

Federal Courts
Introduction to the Class

1. new name of course (old name: Federal Jurisdiction)
2. Syllabus: what is covered, what isn't (e.g., original, diversity, and appellate jurisdiction; habeas corpus)
3. Hart & Wechsler casebook & 2008 Supplement; on reading footnotes, see p.v of the casebook
4. On history of the casebook: Hart & Wechsler (1st edition 1953); Bator, Wechsler, Shapiro & Mishkin (2d and 3rd editions); and Fallon, Meltzer & Shapiro (4th and 5th editions)
5. class sessions per topic; mini-syllabi & TWEN
6. "specially prepared" students
7. seating chart & attendance
8. grading (class attendance and participation; final open-book exam)
9. study aids
10. laptops are ok for note-taking, but not for in-class use of the internet, or other non-class activities
11. contacting me: michael.solimine@uc.edu; office hours

Introduction to the topic (pp. 1-20, 28-54 of casebook)

1. historical development of the federal courts
 - (a) Madisonian Compromise (pp. 8-9)
 - (b) scope of jurisdiction (pp. 12-17)
 - (c) Evarts Act of 1891 (p.37)
 - (d) non-Article III courts and judges (pp. 43-48)
2. separation of powers and federalism as underlying themes
 - (a) flexible/weak v. rigid/strong versions of separation of powers
 - (b) Nationalist model v. Federalist model for resolving federalism issues (but note historical changes in use of nomenclature, e.g., p.3)