Science, Technology, and the Law (POLI 104P)  
Course Syllabus (Spring Quarter, 2024)

INSTRUCTOR: Hon. Michael B. Orfield (Ret.)

UCSD, BA Biology '72 (Revelle)
California Western School of Law, JD '77
Attorney 1977- 1989 (Insurance Defense Practice)
Judge, San Diego Superior Court 1999- 2009
Arbitrator, American Arbitration Association 2012- Present
Head Coach, Canyon Crest Academy Speech and Debate Team, 2012- 2019
Lecturer, UCSD "Science, Technology and the Law" 2017- Present

Office Hours: See me after class or email a request and we will set up a meeting after class on Tuesday or Thursday. Also open to Zoom meetings at our mutual convenience.

UCSD Email: morfield@ucsd.edu
Secondary (orfield.michael@gmail.com)

TEACHING ASSISTANTS:

1. TBD
   email
   office hours
2. TBD
   email
   office hours
Science, Technology, and the Law

OVERVIEW: Science advances exponentially, the Law, in its linear development, is slower to follow. The Judicial branch of government must prepare for the legal battles that are sure to be created by current and future scientific and technological advances. This course will require the students to think outside the box, to imagine a future world that could soon be their reality. From driverless cars to genetic engineering, to artificial intelligence, to space exploration, to the meaning of life itself. All of science and technology are on the table; all aspects of the law are fair game. 'Should we go there?' will be just as important a question as 'What will we find if we get there?' This class is about discovery, exploration, and collaboration with peers.

EXPECTATIONS: Students are expected to stay current on the information discussed in class. Students are expected to participate in the critical Small Group discussions which form the backbone of the course. Students are encouraged to create an atmosphere of respect and tolerance for varying views, as some subjects will be controversial.

STRUCTURE: This is a social science class (e.g., political science, history, pre-law) that explores issues housed in natural science courses (e.g., genetics, engineering, physics). The course will use hypotheticals, much like a Bar Exam, to explore the intersection of science/technology and the law. Classes will be a combination of lecture, audience participation, with doses of the Socratic Method employed to move our thinking along. Some time will be spent learning an area of the Law that may be helpful to a discussion of science and technology, such as constitutional law, torts, criminal law, and contracts.

IMPORTANT: I communicate with the students through the Canvas platform. Every student is responsible for keeping current as to all messages regarding Assignments, Announcements, etc.
GRADING:

a) three out-of-class essays,

b) attendance, and

c) extra credit.

a) Papers:

Ethics: The new reality is now shaped by such innovations as ChatGBT and its various competitors. As a class, we need to immediately discuss this new reality and decide the appropriate plan for grading. While not done in the past, this year I may employ the 3-hour Finals block. Be prepared to address this issue the first week, including in breakout groups of 12-15 students each.

10 days, including 2 weekends, will be given between assignment and due date. Each paper will have a minimum of 800 words, a maximum of 850 words, 14-point font, 1.5 spacing between lines, covering 2 full pages and all or part of a third.

The first line will be at the very top and consist of “Name- Pg #” in the right-hand corner (e.g., Michael Orfield-1). The second line will be blank. The third line will begin the paper. No Titles! Each subsequent page will follow this format.

Each paper will be given up to 100 points. The essays make up 84% of your grade.

b) Attendance:

Each day that you attend you will receive 1 point. You can obtain a maximum of 16 points through attendance. Tracking begins the Tuesday of Week 2, thus you have 18 days to obtain 16 points.
16-18 classes = 16 points; 15 classes= 15 points; 14 classes = 14 points, etc.

Attendance is thus important. If you cannot attend class and believe you have a valid excuse (e.g., sickness, family emergency) please notify Professor Orfield about an "Excused Absence".
Attendance is 16% of your grade.

*iClickers*- every student will need an iClicker for every class session. We will be doing polling and attendance using the iClickers.

**IT IS UNETHICAL TO BRING ANYONE ELSES' iCLICKER TO CLASS**

**PLEASE NOTE:** You will **not** be allowed to take the class asynchronously. The class will be shown live for those who cannot attend in class. Again, this is based on the importance of class participation and the need to have everyone attend for the success of the breakout sessions.

However, if you have some extraordinary situation that prevents you from taking the class in person, contact Professor Orfield to discuss an exception.

**c) Extra Credit:**

Four (4) extra credit points will be given to those who sign up for "iScience" and give a 2–3-minute oral overview of some interesting news/issue in the field of Science or Technology. If you find a legal issue embedded in your topic, all the better. These oral "iScience" reports are very useful in expanding the scope of the class. Sign up via Professor Orfield’s UCSD email or his secondary email. Provide me with your topic and any visual presentation (e.g. PowerPoint, which is highly recommended as a great visual aid). I can set it up on my computer if you send it to me beforehand, or you can also simply switch out my computer for yours at the podium. We will start the first Thursday of the class, going each Thursday thereafter. If necessary, we may add presentations onto the Tuesday calendar.

**Computing Your Grade**

Mathematically, a student can earn 104 points total for the Quarter, but the grading stops at 100.

**My Grading Rubric is:**

- 96.0 to 100 is an A+
- 89.5 to <96.0 is an A
- 86.0 to <89.5 is a B+
- 79.5 to <86.0 is a B
- Anything below 79.5 is a C
- Anything below 89.5 is a D
- Anything below 69.5 is a D
- Anything below 59.5 is an F
76.0 to <79.5 is a C+

Hypothetical Student Grading Process:

PAPERS
Paper #1 receives 86/100 points:
   \[.28 \times 86 = 24.08 \text{ points}\]
Paper #2 receives 92/100 points:
   \[.28 \times 92 = 25.76 \text{ points}\]
Paper #3 receives 90/100 points:
   \[.28 \times 90 = 25.20 \text{ points}\]
   \[75.04 \text{ points}\]

ATTENDANCE
The student attended 14 of the 18 classes during weeks 2-10
   \[14 \text{ points}\]
   \[89.04 \text{ Total, a B+}\]

EXTRA CREDIT
If the same student does an extra credit presentation, 4 points are added:
   \[89.04 + 4 = 93.04, \text{ which gives the student an A}.\]
OUTSIDE READING SUGGESTIONS:

There is no mandatory textbook, though some references below may be required.

Jay M. Feinman, *Law 101- Everything You Need to Know About American Law* (Oxford University Press, Publisher)

Sheila Jasanoff, *Science at the Bar* (Harvard University Press, Publisher)

Rebecca Skloot, *The Immortal Life of Henrietta Lacks* (Broadway Books, Publisher)

Henrietta Lacks, [https://en.m.wikipedia.org/wiki/Henrietta_Lacks](https://en.m.wikipedia.org/wiki/Henrietta_Lacks)

Cass R. Sunstein, *The World According to Star Wars* (HarperCollins, Publisher)


Michael Wooldridge, *A Brief History of Artificial Intelligence* (Flatiron Books, Publisher)

Students with Disabilities

Students requesting accommodations for this course due to a disability must provide a current Authorization for Accommodation (AFA) letter issued by the Office for Students with Disabilities (https://osd.ucsd.edu/Links to an external site.Links to an external site.Links to an external site.). Students are required to discuss accommodation arrangements with instructors and OSD liaisons in the department well in advance of any exams or assignments. The OSD Liaison for the Department of Political Science is Joanna Peralta; please connect with her via the Virtual Advising Center Links to an external site.Links to an external site.Links to an external site.Links to an external site. as soon as possible.

Academic Advising

Students who have questions pertaining to Political Science academic advising are asked to reach out to the Department's Undergraduate Advisor, Natalie Ikker, who can be reached via the Virtual Advising Center Links to an external site.Links to an external site.Links to an external site.Links to an external site.. Academic advising questions often include (but not limited to): add/drop deadlines, course enrollment policies, planning major and minor requirements, quarter-by-quarter plans, department petitions and paperwork, and referrals to campus and student support services.

Inclusive Classroom Statement

I and my TAs are fully committed to creating a learning environment that supports diversity of thought, perspectives, experiences, and identities. We urge each of you to contribute your unique perspectives to discussions of course questions, themes, and materials so that we can learn from them, and from each other. If you should ever feel excluded, or unable to fully participate in class for any reason, please let me know, or you may also submit anonymous written feedback to the Department of Political Science's Undergraduate Advisor, Natalie Ikker Links to an external site.Links to an external site.Links to an external site.Links to an external site.. Natalie will bring these anonymous comments to my attention. Additional resources to
support equity, diversity, and inclusion in our classroom, and beyond, may be found here: Office of Equity, Diversity, and Inclusion:

858.822.3542 | diversity@ucsd.edu | https://diversity.ucsd.edu/ Links to an external site. https://students.ucsd.edu/student-life/diversity/index.html Links to an external site. https://regents.universityofcalifornia.edu/governance/policies/4400.html (Links to an external site.)

UC San Diego Principles of Community

https://ucsd.edu/about/principles.html Links to an external site.

UC San Diego Policy on Integrity of Scholarship

http://senate.ucsd.edu/Operating-Procedures/Senate-Manual/Appendices/2 Links to an external site.

Religious Accommodation

https://senate.ucsd.edu/operating-procedures/educational-policies/courses/epc-policies-on-courses/policy-exams-including-midterms-final-exams-and-religious-accommodations-for-exams/Links to an external site.

Nondiscrimination and Harassment

"The University of California, in accordance with applicable Federal and State law and University policy, does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, pregnancy,¹ physical or mental disability, medical condition (cancer related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services.² The University also prohibits sexual harassment. This nondiscrimination policy covers admission, access, and treatment in University programs and activities."
https://ophd.ucsd.edu/policies-procedures/nps_student.htmlLinks to an external site.

UC San Diego Student Conduct Code