**PSCI 3200**

**The American Legal System**

Summer II 2014; Sage 176; M-Th, 12:00 – 1:50

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| **Instructor:** |  | |
| Dr. Wendy Watson | Office: | 156 Wooten Hall |
| e-Mail: wendy.watson@unt.edu | Office Hours: | M/W 2:00 – 3:30;  T/Th 9 – 10 ;  and by appointment |

**Course Description:**

In this course, we will explore the structure and procedures of the U.S. court system; the nature of law; the roles of lawyers, judges, and litigants in the resolution of disputes; and the role of the courts in creating public policy. Even though this is a five week class, we will be covering the material from a long semester. That means you will need to spend several hours each day preparing for the next. If you do not come to class adequately prepared, you will have a hard time following what we do in class, and your grade will likely suffer.

**Course Materials:**

Carp, Stidham, and Manning. 2014*. Judicial Process in America, 9th Edition* (Sage Publishing).

All additional readings will be posted on Blackboard.

**Assignments and Grading:**

Your grade in this course will be based on:

Group Project 15%

Quizzes 15%

Exams (2 @ 25% each) 50%

Class Blog Entries (4 entries @ 5% each) 20%

Total 100%

There is no curve in this class. It is thus possible that everyone in the class will receive an A. It is also possible that no one will receive an A. Grades will be based upon the following scale:

A: 90-100

B: 80-89

C: 70-79

D: 60-69

F: anything below 60

Incompletes will only be given to students who provide documentation of a serious illness or family emergency that prevents them from completing course requirements in a timely fashion.

**Make-up Policy for Exams and Late Policy:**

Make-up exams will only be given if you contact me in advance of the test date and time. If you do not contact me in advance, you will receive a “0” on the test. Make-up exams may differ from the regular exam in both questions and format. You must schedule a time and date to make up the exam, and that time and date can be no more than 48 hours after the exam.

With respect to all other assignments, there is a zero-tolerance late policy. Blog entries can be done at your leisure online; quizzes must be done in class but I drop your two lowest scores which gives you some wiggle room if you are late or miss a class; and the group project is due when it’s due.

**Attendance:**

I will take attendance during every class (other than exam days). You may miss two classes with impunity, but after that you begin to lose points. Specifically, for every day (after two) that you are absent, I will take one percentage point off your final grade.

**Group Project:**

You will be randomly assigned to a group as soon as the drop deadline has passed. Group size may range from 5-7.

Here is your group’s mission: Greenistan, a little known country in the Balkans, has recently decided (after a military coup) to move from a totalitarian monarchy to a representative democracy. You have been tasked with providing Greenistan’s constitutional convention with advice for the creation of their judicial branch. (Note that Greenistan is a very small country, so there will be no states … only a national government.) What advice will you give them? Your answer should address the jurisdiction and authority of the judiciary, the institutional structure of the judiciary, the issue of judicial independence, and judicial selection. Justify your recommendations based on class readings; you may also reference current events.

Your group will need to write a 3-5 page memo outlining your advice and the reasons for it; that memo will be uploaded to Blackboard for grading purposes. A memo is written single spaced, with a blank space between paragraphs (and no indentation for paragraphs); a sample will be posted on Blackboard.

You will also be expected to conduct a 7-10 minute presentation on your proposed policies. This presentation must include a visual component of some sort. Feel free to be creative. The paper is due at noon on the last day of class (Thursday, 8/7). There is a zero-tolerance late policy. Your group will lose 5% of your memo grade for each hour it is late. Group presentations will take place on Thursday, 8/7, during the regular class period.

Please note that I will give you class time to work on the project, but you will likely need to coordinate outside of class. Your group will have e-mail capability as well as a discussion board.

Your individual grade for this project will be 50% for the paper, 30% for the presentation, and 20% based on a peer evaluation. Note that if everyone in your group gives you zeroes on your peer evaluations, you will earn a “0” for the entire project.

**Quizzes:**

I will give 7 in-class quizzes throughout the term. The quizzes will cover the readings for that day (i.e., what you should have read the night before). These short quizzes will take place at the beginning of class, starting promptly at noon, and you will turn them in at 12:15. There are no make-ups for quizzes and no exceptions on the timing. At the end of the term, I’ll drop your two lowest quiz grades, which gives you a little wiggle room if you do arrive late some day.

**Class Blog:**

We have a class blog on Blackboard. You are responsible for 4 blog posts over the semester, one per week of class. Your first week’s entry must be posted by noon of the Monday of the second week, and so on. There are three types of posts available to you:

1. Court Observation: If you visit a state or federal court in the Metroplex, you may write a post about your experience. Be sure to include your own thoughts about the experience (did something surprise you? did something seem unfair? how did the lawyers and judge act?)
2. Discussion Questions: At the end of every chapter of the CSM book there is a list of discussion questions. Pick one for your post and provide your answer to the question. Show critical thinking and analysis in your response (“I don’t know” or “Yes” will not suffice).
3. In the News: If you encounter an interesting news clip, article, or other blog post about law, courts, or lawyers, you may provide a link to your source and provide commentary about what you saw/read (how does it comport with what you have learned in class? does it seem just or not?). Remember: you should not simply summarize the news story.

**Exams:**

There will be two exams in this class: a midterm on Tuesday, July 22, and a final exam on Friday, August 8. The exams are non-cumulative and equally weighted. They will include a mix of multiple choice, multiple answer, matching, and short answer, questions. These exams will be administered online in the computer testing center in 330 Sage Hall.

***ADA Statement***: The University of North Texas is on record as being committed to both the spirit and letter of federal equal opportunity legislation; reference Public Law 92-112 – The Rehabilitation Act of 1973 as amended. With the passage of new federal legislation entitled Americans with Disabilities Act of 1990 (ADA) as amended, pursuant to section 504 of the Rehabilitation Act, there is renewed focus on providing this population with the same opportunities enjoyed by all citizens.

As a faculty member, I am required by law to provide "reasonable accommodations" to students with disabilities, so as not to discriminate on the basis of that disability. Student responsibility primarily rests with informing faculty of their need for accommodation and in providing authorized documentation through designated administrative channels. Information regarding specific diagnostic criteria and policies for obtaining academic accommodations can be found at [www.unt.edu/oda](http://www.unt.edu/oda). Also, you may visit the Office of Disability Accommodation in the University Union (room 321) or call (940) 565-4323.

***Cheating and Plagiarism***: Students caught cheating or plagiarizing will receive a "0" for that particular assignment or exam.  Additionally, the incident will be reported to the Office of Student Rights and Responsibilities, which may impose a further penalty.  According to the UNT catalog, the term "cheating" includes, but is not limited to: a. use of any unauthorized assistance in taking quizzes, tests, or examinations; b. dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; c. the acquisition, without permission, of tests or other academic material belonging to a faculty or staff member of the university; d. dual submission of a paper or project, or resubmission of a paper or project to a different class without express permission from the instructor(s); or e. any other act designed to give a student an unfair advantage. The term "plagiarism" includes, but is not limited to: a. the knowing or negligent use by paraphrase or direct quotation of the published or unpublished work of another person without full and clear acknowledgment; and b. the knowing or negligent unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

***Acceptable Student Behavior:*** Student behavior that interferes with an instructor’s ability to conduct a class or other students' opportunity to learn is unacceptable and disruptive and will not be tolerated in any instructional forum at UNT. Students engaging in unacceptable behavior will be directed to leave the classroom and the instructor may refer the student to the Center for Student Rights and Responsibilities to consider whether the student's conduct violated the Code of Student Conduct. The university's expectations for student conduct apply to all instructional forums, including university and electronic classroom, labs, discussion groups, field trips, etc.  The Code of Student Conduct can be found at [www.unt.edu/csrr](http://www.unt.edu/csrr)

**Course Schedule**

**Date Reading/Notes/Due Dates/Activities**

7/7 Introduction and First Principles

7/8 The Federal Court System

* CSM Chapter 2

7/9 Federal Judges – START 15 MINUTES LATE

* CSM Chapter 6
* Nancy Scherer, “The Judicial Confirmation Process: Mobilizing Elites, Mobilizing Masses,” 86 *Judicature* 240 (2003)

7/10 State Court Systems

* CSM Chapter 3
* Abrahamson, Shirley and Diane Gutmann, “The new federalism: state constitutions and state courts,” 71 *Judicature* 88 (1987)

7/14 State Judges

* CSM Chapter 5
* In class video: Justice for Sale
* First Blog Entry Due at Noon Today

7/15 Jurisdiction – START 15 MINUTES LATE

* + - CSM Chapter 4

7/16 Criminal Law, Part I

* CSM Chapter 9

7/17 Criminal Law, Part II

* CSM Chapter 10

7/21 Plea Bargaining Simulation

* Second Blog Entry Due at Noon Today

7/22 **Midterm Examination: 330 Sage Hall**

7/23 The Civil Court Process

* + - CSM Chapter 11
    - Miller and Sarat, “Grievances, Claims, and Disputes: Assessing the Adversary Culture,” 15 *Law and Society Review* 525

7/24 Lawyers Litigants and Interest Groups

* CSM Chapter 8
* Herbert Kritzer, “Contingency Fee Lawyers as Gatekeepers in the Civil Justice System” 81 *Judicature* 22 (1997)

7/28 Petit Juries

* Third Blog Entry Due at Noon Today

7/29 Decision-Making by Trial Judges

* CSM Chapter 12

7/30 Decision-Making in Collegial Courts – START 15 MINUTES LATE

* CSM Chapter 13

7/31 Agenda Setting by the Supreme Court

* Caldeira, Gregory, and John Wright, “The Discuss List: Agenda Building in the Supreme Court,” 24 *Law & Society Review* 807 (1990).
* Caldeira, Gregory and John Wright, “Organized Interests and Agenda Setting in the U.S. Supreme Court,” 82 *American Political Science Review* 1109 (1988).

8/4 Judicial Policy Making, Part I

* CSM Chapter 14
* Fourth Blog Entry Due Today at Noon

8/5 Judicial Policy Making, Part II: Examples

* Devins, Neal, “Judicial Matters,” 80 *Cal. L. Rev*. 1027 (1992).

8/6 Policy-Making by American Judges

* CSM Chapter 15

8/7 Group Presentations

8/8 **Final Examination: 330 Sage Hall**