

# SYLLABUS

V405

## Public Law and the Legislative Process

Section: 14591 and 10893  
Fall Semester, 2014

School of Public and Environmental Affairs  
Indiana University

Tuesday: 7:00 p.m. – 9:15 p.m.  
SPEA PV 163

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### *Course Description*

The United States Constitution is an enduring document which has borne up under the pressure of a modern government emerging from a tiny band of freedom seekers to one of the most stable and powerful governmental institutions of all time. The Legislative Branch remains as important as either of the other two branches yet by design of the Founding Fathers it has no more significance or power than either the Executive Branch or the Judicial Branch. The Congress's work is different than the role played by the other two branches and it "works" very differently than a single executive or a small group of judicial decision-makers.

This course will examine the origin of the legislative branch of U.S. government and the unique role it plays in representing *all* of the people of our country. Its history reveals the development of our country and how the Congress has adjusted, modified and changed internally and independently---all within the constitutional constraints designed by the Constitution's authors.

The Congress is comprised of two similar yet each uniquely different legislative bodies. We will examine the differences and the role *each legislative body plays to develop and refine public policies* resulting in statutory law. We will examine *the budget process* which influences and controls all emerging public policies. We will scrutinize the

role of *Congressional oversight* of the executive branch and the role of the judiciary in our constitutional form of government.

In examining how Congress really works, we shall explore *common public criticisms* as well as discuss ways in which Congress' effort *could be improved*. Lastly, we will look into the important *role civic participation plays* in demanding improved performance of this complex and diverse branch of government.

We shall apply our insights in a practical exercise that requires reading, thoughtful analysis, writing and representation of a particular vested interest. We shall read two (2) texts, review examples and analyses of specific legislative proposals, take two (2) examinations and write a Legislative Bill Analysis Memorandum in lieu of a Final Examination. Students shall be randomly assigned to teams to study and present to the class assigned chapters from either text. Students shall individually present a Power Point presentation, a written outline of notes and four (4) graded objective examination questions regarding their assignments. Student presenters shall distribute their outline notes and test questions electronically to the entire class in advance of their presentation.

Our goal is to learn about this important constitutional arm of government and to apply our knowledge in an academic exercise to read, write and intelligently analyze a legislative bill from a given perspective. The development of these *analytical and communication skills* will apply broadly to prospective employment pursuits.

#### *Required Texts*

*Congressional Procedures and the Policy Analysis*, by Walter J. Oleszek, Congressional Quarterly Press, Ninth Edition, 2013;

*How Congress Works and Why You Should Care*, by Lee H. Hamilton, Indiana University Press, 2004;

*Public Law and the Legislative Process: A Compendium of Diverse Legislative Materials* assimilated by David J. Allen, Copyright 2006 by David J. Allen, and produced and assembled by Indiana University.

#### *Examinations*

First Mid-Term Examination	Tuesday, October 21, 2014
Second Mid-Term Examination	Tuesday, November 18, 2014
Bill Analysis Memorandum	Tuesday, December 9, 2014
Final Examination	No Final Examination

*Tentative Class Assignments and Readings*

Tuesday, August 26th	Introductory Comments, Identification of Course Materials, Explanation of Sequencing of Assignments and Exam Schedules. Introduction to the U.S. Constitution: “A More Perfect Union” by the National Center for Constitutional Studies.
Tuesday, September 2nd	Lecture: Chapter 1, Congress and Lawmaking, Oleszek text; Lecture: Organizing and Drafting Legislation, Section Two, Allen Materials; Bill Analysis Memorandum Methodology, Section Three, Allen Materials.
Tuesday, September 9th	Student Presentations: Chapters 2 & 3: Congressional Budget Process & Preliminary Legislative Action, Oleszek text; Lecture: Legislative History, Section Five, Allen Materials, House Rules Committee Resolutions and Reports, Section Six, Allen Materials (Tentative) Tour IU Law Library, 211 South Indiana Avenue (corner Third Street & Indiana Avenue).
Tuesday, September 16th	(Tentative) Tour IU Law Library, 211 South Indiana Avenue (corner Third Street & Indiana Avenue).
Tuesday, September 23th	Student Presentations: Chapters 4 & 5: Scheduling House Legislation & House Floor Procedures, Oleszek text; Distribution of Bill Analysis Memorandum Assignments.
Tuesday, September 30	Student Presentations: Chapters 6 & 7: Scheduling Senate Legislation & Senate Floor Procedures.
Tuesday, October 7th	(Tentative) Guest Lecturer: TBA
Tuesday, October 14th	Student Presentations: Chapters 8 & 9: Resolving House/Senate Differences & Legislative Oversight, Oleszek text; Lecture: Chapter 10: A Dynamic Process, Oleszek text. Review for First Mid-Term Examination.
Tuesday, October 21st	First Mid-Term Examination: <i>Congressional Procedures and Policy Process: Chapters 1-10, “A More Perfect Union” and Professor Allen Materials.</i>

Tuesday, October 28 <sup>th</sup>	Introduction to <i>How Congress Works and Why You Should Care</i> , by Lee Hamilton. Student Presentations: Chapters 1 & 2: Role of Congress & Impact of Congress, Hamilton text;
Tuesday, November 4 <sup>th</sup>	Student Presentations: Chapters 3 & 4: How Congress Works & Public Criticisms of Congress, Hamilton text;
Tuesday, November 11 <sup>th</sup>	Student Presentations: Chapters 5 & 6: Key Ways to Improve Congress & Civic Participation, Hamilton text; Review for Second Mid-Term Examination
Tuesday, November 18 <sup>th</sup>	Second Mid-Term Examination: <i>How Congress Works and Why You Should Care: Chapters 1-6.</i>
Tuesday, November 25 <sup>th</sup>	No Class: Thanksgiving Break
Tuesday, December 2 <sup>nd</sup>	(Tentative) Guest Lecture: To Be Announced.
Tuesday, December 9 <sup>th</sup>	<i>Legislative Bill Analysis Memorandum Due</i> ; Last Day of Class!
Tuesday, December 17 <sup>th</sup>	NO FINAL EXAM

### *Student Attendance, Preparation and Class Participation*

Attendance at all scheduled class periods is mandatory. Seating will be permanently assigned on Tuesday, September 2, 2014. Attendance will be taken during each class period---sometimes early, sometimes immediately after the break and sometimes at the very end of class---by authoring “Minute” papers on topics relevant to that particular hour’s discussion. Students are to read in advance the materials assigned to each class period and be prepared to engage in discussions of assigned readings. In the event of guest lecturers, they will be donating their time and sharing their experiences for the educational benefit of students; hence, students will be expected to be attentive and participate in any interaction with our guest lecturer. Failure to attend class or to be prepared for class discussions, written assignments or oral presentations or being inattentive or impolite toward guest lecturers, student presenters or the Instructor shall result in a reduction of class participation points. Two (2) excused absences, approved in writing in advance, will be granted; medical emergencies will require a doctor’s statement and will count as an excused absence. All other absences are inexcusable. A deduction of class participation points will be deducted from final grades for each

unexcused absence up to the entire class participation portion of the final grade. Any one missing more than five (5) classes will fail the class.

### *Grading*

Your grade will be based upon the following:

1. Quality of your Power Point presentation, Outline Notes, four (4) objective test questions and your Oral Presentation regarding your assigned materials: 15%;
2. First Mid-Term Examination: 25%;
3. Second Mid-Term Examination: 25%;
4. Legislative Bill Analysis Memorandum: 25%;
5. Class attendance and participation in class discussions and engaging the Instructor and Guest Lecturers: 10%.

Examinations will be objective questions comprised of True/False and Multiple Choice questions. Further detailed information will be provided separately regarding the Legislative Bill Analysis Memorandum. The grading scale, which will not be “on the curve,” will be as follows:

97-100%	A+
94-96%	A
90-93%	A-
87-89%	B+
84-86%	B
80-83%	B-
77-79%	C+
74-76%	C
70-73%	C-
67-69%	D+
64-66%	D
60-63%	D-
59% & below	F

### *Student Ethics and Indiana University Academic Dishonesty Policy*

Pursuant to Indiana University policy, students shall remain subject to the SPEA Academic Policies regarding Academic Dishonesty, Civility, Faculty/Student Communications, Attendance, Medical Excused Absences, Withdrawals, Incompletes and Active Military Duty. Students shall not record anything through audio or video means during any class period and executing any one’s signature---other than their own--is prohibited. Violations shall be grounds for discipline pursuant to policy.

*Office Hours and Instructor Availability*

As an Adjunct Instructor, the teacher does not have an office or regular office hours. The Instructor has additional professional responsibilities serving daily as a Federal Administrative Law Judge with the Social Security Administration in Indianapolis. Appointments can be arranged at mutually convenient evening times in SPEA 341 through the Adjunct Assistant Jennifer Mitchner located in that office. Students are encouraged to contact the Instructor directly through email for all other matters.