



School of Planning, Public Policy and Management



**University of Oregon
Department of Planning, Public Policy and Management**

PPPM 418 / 518 : Introduction To Public Law - Fall 2022 -- CRN#: 11704 / 11746

Time: Monday and Wednesday 6:30 - 7:50 PM

Location: 115 Lawrence Hall

Instructor: Daniel Stotter Email: dstotter@qwestoffice.net Tel: (541) 738-2601

Office Hours: Fridays 9-11 AM (via telephone) and by appointment (Email to schedule)

Course Description: This course provides an introduction to government and public interest law, local government law, public hearings and public meetings, criminal prosecution, land use and environmental law, constitutional law, access to state and federal records, and practical pre-law skills for obtaining legal documents and initiating legal research. In addition, this class will provide information about using law effectively in careers with government and public interest organizations. See course reading list on pages 5-6 of this syllabus.

Course Objectives / Learning Outcomes

- 1. Prepare and submit a public records request to a government agency utilizing the Freedom of Information Act (FOIA) or state public records laws.**
- 2. Review and document a local government quasi judicial land use decision, and learn the requirements for public meetings under Oregon's Open Meeting law.**
- 3. Obtain an overview of working in various sectors of government and public interest law.**
- 4. Learn civil, criminal, and appellate court procedures.**
- 5. Learn legal research skills, and an introduction to legal citation skills for legal documents.**
- 6. Obtain an understanding of the differences between local government law, state law, and federal law, including the role of codes, regulations, and legislation / statutes within the public law sector.**

COURSE SCHEDULE

- 9/28 Course Overview & Introduction to Federal, State and Local Courts**
- 10/3 Public Records - Freedom of Information Act & the Oregon Public Records Act**
- 10/5 Land Use - Guest Lecture by Rafael Sebba**
- 10/10 Public Hearings & Public Meetings**
- 10/12 Civil Litigation: Introduction to the Rules of Civil Procedure**
- 10/17 Criminal Procedure & Appellate Procedure**
- 10/19 Environmental Law**
- 10//24 Legal Research, Citations & Pleadings**
- 10/26 Midterm Exam & Lecture**
- 10/31 Criminal Prosecution**
Guest Lecture by Lane County Chief Deputy District Attoreny Christopher Parosa
- 11/2 Suing the Government: Citizen Suits, Tort Claims & Civil Rights**
Guest Lecture by Marianne Dugan
- 11/7 Questions from Class (law related topics)**
Introduction to Local Government Law
- 11/9 Working for Local Government**
Guest Lecture by Michael Thomas, Amity City Administrator
- 11/14 Legislation & Initiatives**
- 11/16 Administative Law - Agency Rules & Regulations**
- 11/21 Working for Public Interest Organizations**
Guest Lecture by Anya Mitz, Environmental Law Alliance Worldwide (ELAW)
- 11/23 Law Careers & the Economics of Law Employment**
- 11/28 State & Federal Constitutional Law**
- 11/30 Questions (all law related topics) & Course Overview**
- 12/5 Final Exam (7:15 PM)**

Course Grading Evaluation Information

Class attendance is necessary to obtain all of the information presented in the Midterm and Final Exams. Students unable to attend any classes are expected to get notes from classmates.

* **Midterm - 10/26/22** (30% of grade)

* **Final Exam- 12/5/22 7:15 PM (19:15)** (30% of grade)

* **Land Use Hearing Assignment - Memorandum Due 11/7/22** (20% of grade)

Grading will be based equally upon conformance with assignment instructions, content, organization, and the quality of written material, including spelling, punctuation, grammar, and the professionalism of the written product.

* **Public Records Request Assignment - Memorandum Due 12/2/22** (20% of grade)

Note: Public record request must be sent out to government agency by **10/18/22.**

Grading will be based equally upon conformance with assignment instructions, content, organization, and the quality of written material, including spelling, punctuation, grammar, and professionalism of the written product.

PPPM 518 Graduate Students

* **Supplemental Graduate Student Assignment:** Graduate Students taking this course as PPPM 518 will have two additional assignments: **(a)** Submitting a two page written memorandum assignment, describing their activities in a volunteer activity undertaken this term for either a governmental or a public interest organization, which shall be due **12/2/22** (a handout describing this assignment will be provided in the first week of class) **and (b)** Assisting with the audio / visual component of this course for four classes (specific class dates will be set by Week 2 of this class).

Class Participation

Students are expected to have obtained and read the readings for each week in advance of each class, and to attend class prepared for discussion of their content.

Classroom Environment

In order to create a classroom in which students are comfortable expressing their opinions and perspectives, I ask that students please approach the readings and others' contributions with both an open mind and a willingness to question one's own assumptions and biases.

Documented Disabilities

Students who have a documented disability and anticipate needing accommodations in this course should make arrangements to see the instructor as soon as possible. They should also request that the Counselor for Students with Disabilities send a letter regarding appropriate disability accommodations.

Professional Practice

This course is a core course in the PPPM undergraduate pre-professional degree program. As such, students are expected to behave in a professional manner at all times.

1. Students should treat each other and the instructor with the same professional courtesy and respect expected in a workplace.
2. All communications relating to this course and all work turned in for this course should reflect professional standards in tone, presentation, formatting, and spelling.
3. The classroom is a place of focused learning. This requires that students arrive on time, stay until the end of the class period, do not disrupt the class by leaving the room temporarily, and refrain from non-learning activities. Students who fail to adhere to these guidelines will be asked to leave for the remainder of the class session.
4. I expect all course assignments to be completed using a computer / word processor.

Academic Misconduct

You are expected at all times to do your own work. Copying content from other students and submitting it as your own work is grounds for failing the class. The University Student Conduct Code (available at conduct.uoregon.edu) defines academic misconduct. Students are prohibited from committing or attempting to commit any act that constitutes academic misconduct.

Plagiarism

Students should properly acknowledge and document all sources of information (e.g. quotations, paraphrases, ideas) and use only the sources and resources authorized by the instructor. If there is any question about whether an act constitutes academic misconduct, it is the students' obligation to clarify the question in advance with the instructor.

Final Exam

Students must take the final exam to receive a grade in the course. The date and time for the final exam will not be changed to accommodate scheduling conflicts.

Inclusion Statement

The Department of Planning, Public Policy and Management values inclusion. We are committed to equal opportunities for all faculty, staff and students to develop individually, professionally, and academically, regardless of ethnicity, heritage, gender, sexual orientation, ability, socio-economic standing, cultural beliefs and traditions. We are dedicated to an environment that fosters awareness, understanding, and respect for diversity. If you feel excluded or threatened, please contact your instructor or department head. The University Bias Response Team is also a resource that can assist you. For more information see <http://bias.uoregon.edu/index.html> or call 541-346-2037.

Sexual Harrassment

Any student who has experienced sexual assault, relationship violence, stalking, and/or sexual harassment may seek information and help at <https://safe.uoregon.edu>. A student can also call 541-346-SAFE, UO's 24 hour hotline to be connected to a counselor.

READING LIST FOR INTRODUCTION TO PUBLIC LAW (FALL 2022)

Readings for Weeks 1 and 2 (9/28, 10/3 & 10/5)

1. Read the following sections found at the FOIAdvocates website:

www.FOIAdvocates.com

* Introduction to FOIA: What Can FOIA Do For You? (excluding “Recent Amendments to FOIA”)

* How To Make an Information Request

* FOIA Appeals & Litigation

2. Read the Oregon Public Records Act - ORS 192.311 - 192.431

<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/i-public-records/>

Readings for Week 3 (10/10 & 10/12)

1. Families For A Quarry Free Neighborhood v. Lane County (LUBA No. 2011-051)

<https://www.oregon.gov/LUBA/docs/opinions/2011/11-11/11051.pdf>

2. Oregon Public Meetings Law ORS 192.610 - 192.710

<https://www.oregonlaws.org/ors/192.610>

Note: Links to additional sections of the OPM law are on left side of web page.

(Read only from the start of ORS 192.610 through ORS 192.710)

3. Quasi Judicial Land Use Hearings Statute - ORS 197.763

<http://www.oregonlaws.org/ors/197.763>

Readings for Week 4 (10/17 & 10/ 19)

1. Overview of Environmental Laws

<https://www.findlaw.com/smallbusiness/business-laws-and-regulations/overview-key-federal-environmental-laws.html>

2. NEPA Summary by Mike Ahrens pages 1-4

<http://www.delalbright.com/access/nepa.htm>

Readings for Week 5 (10/24 & 10/26)

Peter Martin “Introduction to Basic Legal Citations” (2020)

Read **only the following sections** found at: <http://www.law.cornell.edu/citation/>

[Note: Links are on left side of web page]

What & Why (read only the following section):

Purposes of Legal Citations

How to Cite (read only the following 3 sections):

* Judicial Opinions

* Constitutions & Statutes

* Agency & Executive Materials

Readings for Week 6 (10/31 & 11/2)

1. City of Eugene v. Lee, 177 Or App 492, 34 P2d 690 (2001)

<https://caselaw.findlaw.com/or-court-of-appeals/1404781.html>

2. Read ORS 30.275 - Notice of Claim

<http://www.oregonlaws.org/ors/30.275>

3. Read ORS 30.269 (Limitations on Actions)

<http://www.oregonlaws.org/ors/30.269>

Readings for Week 7 (11/7 & 11/9)

Texas v. Johnson, 491 U.S. 397 - Read only the majority opinion by Justice Brennan

<https://www.law.cornell.edu/supremecourt/text/491/397>

Readings for Week 8 (11/14 & 11/16)

Land Use Board of Appeals (LUBA) Rules of Procedure For Appeals

Read (only) Division 10: OAR 661-010-0000 to 661-010-0075

<https://www.oregon.gov/LUBA/docs/2019%20OAR.pdf>

Readings for Weeks 9 and 10 (11/21, 11/23 & 11/28)

1. Read Oregon Constitution: Article 1 - Bill of Rights

<https://sos.oregon.gov/blue-book/Documents/oregon-constitution.pdf>

2. U.S. Const. Art. I - III

[http://memory.loc.gov/cgi-bin/query/r?ammem/bdsdcc:@field\(DOCID+@lit\(bdsdccc0802\)\)](http://memory.loc.gov/cgi-bin/query/r?ammem/bdsdcc:@field(DOCID+@lit(bdsdccc0802)))

3. U.S. Const Bill of Rights

<http://topics.law.cornell.edu/constitution/billofrights>