Note: The following includes the important terms and phrases we have covered in this final part of the course; they were discussed in the readings, in class, or both. You should know both the meaning of the term or phrase and the significance thereof, especially as it relates to the protection of civil liberties. While I have not listed any of the cases we have covered, you are responsible for them as well, along with the information portrayed in the readings from the Rosenberg and O'Brien (Lanahan) books. The format of Part I (on privacy and gender) of the final exam will be will be the same as the prior mid-term exams, including multiple choice and other types of questions such as short answers and essays. Part II (cumulative section) will also be a combination of multiple choice, short answers, and essays. So, bring a pencil (and eraser) to fill in the grading sheet.

### Rights of Privacy
- privacy from government, not private, intervention?
- 9th Amendment vs. enumerated rights
- fundamental rights
- due process and/or other constitutional issues regarding privacy
- substantive (and procedural) due process
- rise, fall, and revival of substantive due process
- origins of substantive due process
- freedom of/right to contract (economic liberty)
- economic liberty vs. personal liberty
- analogy between substantive due process and commerce clause interpretation
- laissez-faire theory as constitutional doctrine
- The Switch
- Footnote 4
- penumbras
- viability
- trimester approach
- Justice O’Connor’s role in abortion decisions
- unduly burdensome standard
- central tenant of Roe v. Wade
- right to privacy concerning gay rights
- right to privacy concerning right to die

### Gender
- gender as similar and different from racial discrimination
- traditional legal status of women in US society doctrine of coverture
- gender stereotypes or legitimate differences?
- Belva Lockwood’s contributions/experiences
- Effect of “The Switch”
- Equal Rights Amendment
- Title IX
- Supreme Court’s reaction to political process
- Justice Bader-Ginsburg’s role in gender cases
- type of judicial scrutiny used for gender cases (strict, intermediate, or rational basis)
- Why did Supreme Court settle on particular level of scrutiny for gender cases?
- definition/interpretation of intermediate scrutiny
- Women in combat
- type of judicial scrutiny in equal protection analysis, or statutory interpretation?
General Thoughts about the Final Exam:
The final exam is divided into two sections. Part I will be very similar to the prior exams; that is, there will be multiple choice questions on Privacy and Gender issues that are designed to test your knowledge and understanding of the material covered in the final sections of the course after Mid-term #2. Part II will be somewhat different, as this is the cumulative part of the exam that is designed to test your knowledge, understanding, and analysis of the entire course. In Part II, multiple choice questions, short answers, and essays of a cumulative nature, particularly as concerns comparisons across the various topics we have studied this semester, as well as specific questions about the assigned readings in the Concluding Thoughts section of the syllabus and the Rosenberg book, will be addressed. Thus, the specific details of the material on Privacy and Gender are most important for Part I of the final exam, while the “big picture” of all material is most important for Part II. Notwithstanding, in Part II there will be specific questions about material from the earlier sections of this course (Supreme Court Power; Incorporation of Bill of Rights; Freedom of Speech; Racial Discrimination) as well as from this final sections (Privacy and Gender), as this truly is a “cumulative” final exam.

The final exam takes place on Tuesday, April 25, 2:45-4:45pm. I will hold extra office hours during the final exam period, as follows:
   Monday, April 24, 9:30-11:30am