

## **JUFN19, Introduction to the Legal System of the United States, 15 credits**

*Introduction to the Legal System of the United States, 15  
högskolepoäng*

**Second Cycle / Avancerad nivå**

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### **Details of approval**

The syllabus is an old version, approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2013-11-06 and was valid from 2014-01-20, spring semester 2014.

### **General Information**

The course Introduction to the Legal System of the United States is open to students on the programme leading to a Swedish Professional Law degree. It is also open to students participating in international exchange programmes with the Faculty of Law.

The course is scheduled to require 10 weeks of full-time studies.

Lectures and course materials are in English.

*Main field of studies*

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*Depth of study relative to the degree requirements*

A1N, Second cycle, has only first-cycle course/s as entry requirements

### **Learning outcomes**

The primary aim of the course is to enable students to have a general sense of the US legal system and of core elements of US theoretical and practical approaches to a variety of substantive and procedural legal questions. The secondary and tertiary aims are to enable students to understand and produce case-based legal analysis and arguments, and to provide students with experience in examining legal issues from a critical comparative perspective.

## **Knowledge and understanding**

To pass the exam the student shall:

- show a solid understanding of primary elements of the legal system in the United States, including the US governmental structure, federalism, judicial review, sources of law, the common law system, and the federal judicial system.
- show a solid understanding of the primary elements of the substantive areas of law discussed in class, e.g. equal protection, contract law, criminal process, etc.

## **Competence and skills**

To pass the exam the student shall show a good ability to:

- Read and understand a judicial decision in a common law context
- Make a solid legal argument drawing on case law as well as other sources
- Use information gained in the course, along with pre-existing knowledge of the Swedish or another national legal system, to undertake critical comparative analysis of different approaches to questions of substantive or procedural law.

## **Judgement and approach**

Students should be prepared to speak and argue actively in class.

## **Course content**

The course provides an overview of US law, with a focus on basic processes and concepts. Topics addressed include the US governmental structure, sources of law in the US, the common law system, US approaches to constitutionalism, and the federal judicial system (including its role in the legal process). The course also examines individual topics in law, exploring US legal approaches to issues that might include, for instance, individual rights (especially equal protection and non-discrimination), contracts, criminal law and process (including the jury system in criminal contexts) and the intersections of national and international law. Legal education and practice in the US will also be discussed. The course includes a strong comparative component, with class discussion often focusing on exploring the implications of differing national (primarily US and Swedish) approaches to the relevant legal questions.

## **Course design**

Teaching is provided in the form of lectures, readings and "Socratic style" class discussions. Students are expected to take an active part in the class discussion, including briefing cases in advance and being prepared to analyse them verbally in class. Some ungraded collaborative work with other students may be assigned as well.

## **Assessment**

Although attendance is not graded, given the nature of the teaching style, attendance at the class sessions is a critical element of the course.

The course will be graded upon a single take-home exam.

*Subcourses that are part of this course can be found in an appendix at the end of this document.*

## **Grades**

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grade criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grade criterion must be satisfied in its qualitative as well as its quantitative dimension.

Grading criteria are applied to all dimensions listed as "Learning outcomes" in this syllabus. By way of example, an AB would presuppose that the student's examination reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as "learning outcomes". Grading is done primarily using qualitative and quantitative criteria. The quantitative criterion reflects how well-versed the student is in the knowledge provided by the course, whereas the qualitative criterion reflects how well the student can use his/her knowledge to make a well structured critical and analytical argument and put it in a proper context.

### **B – Basic command**

In order to pass the student must show basic knowledge of the core elements of the overall US legal system.

The student must be able to demonstrate familiarity with the core elements of the substantive areas of US law (e.g. contracts ) covered in the course.

The student must show a basic ability to read and analyse case law and to make legal arguments based on case law and other sources of law.

### **BA – Advanced command**

In order to achieve this grade the student must show solid knowledge of the core elements of the overall US legal system, including leading cases and other sources of law as taught in the course.

The student must be able to demonstrate solid knowledge of the core elements of the substantive areas of US law (e.g. contracts) covered in the course, including of the leading cases and other sources of law as taught in the course.

The student must show a solid ability to read and analyse case law and to make strong legal arguments based on case law and other sources of law.

The student must be able to take one or more aspects of substantive or procedural US law and examine it critically and clearly from a comparative law perspective, drawing on the Swedish or another legal system. This may involve an individual research component.

### **AB – Mastery**

In order to achieve the highest grade the student must show in-depth knowledge of the core elements of the overall US legal system, including leading cases and other sources of law as taught in the course.

The student must be able to demonstrate in-depth knowledge of the core elements of the substantive areas of US law (e.g. contracts) covered in the course, including of the leading cases and other sources of law as taught in the course, and be able to use

that knowledge to make effective legal arguments in specific factual contexts.

The student must show a solid ability to read and analyse case law, to present that analysis clearly and concisely, and to make strong legal arguments based on case law and other sources of law.

The student must be able to take one or more aspects of substantive or procedural US law and examine it critically, clearly and in-depth from a comparative law perspective, drawing on the Swedish or another legal system. This may involve an individual research component.

## **Entry requirements**

For students studying for the professional Degree Master of Laws: prerequisites for studies on the 7th or 8th semester stated in the Curriculum for the Law Study programme.

Prerequisites for international exchange students: relevant undergraduate studies corresponding to three years at a university level.

## **Further information**

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

## Subcourses in JUFN19, Introduction to the Legal System of the United States

Applies from V14

1301 Introduction to the Legal System of the United States, 15,0 hp  
Grading scale: Fail, Pass, Pass with credit, Pass with distinction