



Modern Constitutional Law: Cases, Problems and Practice (Aspen Casebook)

Lawrence Friedman

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Unlike other casebooks that typically seek to tackle the entirety of Constitutional Law and are organized from the perspective of the constitutional scholar—a top-down approach that encompasses (and even emphasizes) theoretical and philosophical perspectives and debates—*Modern Constitutional Law: Cases, Problems and Practice* is organized from the ground-up: rather than assuming students will one day be making constitutional arguments before the U.S. Supreme Court (or teaching Constitutional Law), this book assumes students will more likely be making constitutional arguments before a state or federal trial court. And so it focuses on those areas of Constitutional Law that are likely to be relevant to the practice areas in which most law students will work after law school—small or solo firms that count individuals and small businesses as their clientele, or the offices of state agencies, district attorneys or public defenders. These attorneys by and large are not addressing issues regarding, say, the theoretical underpinnings of judicial review; rather, they are seeking, for example, to challenge on due process grounds procedures put in place by the local school board, or on equal protection grounds a regulatory scheme that appears to single out a readily identifiable class of citizens for differential treatment.

Key Features:

- Narrower in scope than other casebooks, the book is more manageable for 3- and 4- credit courses
- A focus on doctrine rather than theory
- Emphasis on modern and contemporary cases rather than historical ones (although landmark cases, such as *McCulloch v. Maryland*, *The Prize Cases*, *Lochner v. New York*, *Plessey v. Ferguson*, to name a few, are also included)
- Coverage focused on the issues most relevant to the types of practice they will enter upon graduation, such as due process, equal protection, and First Amendment
- Inclusion of cases from the lower federal and state courts, courts in which most students are most likely to one day find themselves litigating constitutional issues
- Inclusion of a generous number of case excerpts are generous, which helps students to develop their ability to read legal texts closely and extract useful information, rather than, like many casebooks, relying on numerous Notes to cover the jurisprudence in a particular area
- Most chapters include at least one Problem to provide students an opportunity to apply the doctrines learned
- Each chapter contains one or more “Practice Perspectives” that present the facts, background and resolution of actual constitutional law cases, challenging students to explain the results based on what they have learned

in the chapter

- Extremely up-to-date, incorporating cases from the 2015-16 Supreme Court term, including *Fisher v. University of Texas (Fisher II)* and *Whole Woman's Health v. Hellersted*

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