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### PSCI 370.01: Courts and Judicial Politics

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# PSCI 370

## Courts and Judicial Politics

Fall 2016

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Office Hours:  
MWF 1:00 – 3:00  
or by appointment

This course will provide students with a set of analytic skills and substantive knowledge about judicial processes. It will focus largely on judicial materials in this country. In the course of the semester, the following topics will be treated:

- The contexts in which U.S. Courts operate.
- The actors who play significant roles in the operation of the courts in this country.
- The structures of the U.S. courts.
- The processes used in the judicial system.
- The impact and consequences of the operation of courts in this country.

The books required for this course are:

- Mark Miller, JUDICIAL POLITICS IN THE UNITED STATES, (Westview Press, 2015).

This textbook has been ordered from the University Bookstore and you should purchase a copy when it arrives. That may be later the first week of class or sometime during the second week. Stay tuned.

This material is available at various local sources. It should be purchased immediately. Reading assignments are list below in connection with the topical outline. These reading assignments need to be completed before the class discussion on each topic.

The order of topics that will be covered in this course and the textbook reading assignments associated with each follows.

- I. Introduction, Miller, Ch. 1**
- II. Actors**
  - a. Litigants
  - b. Lawyers, **Miller, Ch. 4**
  - c. Judges, **Miller, Ch. 3**
- III. Structures of American Courts, Miller, Ch. 2**
  - a. State Courts
  - b. Federal Courts
- IV. Judicial Processes**
  - a. Civil, **Miller, Ch. 6**
  - b. Criminal, **Miller, Ch. 5**

c. Appellate, **Miller, Ch. 7**

**V. Judicial Decision Making, Miller, Ch. 9**

a. Juries

b. Trial Judges

c. Appellate Judges, **Miller, Ch. 8**

**VI. Courts and Other Institutions**

a. Legislatures, **Miller, Ch. 10**

b. Executives, **Miller, Ch. 11**

c. Bureaucracies, **Miller, Ch. 12**

**VII. Impact and Policy Making, Miller, Ch. 9 (re-read)**

**VIII. Comparisons, Miller, Ch. 13**

## Grades

The grades in this course are based on a variety of assignments and tasks. These will be completed throughout the semester. The components and their weights in the final grade are listed below:

<b>Components</b>	<b>Weight</b>
Class Participation	20%
Research Project	20%
Examinations	60%
Quizzes	(25%)
Final Examination	(35%)
<b>Total</b>	100

Grades for this course will be assigned using the traditional letter grading system which ranges from grades of A down to F. The end letter grade will depend on the student's final score ranging from 100 down. That grade will be curved somewhat in order to reflect the comparative quality of the work each student submitted throughout the course.

**Class Participation.** Participating in class discussions and answering questions in class are essential for students to learn the material in this course. The purpose of this part of the course is to help students develop the ability to explain what they are learning in this course and to assess how well they understand the material. Passive learning – “sitting quietly in the back of the room” – is not a satisfactory way to learn these materials.

Individual students will be called on randomly throughout the semester. They will be asked questions about reading assignments and about the points under discussion in class. Their responses will be graded, and those responses will be the “Class Participation” component of the Final Grade. Students must attend class everyday, and they need to be prepared to discuss the readings and other assignments.

N.B. Some students are quite willing to volunteer questions and comments (answers) in class. That is commendable and it is valued. However, voluntary contributions will not be graded as a part of the class participation segment of the Final Grade.

Class discussions are a vital part of this course. As a result, it is important to listen respectfully to what other students contribute when they are responding or commenting on the subject. Respect for your classmates is very important. Please remember to turn off all electronic devices before coming into class. Ringing devices are a terrible distraction and will result in the immediate end of class. If cell phone calls or texting is vital to your continued existence, then please do not attend class.

**Research Project.** Writing is a very important and lasting skill that students must develop. The Research Project will be developed and outlined somewhat later in the term. However, students should expect to engage in some library (as well as internet) research for this project and the development of a Final Paper. The Project will involve several segments. These assignments will have short or immediate **deadlines**, and students will be expected to complete each of these assignments quickly comfortably before each deadline. Postponing or waiting until “the last minute” to complete these will not be a successful approach to this Research Project. Each of these will be evaluated and returned, and students should keep all their submissions and revise them as need be after they are returned.

- Selection of a topic
- Develop a bibliography
- Conduct the research using the bibliography and additional leads acquired from the initial bibliography.
- Submit an outline of the paper reflecting your analysis of the topic
- Submit the a rough draft of the paper.
- Submit the final version of the paper.

A separate handout will explain each of these steps in more detail, along with the actual due dates for each of these. The subject matter for this research will be the selection and the analysis of a “problem” that relates to some aspect of the judicial system in this country.

**Examinations.** There are two kinds of examinations in this course.

- The **Final Examination** will be cumulative and comprehensive. It will be given during the regular, final exam period at the end of the semester, at the scheduled time and place.
- The **Quizzes** will be in-class, un-announced, and short answer quizzes. They will focus on class discussions and reading assignments. They will be written in the “Blue Book” that is provided at the beginning of the Semester. There will be a number of these during the semester. They cannot be “made up” if they are missed since they focus on material that is current during the semester.

A Note about Class attendance: It is required, and absences are not “excused,” with an exception for bereavement. Absences can be explained but students are still responsible for everything that occurs in class, every day. The material covered in class will not be repeated for the convenience of absent students. It is recommended that each student “make friends” with at least one other class member for purposes of studying and sharing notes and ideas. That should provide an adequate method for catching up if a student misses class.

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The following items are important for you to know about and to understand. These are statements provided by the University or the instructor. They relate to matters of general concern and that might affect you as a student generally or in this class during the term.

All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and students need to be aware of the Student Conduct Code. See [http://www.umt.edu/vpsa/policies/student\\_conduct.php](http://www.umt.edu/vpsa/policies/student_conduct.php). In connection with this course, the penalty for any student engaging in academic dishonesty, particularly plagiarism, will be a failing grade for the entire course.

Students with disabilities may request reasonable modifications by contacting me. The University of Montana assures equal access to instruction through collaboration between students with disabilities, instructors, and Disability Services for Students. "Reasonable" means the University permits no fundamental alterations of academic standards or retroactive modifications. Contact Disability Services for further information and assistance. The DSS website: ([life.umt.edu/dss/Faculty/default.php](http://life.umt.edu/dss/Faculty/default.php)) or call 406.243.2243. You should inform the instructor at the outset of any needs for accommodation. You should inform the instructor at the outset of any needs for accommodation.

I recognize that a time of bereavement is very difficult for a student. As a result, students will be excused for funeral leave and given the opportunity to earn equivalent credit and to demonstrate evidence of meeting the learning outcomes for missed assignments or assessments in the event of the death of a member of the student's family. I do not need any sort of "excuse" for this purpose. I will take your word for your need.

In the event of a major campus emergency, course requirements, deadlines and grading percentages are subject to changes that may be necessitated by a revised semester calendar or other circumstances beyond the instructor's control.

I am committed to maintaining a community which recognizes and values the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding, and mutual respect among its members; and encourages each individual to strive to reach his or her own potential. To achieve academic excellence, I will do everything I can to insure that we all respect and value diverse perspectives and backgrounds in order to promote the exchange of ideas, and enriches campus life.

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