

**COURSE SYLLABUS**  
SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF LAW  
LAW 585.01, **State and Local Government Law** Online (3 Credit and Lecture Hours),  
Spring 2020

**Instructor Contact Information**

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**1. Course Description and Outcomes**

This course is designed to expose students to the dynamics and intricacies of the political and constitutional roles of state and local governments within the scheme of the U.S. federal system. Opening with historical backgrounds necessary for proper understanding and appreciation of subnational governments, guided by the main textbook, the course covers multiple issues bearing on the topic, many of them interrelated, including: (i) the current structure of US state and local government and alternative futuristic models, (ii) executive powers, (iii) subnational civil service systems and the influence of collective bargaining in these systems, (iv) powers and functions of state legislatures, (v) judicial review and citizen control of governmental action under the US subnational systems, (vi) the broader role of the judiciary in subnational governments, (vii) governmental liability, (viii) the doctrine of preemption related to the powers of subnational governments, and (ix) financing of subnational government operations.

The American Bar Association's standards for accrediting law schools contain a formula for calculating the amount of work required to earn one hour of law school credit. Based on that formula, each of the three credit hours of this course reasonably approximates one hour of in-class instruction and at least two hours of out-of-class work per week for the 15 weeks of the academic semester. What this means for us in this three-credit-hour online course is that you should plan on spending the equivalent of 9 hours weekly devoted to this course, three of what you would have invested in a regular classroom setting, plus six hours outside in activities related to this course.

Upon successfully completing this course, students will be able, among other achievements, to:

(i) gain familiarity with state and local government law, within the instructional universe spelled out in this statement and the cognitive skills appropriate for this upper-level course, namely, apply, analyze, evaluate, and create, consistent with the taxonomy of learning domains set forth by Benjamin Bloom;

(ii) dirty their hand in practice, so to say, by completing a state and local government instrument, e.g., a local government ordinance, part of the evaluation in this course, see the section below under **Assessment Instruments**.

## **2. Required Textbook**

Daniel R. Mandelker et al., *State and Local Government in a Federal System, 8th Ed.* (LexisNexis, 2014), 978-1-63280-824-0

## **3. Supplementary Readings**

Along with this syllabus, supplementary readings related to this course, should they become necessary in any of the nine organizational units of this course (see first paragraph of the course description) will be identified and posted by the instructor on this course management system.

## **4. Assessment Instruments**

- (i) State or Local Government Instrument, e.g., Local Government Ordinance (20%). More details related to this requirement will be provided to you as the semester goes on.
- (ii) Midterm Exam (30%).
- (iii) Final Exam (40%).
- (iv) Contributions to Discussion Forums (10%)

## **5. Plagiarism**

*Plagiarism* is academic misconduct, an act of fraud, that will *not* be tolerated in this course. Plagiarism occurs or is present when the plagiarist takes someone else's work and/or idea and passes it off as his or her own, rather than give credit to the rightful owner or receive the owner's consent beforehand. SIU Law's Honor Code defines plagiarism as "passing off another's ideas, words, or work as one's own, including written, oral, multimedia, or other work, either word for word or in substance, unless the student author credits the original author and identifies the original author's work with quotation marks, footnotes, or other appropriate designation *in such a way as to make clear the true author of the work*" (emphasis added).

There are four types of this (mal)practice that some writers identify: *direct*, *self-plagiarism*, *mosaic*, and *accidental*. *Direct plagiarism* occurs when the plagiarist transcribes word for word a section of someone else's work, without attribution and without quotation marks. *Self-plagiarism* occurs when a plagiarist submits his or her own previous work, or mixes parts of previous works, without permission from the professors involved. This would be the case, for example, when a student submits the same piece of work for assignments in different classes without previous permission from the different professors. *Mosaic plagiarism*, also known as "patch writing," occurs when the plagiarist paraphrases another's work without using quotation marks or finds synonyms for the plagiarized language while staying with the general structure and meaning of the original. Last but not least is *accidental plagiarism*. This brand of plagiarism takes place when the plagiarist neglects to cite his or her sources or misquotes the

sources, or unintentionally paraphrases a source by using similar words, groups of words, and/or sentence structure without attribution. The lesson from this brand of plagiarism is that students must learn how to cite their sources properly and to conduct their research in a painstaking manner, bearing in mind that lack of intent does not absolve them from responsibility for plagiarism. In other words, cases of accidental plagiarism are taken as seriously as any other plagiarism and are subject to the same range of consequences as those others.

### **6. Course Schedule<sup>1</sup>**

<b>Week</b>	<b>Reading</b>	<b>Comments, if any</b>
One	Historical Background: Overview of the US Political and Constitutional System, 1st of 2 Readings, Chap. 1, pp. 1-39.	
Two	Historical Background: Overview of the US Political and Constitutional System, 2nd of 2 Readings, Chap. 1, pp. 39 (beginning with Notes on Reforming Local Government)-73.	
Three	Experience of Federalism under the US Governmental System, Chap. 7	
Four	Current Structure of US Subnational Governments, Chap. 2, titled “Local Government Powers and State Preemption.”	Also review the reading for Weeks 1-2.
Five	Alternative, futuristic models of US Subnational Government, Chap. 3.	
Six	Executive Powers, Chap. 10.	
Seven	Subnational Civil Service and Related Matters, including Collective Bargaining, Chap. 5.	
Eight	Power and Functions of State Legislature, Chap. 8.	
Nine	Judicial Review and Citizen Control in the US Subnational Systems, Chap. 11.	
Ten	Broader Role of the Judiciary in Subnational Governments, Chap. 9.	
Eleven	Governmental Liability, Chap. 6.	
Twelve	Doctrine of Preemption Relative to Subnational Governments, Chap. 2.	
Thirteen	Financing of Subnational Government Operations, 1st of 3 Readings, Chap. 4, pp. 209-50.	
Fourteen	Financing of Subnational Government Operations, 2nd of 3 Readings, Chap. 4, pp. 251-366 (before Econ. Development Finance)	

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<sup>1</sup> Subject to adjustment, when necessary, consistent with supplementary and related materials.

Fifteen	Financing of Subnational Government Operations, 3rd of 3 Readings, Chap. 4, p. 366- 457	
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