Supplemental Course Information

MAIN EMPHASIS

The primary emphases of Legal Issues in Public Service have been stated as follows in the course syllabus:

Welcome! It is my intention for this section of “Legal Issues in Public Service” to be informational, practical, and thought provoking. We will study the origins of our legal system, substantive and procedural law, as well as, the interplay between public administration and legal issues.

Equally important to the legal knowledge you will gain, I hope to provide some practical insights into the legal environment in which public entities, non-profit organizations, business enterprises, and private citizens all live and operate. To that end, I intend to provide students with the opportunity to consider real-world issues in our legal system through actual public cases, illustrative hypothetical examples, and experienced guest speakers. Students will be asked to research and analyze contemporaneous examples of “Legal Issues in Public Service” for themselves by way of the Critical Analysis Paper and other assignments.

Finally, throughout the semester, we will study legal theories that serve as the foundation for modern jurisprudence; and, we will practice the skills of logical analysis, legal reasoning and writing, as well as, conflict resolution and negotiation. In addition to foundational principles, this course will consider contemporary Legal Issues in Public Service, such as networked governance, the role of government, and contract management.

For the upcoming semester of the course, the critical analysis paper assignment will be replaced by the Governor Thornburgh Case Study Project, a thorough description of the Thornburgh Project’s role in the course was proposed in a grant application to the Thornburgh Forum for Law & Public Policy, an excerpt from which is reproduced here:
I am an adjunct instructor of *Legal Issues in Public Service* (hereinafter “Legal Issues”), an undergraduate course that is offered by the Graduate School of Public and International Affairs (GSPIA), and that is cross-listed for Legal Studies and Public Service students enrolled in the College of General Studies (CGS). The curriculum for the course focuses on three units of study: background of the United States Constitution and our American legal system; administrative law at both the state and federal levels; and, substantive legal issues in public service. As a critical element of Legal Issues, however, I supplement the substantive course material with readings and exercises that focus on professional skills and competencies important for students to develop in preparation for their careers as public leaders.

The professional skills portion of the Legal Issues curriculum addresses a number of areas, but the primary focus is on conflict resolution and negotiation skills. Our study of conflict resolution and negotiation skills is accomplished utilizing five tools: lectures dedicated to conflict resolution and the negotiation process; outside reading materials on conflict resolution and negotiation; guest speakers who explain their experience with conflict resolution and negotiation; a critical analysis paper on a public policy issue; and, participatory negotiation exercises. I believe the Dick Thornburgh Forum for Law & Public Policy now presents an opportunity to illuminate the application of conflict resolution principles and negotiation skills in public service through the lens of one of our region’s most distinguished and accomplished public executives. Through Governor Thornburgh’s proximity to the student’s current environment and the depth and reach of his experience, I believe the students would gain insight into the importance of conflict resolution and negotiation skills in governance, as well as, envisioning new possibilities for their own careers in public service.

**OBJECTIVES**

The objectives for *Legal Issues in Public Service* are set forth as follows in the course syllabus:

In addition to the broad goals mentioned above, this course will seek to achieve the following learning objectives:

- Understand relevant legal terminology and recognize the legal writing style;

- Appreciate the legal theory, foundational precepts, and schools of legal thought upon which our legal system is based, in particular the social contract and the tenets of the U.S. Constitution;

- Identify the institutions and functions of the public legal environment, including the court system, traditional litigation, alternative dispute resolution, administrative rulemaking and enforcement, and many other everyday issues such as contract management;

- Recognize and discern the nature of legal issues that may arise in an individual public service career, in particular, administrative issues, property issues, contract issues, and tort issues; and,
• Spot legal and ethical issues that impact public administration as a system, such as the rule of law as a basis for legitimate governance, the constraints on government that ensure individual rights, and the due process requirements that preserve the functional harmony between a legitimate government and its citizens.

HONORS CALIBER

In addition to the course objectives from the syllabus, Legal Issues in Public Service strives to afford students the opportunity to develop the practical skills that will be required in a public service career. The skills emphasized within this context are analysis of legal issues and negotiation and conflict resolution skills. In past semesters these skills have been practiced through legal case analysis, a critical analysis paper, and student negotiation exercises. For spring 2014, the legal case analysis assignment is intended to be retained, while the critical analysis paper and student negotiation exercises will be replaced by the Governor Thornburgh Case Study Project.

The additional value of the Governor Thornburgh Case Study Project was proposed to the Thornburgh Forum as follows:

The Governor Thornburgh Case Study Project will analyze the role of conflict resolution and negotiation skills in governance and public service. The research portion of the study will utilize the Dick Thornburgh Papers housed by the Hillman Library to identify episodes within Governor Thornburgh’s public service career that highlight the importance of conflict resolution and negotiation skills. Governor Thornburgh’s breadth of experience provides the unique opportunity to offer case study opportunities on local, state, national, and international issues. Further, not only does Governor Thornburgh’s career present a special opportunity to students based on the different levels of government in which he held posts, but his career also offers elucidation across several disciplines of study, including executive branch oversight and regulation, public policy implementation and enforcement, crisis management and communication, administration of justice, civil rights, and diplomacy. Each semester, Legal Issues attracts students interested in serving the public on a number of issues and in many different capacities. Accordingly, Governor Thornburgh’s Papers serve as a perfect match to the diverse interests of the student population enrolled in Legal Issues.

Beyond the substantive enrichment that students will derive from the Governor Thornburgh Case Study Project, the experience of preparing case studies from primary source data will enhance student skill sets beyond that of traditional lecture-based courses, which rely upon case studies of the type these students will be producing themselves. Students will be required to review very well organized, yet unabridged, files in order to decide for themselves what sources tell the story of important episodes in the histories of Pennsylvania and the United States. I have pre-viewed the Thornburgh Papers, and thus, guidance will be provided, but the students will develop self-reliance relative to source material that could prove to be invaluable in their professional lives.
RATIONALE

The Governor Thornburgh Case Study Project will benefit students in three unique ways.

1. **Primary Source Research** – The opportunity for students to produce finished analytical work product from the raw materials housed by the ULS in the Dick Thornburgh Papers is invaluable. Students will develop competency relative to locating and identifying potential sources germane to their case study topic, as well as, discerning the relevance of materials from a large source pool. Moreover, once relevant materials are identified, students must synthesize the information into a meaningful analysis. The Thornburgh Project will enable the students to reverse-process a chapter on the career of Governor Thornburgh, by organizing facts into an outline and then producing the text, rather than reading volumes of secondary materials and highlighting passages for an outline of the facts. It is my hope that this process will both change the way that students view all of the secondary materials they read and increase student confidence in their ability to produce work product.

2. **Conflict Resolution Skills** – Throughout the Legal Issues course, I emphasize to students the importance of conflict resolution skills in a professional career. However, the ability to see those skills utilized at the highest levels of government during critical events will offer a practical relevance that students will retain. Moreover, conflict resolution skills are so visibly lacking in the public discourse that students see on cable news and internet outlets, and the Governor Thornburgh Case Study Project will allow students to experience effective public administration first-hand through the personal papers of an immensely successful public executive and consummate professional.

3. **Personal Connection** – Examining the career of Governor Thornburgh will not only add to students’ professional skills, but will impact students personally based on the proximity of Governor Thornburgh’s life experience to their own. Governor Thornburgh is a Pittsburgh guy and a Pitt alum. So, very different from researching the papers of a distant historical figure, I expect students to be inspired by the positive impact that was achieved by an individual who walked the same streets they now walk, looked up at the same Cathedral of Learning as a student, and shared some of the same experiences of the City of Pittsburgh.

FORMAT

*Legal Issues* will involve both lecture and discussion, as in previous semesters. Three exams will be utilized to measure each student’s progress with the substantive topics of the course. Additionally, some outside reading and assignments, such as the legal case analysis assignment will be part of student evaluative measures. However, the Governor Thornburgh Case Study Project will add a new element to the course that will replace student critical analysis papers and negotiation exercises. Students will be expected to produce, in groups, both a case study paper and a presentation of their findings to the class. While students will be afforded some class time to work on the Thornburgh Project, the majority of work on the project will be completed outside of class meetings.