I. Seminar Description

The seminar will examine the relationship between the law of land use and planning, municipal corporations, and civil rights in relation to demographic change in the metropolitan United States since World War II. Specifically, the seminar will address issues related to urban growth, urban and suburban (re)development, eminent domain, annexation as well as boundary law, school integration jurisprudence and the distribution of local government resources in various metropolitan centers (including the Twin Cities) during this time. It will also address the legal viability of cities to use property law to challenge traditionally areas of state and federal authority (e.g. recent initiatives in various localities to deny undocumented immigrants the ability to lease or purchase real property). Ultimately, the seminar is designed to critically examine the tremendous ability of local land use and property law jurisprudence to create and perpetuate highly polarized and segregated cities in the contemporary United States.

II. Learning Objectives

The larger goal of this seminar is to explore fully and comprehensively many of the issues that confront the everyday practice of lawyers, planners, policy makers, and municipal citizens in making decisions about land use and property development in multicultural and multiracial urban and metropolitan settings. By the end of the semester, you will be expected to know and understand the following:

1. Have an analytical framework[s] from which to understand the nature, trajectory, and complexity of metropolitan growth and spatial inequity in the United States.
2. Develop an expertise through primary and secondary research on a specific and focused aspect of property and other relevant bodies of substantive law as applied to a multicultural and multiracial communities in a metropolis.
3. Be able to communicate this expertise through law review quality written work and oral communication.
4. Have the basic tools to substantively edit and critique legal scholarship, including those of your peers in the class.
III. Course Materials

a. Required Texts

- Kenneth T. Jackson, Crabgrass Frontier: The Suburbanization of the United States (University of Oxford Press, 1985)
- Readings and Cases on TWEN

IV. Requirements

a. Students will be evaluated on the basis of active Course Participation, Peer Review and Evaluation, and a Final Research Paper.

1. Course Participation:

   - The course is organized around fostering student discussion of the issues contained in the readings. Please note that any absence is excessive under Academic Rule 1-110 for this course. Therefore, I expect you to attend all sessions unless you are ill or otherwise cannot attend due to a personal crisis or emergency. It is your responsibility to inform me via e-mail immediately if such a situation should arise that would prevent you from attending.

   - Please note that attendance and participation does not just include your physical presence; attendance requires critical thinking, listening attentively, and constructive speaking. I expect all students to complete the readings and be prepared to engage in a critical and analytical discussion with the class. To ensure that everyone will feel comfortable sharing their ideas, we will all listen and respond respectfully.

2. Peer Review and Evaluation

   - Every student will be assigned a Peer Reviewer in the course who will serve as a sounding board, primary editor, and substantive appraiser of the partner's specific research project over the course of the semester. In order to receive points, the Peer Reviewer needs to:
a. Provide a summary and substantive critique of your partner's two page research prospectus in a presentation that will last no more than ten minutes.  
b. Provide written feedback on the substantive content and structure of the FIRST DRAFT of the final essay.  
c. Provide line by line proof editing (grammar, spelling, property citation form, etc. . . .) on the final draft of the essay.  

• At the end of the semester, I will ask your partner to make a collective recommendation about your performance in regards to the above areas. The recommendation will be one of the following five scores: 100%, 90%, 80%, 70%, and 50%. This score will be the basis upon which I assign points for Peer Review and Evaluation, although I do retain the final discretion to increase or decrease the recommendation.  

3. Final Research Essay:  
• Every student will be responsible for writing a 20-25 page Research Essay. The Essay will be due in the Registrar's Office no later than noon the final day of the examination period.  
• The Research Essay needs to accomplish all of the following:  
  o Identify a contemporary legal issue or case related to the seminar.  
  o Extensively research how the issue is being framed by lawyers, jurists and legal and other scholarly commentators.  
  o Comprehensively analyze the issue in order to achieve a more nuanced and sophisticated understanding or ORIGINAL argument about the legal issue. This analysis should:  
  • Early in the semester, each student will meet with the Professor to work out an appropriate topic and research agenda which will ultimately take the form of a two-page research agenda. In addition, you will be expected to turn in a first draft of the essay to your Peer Reviewer and Professor. Please see the Class Schedule below for exact due dates.  

V. Grade Distribution and Expectations  

a. Your final grade will be based on the following:  

1. Class Attendance and Participation: 20%  
2. Peer Evaluation and Review 30%  
3. Final Research Essay: 50%  

b. For all written assignments, I expect a clear, concise, and logical analysis. This means that directly addressing the question at hand, laying out the issues involved, and arguing by assembling convincing evidence will all be rewarded. I will evaluate the extent to which your
written work engages with and fulfills every detail of the assignment and the manner by which it exhibits command of the subject both in terms of breadth (how many relevant connections are made to course readings) and depth (how much you demonstrate a mastery of the body of ideas and issues covered through extensive and well-documented research).

c. Below is an approximate guide to letter grades:

- **A**: Signifies outstanding work. You not only completed the assignments, but did so exceptionally well. Your writing and argumentation were clear and concise, and you showed in classroom performance, peer review, and your Final Research Essay excellent mastery of the material. Your overall work showed first-rate sparkle and polish.

- **B**: Signifies good work. You completed the assignments well. Your writing and argumentation were up to standard and you showed good understanding of the material in your classroom performance and Final Research Essay while providing effective peer evaluation and review.

- **C**: Signifies acceptable work. You completed the assignments, but just adequately. Your classroom performance, peer review, or writing and argumentation could use improvement, and/or you did not demonstrate mastery or effective understanding of the material either in class and/or on your research project.

d. **NO LATE ASSIGNMENTS WILL BE ACCEPTED**. Unless there is a disaster of biblical proportions (i.e.: flood, fire, a relative turns into a pillar of salt, etc. . . .), I will not accept any materials that are turned into me after the assigned due dates.

**VI. Office Hours and Contact Information**

a. Please come by during office hours any time to talk about the readings, lectures, assignments or anything else that may happen to be on your mind. If you cannot make my office hours, do not hesitate to schedule an appointment.

b. Please contact me via email if there is an emergent matter. Although I do have an office phone and voice mail, email is the most efficient way to contact me. Indeed, please do not leave voicemail messages, as I am unlikely to receive them in a timely manner.

**VII. Other Matters**

a. If you qualify for an accommodation because of a documented disability, please consult with the Law School’s Assistant Dean of Students to determine an appropriate accommodation.

b. I will make every effort to reasonably accommodate all students who, because of religious and other obligations, have conflicts with assignments or required attendance.

1. **In order to receive an accommodation, you need to notify me at least two weeks in advance of the scheduled conflict.**
c. The course will be utilizing Westlaw’s TWEN server. We will use TWEN for discussion of issues outside of the classroom, posting of assignments, announcements, supplementary material, and up to date information on the course. TWEN will also contain a syllabus that will be updated should revisions become necessary.

1. Information contained on TWEN— including but not limited to the syllabus, readings, and course policy— should be considered the definitive version.

d. Classroom Etiquette and Technology Policy

The classroom environment must be conducive to learning for all students. Proper conduct in the classroom is intended to encourage everyone to participate in, to derive benefit from, and ultimately to enjoy the class. It is perfectly acceptable and indeed professionally required, that you demand professional behavior of your classmates in and out of class.

Technological devices, in particular, can be distracting to your classmates and me and thus undermine that goal.

In order to facilitate focused interactive class discussion, there will be occasions when the class will be asked to close their notebook computers and/or turn off technology they have been using. If a student uses classroom time to read or send e-mail messages, visits web sites that the class has not been instructed to visit at that particular time, or engages in any other online or technology based activities (including cellular telephones, text-messaging, etc.) not directly related to the current classroom discussion, then that student will be asked to leave and will not be permitted to bring their laptops to class for the duration of the course.

- Behavior which interferes with the learning ability of your classmates will be sanctioned accordingly.
Class Schedule (Tentative)

Week One: Theorizing Urban, Suburban, and Metropolitan Regions

Readings: TWEN:

Week Two: Urban and Metropolitan Growth in the United States prior to the Middle-20th Century

Readings: Jackson, Crabgrass Frontier, Chapters 1-10.
TWEN: TBA

Week Three: The New Deal and Transformations in an American Metropolitan Geography

Readings: Jackson, Crabgrass Frontier, 11-12
Teaford, The Metropolitan Revolution, Introduction and Chapter 1
TWEN: TBA

*** Begin Research Prospectus Presentation***

Week Four: Localism, Land Use Law and the Ordering of a Metropolitan Geography

TWEN: TBA

*** Continue Research Prospectus Presentations***

Week Five: War and Suburbanization

Readings: Jackson, Crabgrass Frontier, Chapters 13-14
Teaford, The Metropolitan Revolution, Chapters 2-3
Self, American Babylon, Chapters 4-5
TWEN: TBA

*** Continue Research Prospectus Presentations***
Week Six: Race, Eminent Domain, and the Urban Core

Readings: Jackson, Crabgrass Frontier, Chapter 15
Self, American Babylon, Chapters 6.
TWEN: TBA

*** Continue Research Prospectus Presentations***

Week Seven: Race, School Integration, and Suburban Sovereignty

Readings: Teaford, The Metropolitan Revolution, Chapter 4.
TWEN: TBA

Week Eight: Color-Consciousness and Backlash in Metropolitan America

Readings: Lassiter, The Silent Majority, Chapters 5-8

Week Nine: Color-Blindness and Metropolitan Color Lines

Readings: Self, American Babylon, Chapters 7-8
Lassiter, The Silent Majority, Chapters 9-12
TWEN: TBA

Week Ten: Other Legal Issues in the Metropolis

Readings: TWEN: TBA

Week Eleven: Property in the Postmetropolis and Beyond

Readings: Jackson, Crabgrass Frontier, Chapter 16
Teaford, The Metropolitan Revolution, Chapters 5-7
Self, American Babylon, Conclusion
Lassiter, T Silent Majority, Epilogue

*** 1st Draft of Research Essay Due***

Week Twelve: Catch-Up Day or Individual Meetings

***Return Feedback on 1st Draft of Research Essay to Partners***

Week Thirteen: Individual Meetings

Week Fourteen: Individual Meetings

** Final Essay due no later than noon on the final day of the examination period ****