

The University of Tennessee at Chattanooga

PSPS 3310: American Constitutional Law

3 credit hours, face-to-face

Course: PSPS 3310
Semester: Fall 2026
Meeting Time: Tuesday and Thursday 4:20 – 5:45 PM

Instructor: Trevor G. Samaha, Ph.D.
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Course Catalog Description:

Case studies of key Supreme Court decisions affecting the distribution of power in American society.

Course Introduction:

This course will focus on the U.S. Constitution and the U.S. Supreme Court, and the role both have played in distributing and limiting governmental power. We will examine how the Court has defined the powers of Congress, the president, and the federal courts; how it has resolved conflicts among those branches; how it has divided authority between the national government and the states; and how it has treated economic liberties such as contracts and property. This course will not focus on individual rights and liberties such as speech, religion, and the rights of the accused; those are covered in PSPS 3320 – Civil Liberties.

Although helpful, PSPS 2300 is not an official prerequisite for this class. However, I will spend a minimal amount of time in this class reviewing helpful introductory concepts like judicial review or constitutionalism. Students who have not taken PSPS 2300 and who feel at a disadvantage during the first several weeks of the semester should contact me for help.

Expected Learning Outcomes:

1. Develop a substantive understanding of historical and modern developments in the constitutional law of institutional powers and constraints.
2. Understand how societal and political factors interact with the law. In particular, understand how these factors influence Supreme Court justices and their interpretation of the Constitution and decision making.
3. Develop the ability to read, understand, and interpret U.S. Supreme Court decisions, and summarize them effectively.
4. Apply your understanding gained from course readings and lectures to current and hypothetical legal issues to arrive at a well-reasoned decision that you can clearly articulate with sufficient legal justification.
5. Enhance your oral and written communication skills through classroom discussion and written assignments.

In addition to the course-specific learning outcomes, we will be reinforcing and practicing each of the following PSPS student learning outcomes:

1. Students are able to apply key concepts used to study governmental and non-state structures and actors in political systems.
2. Students are able to analyze political phenomena and critique arguments in a theoretically informed manner.
3. Students are able to apply their disciplinary knowledge to address contemporary, real-world problems.

4. Students are able to identify, evaluate, and accurately apply verifiable sources of evidence, including empirical research.

Notes on the Syllabus:

This syllabus is the first place you should turn to when you have questions about your responsibilities or the structure of the course. If you do not find the information that you are looking for in the syllabus, please feel free to contact me with questions.

Information contained in the syllabus, especially regarding scheduling, is subject to change during the semester at my discretion. Generally, such changes will move the due dates for some readings back or remove some readings from the schedule. I will announce any changes in class and by email. **The best way to ensure that you are aware of any changes is to attend class** and check your Mocs email regularly. I will also try to update the course reading schedule available on Canvas whenever changes are made, but such updates may not be made immediately. If there is an unintended contradiction between this syllabus and university policy, the university policy supersedes the syllabus.

Course Materials:

Required Book:

Epstein, Lee, Kevin T. McGuire, and Thomas G. Walker. 2025. *Constitutional Law for a Changing America: Institutional Powers and Constraints*. 12th ed. Thousand Oaks, CA: CQ Press. ISBN: 9781071934470

The bulk of the readings for this course will come from the assigned textbook. If there are any additional readings, they can be found on the course Canvas page.

Grading Criteria:

Attendance	100 points
Pre- and Post-Test	100 points
Case Briefs	260 points
Quizzes	140 points
Written Assignments	200 points
Final Exam	200 points
TOTAL	1000 points

Determination of Grades:

1000 points	A+
930-999 points	A
900-929 points	A-
870-899 points	B+
830-869 points	B
800-829 points	B-
770-799 points	C+
730-769 points	C
700-729 points	C-
600-699 points	D
<600 points	F

I will round anything .5 or more to the next highest point. (For example, a 799.6 will be rounded to 800, but a 797.6 will be rounded to 798, *not* 800.)

Your beliefs and values about politics and society have **absolutely no impact on your grade**. Your grade is based on completing the requirements of the course. Do not assume that agreeing with my ideology will enhance your grade and do not assume that disagreeing with my ideology will hurt your grade. There is no relationship between your beliefs and values and your grade.

Attendance: Simply put, attendance is mandatory. Every absence beyond the second will cost you ten points from your attendance score. You start with 100 attendance points and can only go down from there. **Essentially, you get two free absences**. Since I do not distinguish between excused and

unexcused absences, students are strongly encouraged to save their free absences for sessions missed due to illness, emergencies, and schedule conflicts, such as participation on UTC athletic teams. If you miss class, you will not be allowed to make up any in-class work from that day, including quizzes or exams. Students may also lose attendance points if they are physically present but do not meaningfully participate in class activities, discussions, or exercises.

Pre- and Post-Tests: At the beginning of the semester, you will be asked to complete a multiple-choice test that will ask you about your knowledge of American constitutional law, as well as your comfort levels with different topics and types of coursework. You will take the same test again at the end of the semester. These tests will establish your baseline knowledge of the course material and show how much you learned/retained by the end of the semester. These tests will be graded for completion and good-faith effort only, so you will get full credit as long as you complete the tests and it looks like you thought about the questions and your answers.

Quizzes: Quizzes will be held (almost) weekly throughout the semester and are based primarily on the assigned readings. Their purpose is straightforward: to confirm that you've completed the reading and are ready to engage with the material. Quizzes will typically take place on Tuesdays. However, if another scheduling conflict arises, the quiz may be moved to Thursday. In short: always come prepared to take the quiz on Tuesday, but know that it may occasionally shift to Thursday. All quizzes will be administered in class. They are closed book and closed note. If you are not in class for a quiz, you will receive a zero on the quiz unless you made arrangements to take the quiz at an alternate time or on an alternate day *before* the quiz was administered.

Case Briefs: During the semester, you will be completing 26 case briefs that outline important information about cases we will be studying. We will be using the "Facts, Issue, Rule, Application, Conclusion" (FIRAC) briefing style where you will create one-page briefs outlining what happened in the case, how the Court ruled, what legal rules were applied, and why this case is important. I will provide more details about these case briefs, including the grading rubric and an example, in a separate document that is posted on Canvas. The case briefs must be brought to class both Tuesday and Thursday the week that they are due (listed on the schedule below). They will be turned in at the end of class on Thursday. You must print out and turn in hard copies of your case briefs. They will be returned to you after they are graded.

Written Assignments: At two different points this semester, you will complete a writing assignment in which you apply course concepts to current or hypothetical legal issues. These assignments give you the opportunity to work on your analytical skills while also showing your comprehension of course topics. More information will be given on each assignment individually.

Final Exam: To evaluate all that you learned throughout the semester, there will be a final exam for this class. More information regarding the format and expectations for the exam will be given later in the semester.

Classroom Policies:

It is expected that all students adhere to the following at all times:

1. Respect the viewpoints, opinions, and backgrounds of others at all times. We will frequently encounter potentially difficult and controversial questions and topics. We must all make every effort to tolerate competing and contradictory views and create and sustain a space where everyone feels comfortable expressing opinions on law, politics, and society. All students have a right to a productive and safe learning environment. I endeavor to maintain a classroom environment that allows for lively, yet mature, debate: feel free to state your opinions on

politics and society, but do so intelligently, without rancor or vitriol, and allow your classmates to do the same.

2. “Smart” glasses (Meta, Viture, etc.) are prohibited in class at all times. This is especially important during exams/quizzes. If you wear smart glasses for any reason during an exam or quiz, you will receive a zero on the exam/quiz.
3. Silence your cell phone **before** class starts and stay off it during class. No texting/emailing/Tweeting/Snapchatting or any other form of electronic communication during class. It’s distracting and disrespectful to the students around you and me. Keep your phone in your pocket or in your bag during class, not on your desk. If I see you on your phone, I will ask you to put it away and you will lose attendance points for that class. This is especially important during exams/quizzes. If you use your phone for any reason during an exam or quiz, you will receive a zero on the exam/quiz.
4. No recording (audio or video) of the lectures by students is permitted.

Failure to follow these rules may result in being asked to leave the classroom for the remainder of the meeting period.

Academic Integrity:

Students are required to adhere to the university’s policies regarding academic dishonesty. The integrity of the classes offered by any academic institution solidifies the foundation of its mission and cannot be sacrificed to expediency, ignorance, or blatant fraud. Therefore, I will enforce rigorous standards of academic integrity in all aspects and assignments of this course. If you are found to have plagiarized on any assignment, you will receive a zero for that assignment. If you are found to have plagiarized on the written portion of an exam, or any writing assignment, in addition to receiving a zero on the paper or assignment, I reserve the right to give you a failing grade for the class based on the severity of the infraction.

For UTC’s detailed policies regarding the definitions of acts considered to fall under academic dishonesty and possible ensuing sanctions, please see the Student Code of Conduct and Honor Code. Should you have any questions about possibly improper research citations or references, or any other activity that may be interpreted as an attempt at academic dishonesty, please see me before the assignment is due to discuss the matter.

The University’s Honor Code Pledge states: “As a student of the University of Tennessee at Chattanooga, I pledge that I will not give or receive any unauthorized assistance with academic work or engage in any academic dishonesty in order to gain an academic advantage. I will exert every effort to insure that the Honor Code is upheld by myself and others, affirming my commitment to a campus-wide climate of honesty and integrity.”

Artificial Intelligence (AI) use policy: Students may use AI tools (such as spell checkers and grammar checkers or language refinement tools) to assist with proofreading and stylistic improvement of their writing. However, the substance of all written work (ideas, arguments, structure, content, etc.) must originate entirely from the student. AI may not be used to generate, compose, or substantially rewrite any portion of an assignment. The use of AI to produce original content, even if later edited by the student, constitutes a violation of academic integrity and will be treated as plagiarism. Put simply, you may use AI to polish your prose, but not produce it.

Example:

Acceptable: You write a draft of an essay and use AI to suggest clearer phrasing or correct grammar.

Unacceptable: You ask AI to “write an essay about the functions of the federal Courts of Appeals” and submit the result, even if you make your own edits.

If you are unsure whether a particular use of AI is appropriate, ask me before submitting the assignment. When in doubt, err on the side of avoiding AI. I may require an oral defense of any assignment before assigning a grade.

Institutional Policies:

Students are responsible for reviewing and being familiar with the university’s policies, including the Campus Syllabus (<https://www.utc.edu/academic-affairs/campus-syllabus>).

PSPS 3310 – Fall 2026 – Schedule

Readings are expected to be completed before the week they are assigned (unless another due date is specified). For example, you should read chapter 2 of the Epstein, McGuire, and Walker (notated as “EMW”) book before you come to class week 2 of the semester. All reading assignments can be found either in the assigned textbook or on Canvas. Important dates are in bold. The schedule is subject to change during the semester at my discretion. Generally, such changes will move the due dates for some readings/assignments back or remove some readings/assignments from the schedule. I will announce any changes in class and by email.

Week 1 – Course Introduction – August 25th and 27th

Readings: EMW chapter 1

Week 2 – Judicial Review – September 1st and 3rd

Readings: EMW chapter 2

Briefs:

Marbury v. Madison (1803)

Martin v. Hunter’s Lessee (1816)

Week 3 – Constraints on Judicial Power: Article III – September 8th and 10th

Readings: EMW chapter 2

Briefs:

Baker v. Carr (1962)

Lujan v. Defenders of Wildlife (1992)

Week 4 – The Legislature – September 15th and 17th

Readings: EMW chapter 3

Briefs:

McCulloch v. Maryland (1819)

Powell v. McCormack (1969)

Week 5 – The Executive – September 22nd and 24th

Readings: EMW chapter 4

Briefs:

Bush v. Gore (2000)

Clinton v. Jones (1997)

Week 6 – The Executive – September 29th and October 1st

Readings: EMW chapter 4

Briefs:

Trump v. Vance (2020)

Trump v. United States (2024)

Week 7 – Interbranch Interactions – October 6th and 8th

Written Assignment 1 due October 11th at 11:59 PM

Readings: EMW chapter 5

Briefs:

INS v. Chadha (1983)

Ex parte Milligan (1866)

Week 8 – Federalism – October 13th and 15th

October 13th – NO CLASS – Fall Break

Readings: EMW chapter 6

Briefs:

Dred Scott v. Sandford (1857)

Murphy v. NCAA (2018)

Week 9 – Commerce Power – October 20th and 22nd

Readings: EMW chapter 7

Briefs:

Gibbons v. Ogden (1824)

Wickard v. Filburn (1942)

Week 10 – Commerce Power – October 27th and 29th

Readings: EMW chapter 7

Briefs:

Heart of Atlanta Motel v. United States (1964)

United States v. Lopez (1995)

Week 11 – The Power to Tax and Spend – November 3rd and 5th

Readings: EMW chapter 8

Briefs:

Pollock v. Farmers' Loan & Trust Co. (1895)

National Federation of Independent Business v. Sebelius (2012)

Week 12 – The Contract Clause – November 10th and 12th

Written Assignment 2 due November 15th at 11:59 PM

Readings: EMW chapter 9

Briefs:

Fletcher v. Peck (1810)

Home Building & Loan Assn. v. Blaisdell (1934)

Week 13 – Economic Substantive Due Process – November 17th and 19th

Readings: EMW chapter 10

Briefs:

West Coast Hotel v. Parrish (1937)

BMW of North America v. Gore (1996)

Week 14 – The Takings Clause – November 24th and 26th

November 26th – NO CLASS – Thanksgiving Holiday

Readings: EMW chapter 11

Briefs:

Kelo v. City of New London (2005)

United States v. 564.54 Acres of Land (1979)

Finals Week – Final Exam – December 2nd through 8th

Final Exam is Tuesday, December 8th from 3:30 – 5:30 PM