Arizona Summit Law School Syllabus*
SPRING 2015 -- AMENDED

ADVANCED STUDIES IN
THERAPEUTIC JURISPRUDENCE
ASLS 834-100F

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1:45 to 2:45; 4:30 to 6:00
Tuesdays and Thursdays;
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Classroom: 1815

Class Meetings: 5:30 to 7:30 p.m., Fridays
* The Professors reserve the right to reasonably modify this syllabus during the semester as the need arises.

1. Course Description

“Advanced Studies in Therapeutic Jurisprudence” is a two unit seminar course, designed to promote the study of “TJ” under the guidance of one of its creators: Professor David B. Wexler.

This course will provide an advanced study of Therapeutic Jurisprudence (the study of the role of the law as a potential therapeutic agent), its origin and development, and its reach into the world of practice. While various areas of law will be explored (general legal counseling, family law, torts etc), the focus will be on how Therapeutic Jurisprudence enriches our thinking about judging and practice in criminal law, juvenile law, corrections, and re-entry from prison into society.

2. Course Materials/ Books

Required:


2) In addition to Professor Wexler’s book, students will be assigned to groups to read and present individually from a list of selected readings—to be provided the first day of class.

Online Sources:

1) Major resources in the field are the website of the International Network on Therapeutic Jurisprudence at [www.therapeuticjurisprudence.org](http://www.therapeuticjurisprudence.org), which has an extensive bibliography;

2) The TJ Facebook page at [www.facebook.com/TherapeuticJurisprudence.com](http://www.facebook.com/TherapeuticJurisprudence.com) ;
3) Additional resources are available on Professor Wexler’s social science research network (SSRN) page at http://ssrn.com/author=199142 and also by searching the keyword "therapeutic jurisprudence" on SSRN.

3. Class Policies and Procedures

Nature of the Course
The first week of class will be an introduction to the required reading, group presentations and class discussions of the assigned readings. Students will be divided into groups for reading and the preparation of class discussion—students will lead those discussions. Each student will be responsible to summarize and lead the class discussions on assigned articles from the list of selected readings. The final two weeks of classes will be devoted to presentations of the student reaction/reflection papers.

Course Objectives
The course is an advanced overview of the extensive literature that exists on TJ, and intended to challenge students to look for new and practical applications of TJ.

Class Attendance
This class will follow the attendance policies detailed in the Student Handbook. Be aware that:
1. Class begins promptly at 5:30 p.m.; be on time.
2. It is each students’ responsibility to sign the attendance roster each class period.
3. ASLS requires that every student attend at least 85% of all class meetings for each class. Any student whose absences exceed 15% of the total number of class meetings will be dismissed from the course with a “W” grade. The professor must inform the registrar when a student has violated the attendance policy. The registrar will inform the student, the professor, and the Associate Dean for Academic Affairs in writing that the student has been dismissed from the course, and the professor will no longer allow the student to attend classes. For the purposes of this policy, neither ASLS nor the ABA distinguishes between excused and unexcused absences. However, if extraordinary circumstances have caused a student’s absences to exceed the limit, the student may appeal the dismissal in writing to the Associate Dean and
continue to attend classes pending the Associate Dean’s decision, which shall conclude the matter.

4. This class will meet only 13 times; students may miss a maximum of one (1) class without violating the attendance policy. The second absence will reduce your attendance to just under 85%, resulting in dismissal from the class.

5. The Student Handbook provides that Faculty shall give students the opportunity, whenever possible; to make up any missed academic assignments or tests within a reasonable time when the student is participating in a religious observance, and I will be happy to accommodate you. Students should make arrangements to make up missed assignments or tests in advance of the specific holiday.

Grading

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<tr>
<th>Component</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Class Participation</td>
<td>20%</td>
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<tr>
<td>Class Presentation</td>
<td>10%</td>
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<tr>
<td>Paper</td>
<td>70%</td>
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TJ Reaction/Reflection Paper
You will be required to prepare a written paper that relates to the subjects (or applies the subjects) in this class, in lieu of a final exam for this course. This paper must be at least 20 pages, excluding footnotes—5,000 words or more. The requirements for this paper are consistent with those requirements for your Advanced Writing Requirement (AWR), and the preparation of this paper will satisfy your AWR. Please see the AWR requirements, and the topic approval form, that are attached to this syllabus. You will be required to submit at least one outline and two drafts of the research paper for comments by me before you submit the final paper.

<table>
<thead>
<tr>
<th>Due Date</th>
<th>Date</th>
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<tbody>
<tr>
<td>Topic due</td>
<td>January 20, 2015</td>
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<tr>
<td>Outline due</td>
<td>February 15, 2015</td>
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<tr>
<td>First draft due</td>
<td>March 8, 2015</td>
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<tr>
<td>Second draft due</td>
<td>April 12, 2015</td>
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<tr>
<td>Final draft due</td>
<td>April 24, 2015</td>
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Class Presentation
The last few meetings of our class, you will be required to give a class presentation of between 15 to 20 minutes in length, explaining your AWR paper, your research, and your conclusions.
Professionalism, Collaboration / Plagiarism

Plagiarism and cheating appear first in the list of Honor Code violations by the law school’s specific intention. Your grades must be based on a fair evaluation of your work and your work alone. With regard to the work for this course, the rules on collaboration and plagiarism are as follows:

1. You may collaborate on the class Presentations, and in group exercises conducted during class. Collaboration means that you may share a) ideas on how to approach the research, b) research materials, and c) ideas on how to approach the written and oral expression of your findings.
2. Cite to proper authority wherever and whenever you should. Never use another’s work without giving appropriate credit.

Professionalism and ethical behavior are the cornerstones of building your reputation as a lawyer of impeccable character. You are expected to adhere to the Rules of Professional Conduct that govern members of the Arizona State Bar, as if you were already admitted. In addition, during your time studying law at ASLS, please:

- Do not hide research materials that are for public use.
- Do not mark pages by folding them or by use of highlighters, pens, or pencils on any of the resources that are available for public use.
- Do not tear out pages from any of the resources that are available for public use.
- Do not allow a colleague to utilize your research to complete an assignment and do not collaborate on an assignment, unless specifically directed to do so.
- If your action feels wrong or in violation of professionalism, it is probably wrong, so don’t do it.

In-class computer use is restricted to taking notes, writing, and performing online searches directly related to the topic(s) under discussion in class at the time!! Students using the computer for other activities during class are subject to discipline and sanctions.

Respect for Diversity

Diversity means that all persons, views, opinions and statements are respected in this class. Diversity embraces race/ethnicity, gender, socioeconomic background, religion, sexual orientation, gender identity, age, disability, veteran status, nationality and regional, national or international origin. Diversity is inclusive and levels the playing field. We will infuse the benefit of our collective diversity of experiences in this course so that we can have robust discussions of critical issues that influence us all; so that we will all walk away with a better understanding of ourselves & each other; and so that you leave the class with a sense of what the law empowers you to do for the greater good of our society. I will not tolerate disrespectful behavior in my class directed toward me or a fellow student.
Sanctions
I reserve the right to penalize students for absences, tardiness, lack of preparation/participation, inappropriate computer usage, and disrespectful behavior. I will deduct points from the class participation component of this course.

TWEN
I have created a TWEN page for this course. Please sign up on it immediately. This is how you will receive group communications, handouts and copies of class lecture powerpoints.

4. Class topics and reading assignments

Class One—January 9, 2015  Topics: Introductions; class & AWR requirements

Reading assignments:

1. the Foreword, Introduction, and pages 3-44 of REHABILITATING LAWYERS: PRINCIPLES OF THERAPEUTIC JURISPRUDENCE FOR CRIMINAL LAW PRACTICE (“text”); and

2. Read the home page & watch the video of Professor Wexler at: www.therapeuticjurisprudence.org.

Class Two—January 16, 2015  Topics: Introduction to TJ

Reading assignments-- EVERYONE:

1. pages 91-142 of the Text;


Class Three—January 23, 2015
Topics: Your AWR & research strategies

Guest Speaker is our Librarian, Christy Ryan

****No class on January 30, 2015–Super Bowl Week****

Class Four—February 6, 2015
Topics: Procedural Justice & Problem-Solving Courts

Reading assignments-- EVERYONE:


2. Text, pp. 45-90; 257-302;

3. Center for Court Innovation video on problem-solving courts: http://www.youtube.com/watch?v=URr7u3DkYT4;
4. National Association of Drug Court Professionals (NADCP) video: [http://www.youtube.com/watch?v=MyWXPsESJ2A&feature=channel_page%20](http://www.youtube.com/watch?v=MyWXPsESJ2A&feature=channel_page%20);

Reading assignments -Procedural Justice (GROUP ONE -Hall, Pierce & Rillorta):


Reading assignments–Problem-Solving Courts (GROUP TWO- Turner & Walker):

7. Michael S. King, New Directions in the Courts’ Response to Drug and Alcohol Related Problems: Interdisciplinary Collaboration and Collaboration With Defendants, 6 Phx. L. Rev. 917 (2013);


Class Five—February 13, 2015

Topics: “Mainstreaming” TJ outside the Problem-Solving Courts; The Role of the Attorney

Reading Assignments--EVERYONE:


2. Text pp. 370-85;

Reading assignments—“Mainstreaming” (GROUP THREE-Connelly &Sifontes):


Reading assignments—Role of Counsel (GROUP FOUR-White & Johnson):


10. Dale Dewhurst, Understanding the Legal Client’s Best Interests: Lessons From Therapeutic Jurisprudence and Comprehensive Justice, 6 Phx. L. Rev. 963 (2013);
Reading Assignments--EVERYONE:

1. Text, pp. 303-350;


Reading Assignments (GROUP FIVE- Ramirez & Washburn):


Reading Assignments (GROUP SIX–Sopori & Weinstein):


Psycho-Legal ‘Soft Spots’ and the Intersections of Law and Psychology

Reading Assignments-EVERYONE:

1. Text, pp. 243-56;

Reading assignments (GROUP SEVEN –Lee & Dworman):


Reading assignments (GROUP ONE–Hall, Pierce & Rillorta):


Reading Assignments-EVERYONE:

1. Text, pp. 143-239;

Reading assignments (GROUP TWO—Turner & Walker):


Reading assignments (GROUP THREE—Connelly & Sifontes):


Nine–March 13, 2015

Victims, Victims’ Rights, and Victims of Domestic Violence

Reading Assignments-EVERYONE:

1. Text pp. 323-26;

   Reading assignments (GROUP FOUR—White & Johnson):


   Reading assignments (GROUP FIVE—Ramirez & Washburn):

Class

7. Christian Diesen, The Importance of Reporting Rape, 6 Phx. L. Rev. 933 (2013);

8. Jamie Balson, Therapeutic Jurisprudence: Facilitating Healing in Crime Victims, 6 Phx. L. Rev. 1017 (2013);


Ten–March 20, 2015 Topics: Civil Applications of TJ

Reading Assignments (Everyone):


Reading Assignments (Group SIX–Sopori & Weinstein):


Reading Assignments (Group SEVEN–Lee & Dworman):


Classes Eleven and Twelve (March 27 and April 3, 2014)

You will be required to give a class presentation of between 15 to 20 minutes in length, explaining your paper, your research, and your conclusions.

Class Thirteen (April 10, 2015)  Topic: The future of TJ

A special lecture on recent developments, trends and the future of Therapeutic Jurisprudence by Professor David Wexler.