Course Overview and Objectives:
This class surveys the system of courts in the United States, with particular attention being paid to contemporary issues related to the judicial branch of government. The issues we cover include: courts as political institutions; organization of the federal and state courts; the function of the judiciary; the roles and impact of the actors working within the judicial system; analyzation of criminal, civil, and appellate courts; and, the implications of the judiciary on public policy in the United States. The central focus of this class will be on the importance of the judicial process within the overall political system in the United States. Thus, this course should provide students with an appreciation that courts inherently are political institutions, as are the actors (such as judges and lawyers) working within the judicial system.

Course Web Site:
The course web site, which includes course information and links to various sources, including this Syllabus, can be found at: http://homepages.wmich.edu/~mhurwitz/psci3200_process_fa08

Communicating Information:
Information from the professor to students will be communicated in three ways: 1) in class; 2) the course web page; 3) email. You must activate and check your ‘wmich.edu’ email to receive such messages. Consequently, “I did not receive notice” is not a sufficient excuse.


Assigned Readings:
Readings on course reserve are available on-line through the WMU Libraries system: http://www.wmich.edu/library/reserves/

Class Schedule:
Class takes place every Tuesday and Thursday from 10-11:40am during the Fall semester, with the exception of Thursday, November 27 (Thanksgiving Recess), on which class is cancelled.
**Exams:**
There are three (3) exams in this class. All of the exams consist of a variety of short-answer question types, with the predominant question type being multiple choice. While the exams are not cumulative, concepts in the latter part of the semester build upon that presented previously. The exams are based on the entire body of material presented in class and in the assigned readings. Much of the material on these exams is delivered in class and not necessarily in the readings; however, some material from the readings that is not covered in class is tested on the exams as well. The exam schedule follows:

- Exam #1: Thursday, October 2
- Exam #2: Thursday, November 6
- Exam #3: Tuesday, December 9 (during Final Exam week)

**Paper Requirement:**
Students are required to write a short paper (5-6 pages in length) on a topic detailed in a separate handout. The paper is due on Tuesday, December 2.

**Grading:**
The final course grade is based entirely upon performance on the exams and paper assignment as stated below, as there is no extra credit in this class:

- Student’s highest exam grade: 35%
- Student’s next-highest exam grade: 35%
- Student’s lowest exam grade: 15%
- Paper Assignment: 15%

**Grading Scale:**
The numerical averages below translate into the following final grades:

- 90+: A (4.0)
- 85-89: BA (3.5)
- 80-84: B (3.0)
- 75-79: CB (2.5)
- 70-74: C (2.0)
- 65-69: DC (1.5)
- 60-64: D (1.0)
- ≤60: E (0.0)

**Make-up Exams:**
It is completely the student’s responsibility to take the exams when they are scheduled. As a general rule, make-up exams will not be allowed; thus, a missed exam counts as a zero (0) toward the final course grade. Notwithstanding, at the professor’s sole discretion make-ups will be permitted, but only the gravest of reasons will be accepted, if documented in writing by the proper authority. Even if there is an acceptable reason for missing the regularly scheduled exam, permission to take a make-up will be granted only if the student provides the professor with prompt and proper notification; that is, the student must inform the professor of the reason for missing the exam with proper documentation before the exam takes place, and the reason must be acceptable to the professor. If a make-up is permitted, both the format and questions can, and likely will, be different from the regularly scheduled exam.

**Incomplete Grades:**
Note that the professor does not give grades of Incomplete in this class under any circumstance, as a missed exam counts as a zero (0) toward the final course grade.
**Academic Honesty and Integrity:**
Per WMU policy: You are responsible for making yourself aware of and understanding the policies and procedures in the Undergraduate and Graduate Catalogs that pertain to Academic Honesty. These policies include cheating, fabrication, falsification and forgery, multiple submission, plagiarism, complicity and computer misuse. [The policies can be found at http://catalog.wmich.edu/, follow links to Academic Policies, Student Rights and Responsibilities.] If there is reason to believe you have been involved in academic dishonesty, you will be referred to the Office of Student Conduct. You will be given the opportunity to review the charge(s). If you believe you are not responsible, you will have the opportunity for a hearing. You should consult with the professor if you are uncertain about an issue of academic honesty prior to the submission of an assignment or test. [The Code of Honor passed by the Faculty Senate in November 2004 and administration in December 2004, can also be found at http://catalog.wmich.edu/.]

The following are useful, if silly, web sites that explain plagiarism and proper citation procedures:


http://library.acadiau.ca/tutorials/plagiarism/

http://library.camden.rutgers.edu/EducationalModule/Plagiarism/

**WMU Turnitin Supplementary Syllabus Statement:**
Students who take this class must be prepared to submit electronic copies of some or all assignments. The University expects that all students will be evaluated and graded on their own work. If you use language, data or ideas from other sources, published or unpublished, you must take care to acknowledge and properly cite those sources. Failure to do so constitutes plagiarism. To deter plagiarism, encourage responsible student behavior, improve student learning and ensure greater accountability, assignments for this class may be submitted to Turnitin® for plagiarism detection. Papers that are submitted to Turnitin® become part of the Turnitin® database (student identities are protected). If you choose to request that your paper(s) not become part of the Turnitin® student papers database this must be communicated to the professor in writing at the beginning of the course. If the results of a Turnitin® originality report may be used to charge you with plagiarism you will be notified of the result of the report, and you will be given the opportunity to respond per the regular institutional process and procedures that govern student academic conduct (http://www.osc.wmich.edu/academicintegrity/).

**Special Needs:**
Any student with special needs should inform the professor as soon as possible, so that appropriate accommodations can be made.

**Class Procedure:**
Class will be conducted in a lecture/discussion format. Lectures will complement but not regurgitate material from the readings. Notwithstanding, students are encouraged to ask questions or raise issues at any time on the readings, the lecture, or a contemporary judicial issue.
Assignments:
The Schedule of Assignments notes the topics to be covered and the dates for lectures and exams. This schedule will be followed as closely as possible; however, the professor reserves the right to change if necessary, and students will be notified appropriately (in class, email, and/or the web page) of any changes. Additionally, there may be material handed out in class or posted on the class web page (such as current news issues on judicial politics) for which students additionally are responsible. Assignments preceded by an asterisk (*) are on course reserve through the WMU Libraries system.

Schedule of Assignments:

I. Introduction: Courts as Political Institutions (Sept. 2 - 9)
   - O’Brien, *Storm Center*, Chapters 1-3
   - Carp, Stidham, and Manning, Chapter 1
   - Slotnick Text, p. 1
   - Slotnick Readings: pp. 2-17 (Slotnick)

II. The Organization of American Courts ((Sept. 11 - 23)
   - Carp, Stidham, and Manning, Chapter 2
   - Carp, Stidham, and Manning, Chapter 3 (pp. 52-62, 69)
   - Carp, Stidham, and Manning, Chapter 4 (pp. 72-78, 94)
   *Glick and Vines (1973): “State Court Organization,” in *State Court Systems* (Chapter 2)

III. Lawyers (Sept. 25 - 30)
   - Carp, Stidham, and Manning, Chapter 8 (pp. 176-190, 197-198)
   - Slotnick Text, p. 145
   - Slotnick Readings: pp. 146-153 (Adams)
   - Slotnick Readings: pp. 157-165 (Kritzer)

Exam #1 – Thursday, October 2 (during class)

IV. Judicial Selection and Judges (Oct. 7 - 14)
   - Carp, Stidham, and Manning, Chapter 6
   - Carp, Stidham, and Manning, Chapter 5
   - Slotnick Text, pp. 47-49
   - Slotnick Readings: pp. 50-52 (Berkson);
     pp. 73-85 (Scherer);
     pp. 547-561 (Watson and Stookey)
   - Slotnick Text, pp. 264-265
   - Slotnick Readings: pp. 266-269 (Goldman)
     pp. 270-279 (Hurwitz and Lanier)
     pp. 286-292 (Davis, Haire, and Songer)
V. Criminal Trial Courts (Oct. 16 - 23)
Carp, Stidham, and Manning, Chapter 9 (pp. 202-209, 213-231)
Carp, Stidham, and Manning, Chapter 10
Slotnick Text, pp. 302-304
Slotnick Readings: pp. 305-313 (Worden);
pp. 324-327 (Morris)

VI. Civil Trial Courts (Oct. 28 - Nov. 4)
Carp, Stidham, and Manning, Chapter 11
Slotnick Readings: pp. 611-620 (Cooley)
*Newsweek article by Taylor and Thomas: “Civil Wars: Our Litigation Nation—and a Plan to Fix It.” December 15, 2003 issue
*Center for Justice & Democracy Rebuttal to Newsweek article. December 7, 2003

Exam #2 – Thursday, November 6 (during class)

VII. Appellate Courts: The Process (Nov. 11 - 13)
Carp, Stidham, and Manning, pp. 86-87, 46-48, 67-68
Slotnick Text, pp. 336-337
Slotnick Readings: pp. 338-349 (Provine)
Slotnick Readings: pp. 379-386 (O’Brien)

VIII. Appellate Courts: Policy and Impact (Nov. 18 - 20)
Carp, Stidham, and Manning, Chapter 14
Slotnick Text, pp. 634-635
pp. 636-641 (Meese and DeHart);
Slotnick Readings: pp. 651-660 (Wasby)

IX. United States Supreme Court (Nov. 25 - Dec. 4)
O’Brien, Chapters 4, 5, 6
pp. 668-674 (Friedman)
*Associated Press (February 8, 2006): “Breyer Says ‘Zero’ Politics on the Court”
*Washington Post (October 25, 2004): “Breyer Cites Doubt About Impartiality of Election Vote”

Exam #3 – Tuesday, December 9, 10:15am - 12:15pm (during Final Exam week)