the technology link and that there will not be a live class that day. Similarly, if the Zoom session drops in the middle of a class and it does not resume within 15 minutes, consider the live version of the class to be finished for the day. In either case a video of the class and any remaining key points will be made and posted as soon as technology permits.
- Please leave your audio on mute during the lecture, but be prepared to unmute yourself to ask or answer questions or participate in breakout rooms.
- We will use Zoom features such as breakout rooms, polls, and the whiteboard as well as external tools such as bCourses. To maximize your ability to participate during lecture we recommend joining Zoom via a computer or tablet with a video camera and microphone.
- We understand that your specific situation may present challenges to class participation. Please let me know if you are having trouble accessing the course material. The [Student Technology Equity Program](#) [Links to an external site.](#) (STEP) is available to help students get access to a laptop, Wi-Fi hotspot, and other peripherals (e.g. webcam, headphones, etc.).

## **Zoom Chat**

- In this course we will use Zoom chat as a mechanism to build community and foster information and resource sharing among students. To these ends, chat will be enabled before class and during breaks. In addition, we will enable chat periodically to gather input on specific questions and activities to benefit the full group. The same expectations for respectful communication hold for chat as they do for face to face interaction.

## **Questions during class**

If there is a technical difficulty during lecture you may unmute yourself to notify the instructor (e.g., the instructor is on mute, screen sharing isn't working, etc.).

- The "raise hand" feature and chat will not be continuously monitored during lecture.

- I will periodically pause and ask for questions. At this time please use the “raise hand” feature in Zoom and unmute yourself when I call on you. You may also ask your question in the chat at this time.

## **Breaks**

- If you need to take a break for any reason during a Zoom meeting simply turn off your video and audio to avoid disruption. You do not need to request permission or message me or the class.

## **bCourses Site**

- The bCourses site will be the central hub for all course information.
- Please [set your bCourses notifications \(Links to an external site.\)](#) so that you do not miss any announcements or assignments.
- Check the bCourses site frequently (at least once per week) to stay current with all course activity.

## **Office Hours**

- Office hours will be via [Zoom \(Links to an external site.\)](#) each week on Mondays, from 1-2 p.m. Pacific Time and or Fridays from 2-3 p.m. Pacific Time.
- You may sign up for office hours using the course calendar.
- All questions and answers will be heard by all participants in the Zoom meeting. If you have a question pertaining to your personal situation please email me.

## **Assignments and Grades**

To earn credit for this course, you will need to attend class on a regular basis, participate regularly in class discussions (during “live” classes or via bCourses Discussion), write two written response papers (1-2 pages each), respond orally three times to the response papers of other students, present one concrete illustration of a key point in the readings, and successfully complete two take-home exams/essays: a midterm (4 pages) and a final (5 pages).

Each of these requirements is described in more detail below.

**Written Response Papers:** The response papers should be in the form of a critical response to the reading for the week. By this I mean that you must make an argument about what you view as the strengths and/or weaknesses of the reading.

Your response papers will be distributed to the entire class and serve, in part, as a basis for discussion on that day. You will be expected to orally defend your papers to the rest of the class and to help guide discussion on the issues that you raise. If you

are not able to connect online on the day that your paper is discussed, you may defend your paper and guide Discussion in bCourses.

**Responses to Student papers:** You will also be expected to prepare responses to your classmates' essays, at least three times in the semester. Again, the expectation is that you will make arguments about what you view as the strengths and/or weaknesses of the main points of the essays. If you are not able to connect online on the day(s) that you signed up to provide a response, you may post a video of your response or respond via Discussion in bCourses, as soon as technology permits.

**Concrete Illustration Requirement:** Once during the semester, you must provide the class with some sort of concrete illustration of the week's reading. The concrete illustration can be in any form, so long as you can successfully relate the illustration to the week's reading. If you are not able to connect online on the day that you signed up to provide concrete illustration, you may post a video of your illustration or share the concrete illustration via Discussion in bCourses.

**Exams:** The mid-term and final exams will test material from class, assigned readings, and class discussions for the entire semester.

Your final grade will be calculated as follows:

Class Engagement (including responses to other students' papers and comments, the concrete illustration and contributions via Discussion in bCourses):  
10%

Written Response Papers: 20%

Midterm exam (due date October 30th): 30%

Final Exam (due December 17<sup>th</sup> at 6 p.m.): 40%