The Law of Elections

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(Syllabus)

Texts

D. Lowenstein and R. Hasen, Election Law (4th ed.) (and 2007 or 2008 Supp.)

The Law of Elections will examine every facet of election theory and modern practice. It will review the constitutional and statutory underpinnings of voting and candidate selection at the state and federal levels. Special consideration will be given to the regulatory structures of financing elections. The 2008 election cycle will provide examples in action. Election law experts experienced at the local and national levels will make special appearances throughout the semester.

Course attendance and participation will be considered in the final grade.

Readings

A. Introduction

Bush v. Gore
Hasen, pp. 116-140
Selected Readings

B. Democratic Theory

Hasen, pp. 1-29, Supplement
Colorado Supreme Court – People ex rel. Salazar v. Davidson, 79 P.3d 1221 (Colo. 2003)
C. Voting and Representation

The Right to Vote
Hasen, pp. 29-43; 71-101; Supplement

Voting Technology
Hasen, 69-71
Denver District Court, Manzanares, J.

Equal Protection
Hasen, pp. 116-140; Supplement

Voter Identification
Selected Reading

D. Financing Elections

Candidates
Selected Readings
Hasen, pp. 717-763; Supplement
Colo. Right to Life v. Davidson

Political Parties and Corporations
Hasen, pp. 797-860; Supplement

Issue Advocacy
Hasen, pp. 861-956; Supplement

Disclosure
Hasen, pp. 989-1024; Supplement

Campaign Finance Reform
Selected readings
Hasen, pp. 957-88; Supplement

E. Regulating Campaign Speech

Hasen; 797-860
Guest Speaker

F. Direct Democracy
Cronin, Direct Democracy, pp. 38-59; 196-222
Hasen, pp. 362-438; Supplement
Guest Speaker
Selected opinions – Colorado Supreme Court

G. Candidate Selection and Political Parties
Hasen, pp. 439-532; Supplement

H. Reapportionment and Redistricting
Introduction and vote dilution
Hasen, pp. 141-244; Supplement
Colorado Supreme Court – People ex rel. Salazar v. Davidson, 79 P.3d 1221 (Colo. 2003); In re Reapportionment of Colorado General Assembly, 45 P.3d 1237 (Colo. 2002)

Gerrymandering
Hasen, pp. 245-316; Supplement

Partisan Redistricting
Hasen, pp. 317-360; Supplement

I. Election Law Litigation
Supreme Court Advocacy
Guest Speaker
Complaint, Colorado Right to Life v. Davidson
Attorneys fees, Colorado Right to Life v. Davidson

Hot Issues in Election Law