Course Description
This course will examine how the law attempts to regulate sexual orientation and gender identity. We will explore how criminal law, family law, constitutional law, and anti-discrimination law each impact the lives of gay, lesbian, bisexual and transgendered people.

The course will begin with an interdisciplinary examination of sexuality from religious, psychological, sociological, and philosophical perspectives. Thereafter, video clips, religious and activist literature, fictional and non-fictional narratives, newspaper and magazine articles, and social scientific studies will add alternative perspectives to the cases we read.

Legal topics will include the decriminalization of sodomy, the regulation of pro-gay and anti-gay speech, protections against discrimination in employment, rules governing the documentation of gender identity changes, prohibitions against same-sex marriage, and restrictions on gay and lesbian parenthood. Special attention will be devoted to the emerging tensions between assertions of LGBT rights and religious liberties.

All views are welcome.

Required Text
The primary text is Rubenstein, Ball & Schacter, *Cases and Materials on Sexual Orientation and the Law* (4th ed. 2011). Additional readings will be distributed to incorporate recent developments in the field.

Course Objectives
This is an introductory survey course on sexual orientation, gender identity, and law. It has two substantive goals.

The first goal is to understand how law governs sexual orientation and gender identity in the United States. To this end, we will analyze judicial opinions, statutes, and articles dealing with the due process clause, the equal protection clause, and the free speech clause, anti-discrimination statutes, and marriage and parentage statutes.

The second goal is to understand how law both shapes and reflects social understandings of sexual orientation and gender. To this end, we will analyze non-legal materials that offer a variety of personal, practical, and philosophical perspectives on sexual orientation and gender identity.
Course Requirements
This class is a shared enterprise that depends upon your active engagement. To promote your engagement, the class has a few ground rules:

• This class deals with controversial subjects. All views are welcomed, especially those that challenge pro-gay positions. Constructive disagreement is encouraged. In this regard, the only requirements are that we listen to each other and we treat each other with respect.
• Attendance is important. If you must miss a class, please let me know the reason for your absence in advance. If necessary, the law school’s minimum attendance rule will be enforced. Under this rule, if you miss 20% or more of the class sessions, you may be forced to withdraw from the class.
• Preparation and participation are important, too. If you cannot prepare for a class, please let me know in advance, so that I will not call on you during class. Class participation will be factored into your grade.

TWEN
• There is a TWEN page for this course. You must register on the TWEN page no later than Tuesday, August 21.
• I will distribute your weekly reading assignments via the TWEN email distribution list. In some weeks, my emails will include required supplemental reading materials.
• For your reference, I will post updated, cumulative files that include all reading assignments, class outlines, PowerPoint Slides, and supplemental materials on the TWEN page.

Reaction Papers
• Each student will write two reaction papers during the semester, which will be focused specifically on the day’s assigned readings.
• Reaction papers will be short -- a maximum of 500 words -- and they will not be graded.
• Although reaction papers will not be graded, they must be circulated to the class via email by 12:00PM on the day before class.
• Any failure to submit reaction papers in a timely manner will be factored into your grade.
• I will circulate a sign-up sheet for reaction papers after the shopping period ends, on Tuesday, September 4.

Teaching Methods
I will use a variety of teaching methods to develop your lawyering skills, including the Socratic method. This means that I will call on you throughout the semester, in order to help you develop your oral argument skills. If you don’t want to talk, you can always pass, and you don’t have to have a reason for passing. If you are not able to prepare for a particular class, or you don’t want to discuss a particular subject, please let me know in advance via email.
Final Examination
The final examination will be open-book. You will be permitted to take the test home with you, and you will have 8 hours to complete it.

Grading
Your grade will be based primarily on the final examination. In addition, class participation and the timely completion of reaction papers will be factored into your grade.

Office Hours
On most days, I will be available to answer questions after class. If you would like to meet separately, please send me an email to make an appointment. I am available to answer any questions you have about this class, or to talk more generally about career options and other issues that arise in law school.

Accommodations
The University of Utah seeks to provide equal access to its programs, services and activities for people with disabilities. Reasonable prior notice is needed to arrange accommodations. If you will need accommodations in this class, please provide reasonable prior notice to Barbara Dickey, Associate Dean for Student Affairs, and the Center for Disability Services (CDS) so that we can make the necessary arrangements. CDS is located at 200 S. Central Campus Drive, Room 162, or you can call (801) 581-5050. With prior notification, all written information in this course can be made available in alternative format.