**TERM PAPER: The topic is “Landmark Case and Why Does it Still Matter?”** Each student is required to submit at least a 5 page typewritten research paper which reflects critical thinking and relates to course material we cover in Business Law class(eg Constitutional law, torts, contracts). Review your course syllabus and text chapters for areas of law we plan to cover this term. The area of law and landmark case should be picked by you, however, **it must be** **approved by the Instructor**.

**The Term Project :**

* Find a **Landmark** case. You can do a google search by asking for landmark cases decided by the US Supreme Court. If you have an area of law you are interested you can narrow that search by asking for “***what landmark cases address freedom of speech”***. Find your case by using its full name and citation (eg 245 US 309 **By sharing your case early with me so I can help you understand if it is a good case.**
* **Print the full landmark case, including its decisions. Read the full case, including its Majority Opinion, and any other opinions (Concurring or Dissenting Opinions)**
* There are two parts to your report: Part I: **briefing of the landmark case** and (b) why your is a landmark decision and remains significant.
* **PART I THE CASE BRIEF should be no more than two pages. See Appendix 1A at end of chapter 1. This is the discussion of your landmark case(worth 25% of your term paper grade) similar to what we will do in class for the Plessy case and Brown vs. Board of Education**. Part I includes the following sections which should be labeled:

1. **FIND THE FACTS:** What are the **key facts** behind the case, which include the relevant parties and what happened in the case from the lower court where the case began and the appellate court decision.
2. **Issue**: What is the key controversy raised by the party bringing the challenge to the US Supreme Court (USSC) to be addressed. The issue is addressed as a question.
3. **Holding/Majority or Unanimous Decision**: This is written by the Justice or Judge and voted by the a majority of the US Supreme Court forms the decision that answers the “Issue” above with a “Yes” or “No” to the question in the issue. Give the name of the Justice that wrote the decision and the number of votes of the USSC (such as 6-3, 5-4).
4. **Legal Reasonin**g: What is the **reasoning** of the Justice who wrote the **majority** decision, that is, why did they decide to write the decision the way they did? How did he or she apply the facts of the case to the law? Find the key supportive thoughts behind the decision. Sometimes you will see **“Concurring”** **decisions** which means that Justice was counted among the **majority BUT had different reasoning than the majority. That concurring reasoning should also be discussed in this Part I.**

* **Part I will be turned in first(see schedule below)**. This part is to help you understand your case better. I recommend you answer the questions posed here first
* **PART II-ANALYSIS OF YOUR CASE AS A LANDMARK CASE. This part should be at least 3 pages and shows your research**. The second part of your paper and a significant part of your grade (**75% of your term paper grade**) and reflects your understanding why your case was a **landmark decision** for the topic you picked and why the case still matters as legal precedent. There are you can provide documentation and proof. You should have at least 4 additional sources to your landmark case, which can include two additional cases and two legal articles.

1. **Find additional USSC cases that discuss your landmark case.**

1. **Find legal articles that discuss your landmark case’s precedence and its remaining importance or modification through later cases.** Use outside legal research from legal experts who discuss your case and likely later court decisions which may help you find the additional cases in “a” above. discuss the implications of your case by answering: **why do you think this case made it to the highest level court? Why do you think it is a landmark case? Is it still controversial**? Is it a change from precedent and if so, why now? Were there societal pressures, political pressures? Get behind the case using independent research from legal experts or scholars to understand the background of the case. **Find legal articles** If you find a later case that followed your case, how did it compare and differ in terms of the landmark case. What there a different timeframe in our society? Address the relevance of the other case and how you would relate to other similar cases. Clearly, the more support you can provide for why your case is a landmark, the better your grade.

* **FINAL PAPER SHOULD HAVE AN INTRODUCTION, CONCLUSION AND WORKS CITED PAGE. The** The introduction should be no more than one-two paragraph(s) to introduce the name of the case and how your report is organized into its two sections and what the sections address. Your conclusion is your opinion of the report, what you learned and what you thought of the decision of your main case or the later decisions.. You will need to have a “**Works Cited**” page with full citations, including your landmark case, any other court cases and legal articles. You may use websites sponsored by org, gov or edu domains that are Law-oriented. For example websites of ACLU, US Supreme Court, NYS Unified Court System, Historical Society of NY Courts and any other relevant sites. If you are looking at a case where the party is a large publicly traded company feel free to use that company’s website as a start**.**

**Key Due Dates**:

**On or before September 26th.** Please send me an email to [lmeltzer@qcc.cuny.edu](mailto:lmeltzer@qcc.cuny.edu) OR submit a typed note letting me know what your landmark case is. Once I OK your case please begin reading your case fully, not an abbreviated version and identify key parts as discussed A above. Most of the time it is a great case to use. Students sometimes start researching their case and sometimes there case is not a “good” case for this type of assignment and you lose time unnecessarily.

**On September 27th**. You will print and bring the entire approved landmark case to our meeting in the Library building in room LB 302 during the time your class meets regularlyand bring a copy of your approved . **To make your information literacy session productive, please make sure you have read the full case before our 9/27 meeting.**

**October 11th—Part I DRAFT is due. Read your case fully then submit answers to the questions noted above.. This is called a case brief, analyzing each section of your case by category: Facts including what happened in the lower courts (trial and appellate levels), Issue and Decisions and reasoning as explained above.** This is worth 25% of your grade and this is a draft that you may improve on. I will turn part one back to you as quickly as possible but you should begin researching Part II. I may require you to resubmit Part I a week later. **PLEASE NOTE THAT LATENESS WILL RESULT IN POINTS OFF ON FINAL TERM PROJECT UNLESS IN THE RARE CASE THE PROFESSOR GRANTS PERMISSION.**

**November 19th Draft submission** **of *complete* paper, including part 1 and 2**. For submission, you must submit your paper in nearly final form with ***: Introduction(about one paragraph) , Part I Briefing of Case (about 1.5 pages) and Part II Discussion of your case as a landmark decision backed by legal sources(about 3 pages) , a Conclusion, a Works Cited page with citations.*** I will accept papers earlier as submitting your paper early, you will have the benefit of my reviewing the paper as a Draft and commentary so that you may improve your grade if needed. Before handing in your paper, please do spellcheck, make sure to have all required sections and review your work carefully. Sloppy work reflects on your grade. For those of you who need and want extra help. **In addition, please use QCC's resources, notably the Writing center for help if you need it before handing in your paper.** Note: The earlier papers will get the most attention for suggestions for improvement.

**DEC 5th—Final Paper submission, with all parts. After this date I will deduct points from your paper for lateness. I will deduct 3 points for each class date you are late. Absolutely no papers accepted after Dec 12th. Zero will given fo.r those who do not submit by this date. Your paper is a significant percentage of your final grade**

**GRADE RUBRICS:**

**Part 1 The Case Brief worth 25% or 25 points includes the Introduction** should include all key aspects, notably facts, issue, decisions and reasoning.Well organized, clear, concise writing in full sentences (not in bullet points) addressing the nature of the case. Your introduction precedes Part I and introduces the reader to the case, and what it stands for (eg. Equal Protection constitutionally required **for public school facilities based on the Brown decision).**

**Grade Rubrics for Part 1 worth 25 points:**

Basic facts of case and which courts the case originated in, went through appeal before going to the highest court: **5 points**

Discussion of the Issue and Decision (s) including majority, concurring and dissent: **10 points**

Discuss the legal reasoning the court gave for deciding the way it did in its majority decision, and any other decisions eg dissent**: 10 points**

**Part II: worth 75% or 75 points of total grade, includes Introduction and Conclusion which circles back to your Introduction.**

**Grade Rubric for Part 2:**

Your paper should be**: Well organized with clear, concise writing**

**Critical Thinking using good sources is key to your grade**-How well are you discussing why your case remains a strong legal precedent

**Research requires suitable, valuable and multiple sources, notably discussion of cases that used your landmark case as precedent AND a discussion about what legal expert opinions are on your landmark case and included in your Works Cited**

**75 Points : For 4 Additional Sources Minimum :** Using **at least two cases** that use your landmark precedent Make sure those cases come after your landmark case was decided! For example, if your landmark case is Brown vs Board of Education, decided in 1954, don’t use cases like Plessy or any cases that were decided before Brown case was decided. Also, use **at least two legal articles** well discussed that point out **why your case as a legal precedent.**

***If there are fewer cases than two for you to use, then balance your paper with more articles or in reverse.***

If you only use two sources, that is one case and one article, your score will be brought down to **50-60 points and will depend on your analysis.**

One source only, either one case or one article, you will likely score below 50 points.

**No part 2- ZERO for part 2 and unlikely you can score more than an F on your paper.**

**Contact**

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