

**PLSC 385-1 Winter 2016**

**MW 9:30-10:45**

Pray-Harrold 420

[CRN: 21224]

[Credit Hours: 3]

**Judicial Process & Behavior**

Dr. Henschen

601 Q Pray-Harrold

Hours: MW 12:30-1:30 (office)/by email/and by appointment

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This course will focus on the role that courts play in the American political system. We will begin by examining the organization of the federal and state court systems and the selection of state court judges and federal judges. We will also explore the behavior of lawyers and litigants in the judicial system. After examining trial court processes in criminal and civil cases, we will turn our attention to decision making in appellate courts, with special emphasis on the U.S. Supreme Court. Finally, we will consider the relationships between courts and public opinion, interest groups, and the media, and we will examine the interaction that occurs between courts and other governmental actors in the implementation and impact of judicial policy.

**Books: REQUIRED**

Miller, Mark C. 2015. *Judicial Politics in the United States*. Boulder, CO: Westview Press.

Phillips, Steven. 1978. *No Heroes, No Villains: The Story of a Murder Trial*. New York: Vintage Books/Random House.

**Reading Schedule and Assignments:**

**January**

6/Wednesday	Courts as Legal and Political Institutions	
11/Monday	Sources of Law and the Functions of Courts	Miller, ch 1
13/Wednesday	Court Organization: Federal and State	Miller, ch 2
18/Monday	Martin Luther King, Jr. Day—No Class	
20/Wednesday	The Politics of Federal Judicial Selection	Miller, ch 3
25/Monday	State Judicial Selection Methods	Miller, ch 3
27/Wednesday	The Legal Profession	Miller, ch 4

**February**

1/Monday	Judges	Miller, ch 4
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3/Wednesday	Quiz #1 / Trial Courts in the Criminal Justice System	25 points Miller, ch 5
8/Monday	Criminal Court Processes: Screening Cases	Miller, ch 5
10/Wednesday	Trials and Sentencing	Miller, ch 5
15/Monday	Discretionary Decision Making in Criminal Trial Courts <i>No Heroes, No Villains: The Story of a Murder Trial</i>	
17/Wednesday	Trial Courts in the Civil Justice System	Miller, ch 6
22/Monday-26/Friday	Winter Recess	
29/Monday	Litigation Decisions and Court Processes	Miller, ch 6
<b>March</b>		
2/Wednesday	Quiz #2 / Discretionary Decision Making in Civil Trial Courts <i>A Civil Action</i> (DVD)	25 points
7/Monday	<i>A Civil Action</i> (DVD)	
9/Wednesday	Exam I	90 points
14/Monday	Appellate Courts: Purposes and Processes	Miller, ch 7
16/Wednesday	Appellate Courts: Discretionary Decision Making	Miller, ch 7
21/Monday	Influences on Appellate Court Decisions	Miller, ch 8
23/Wednesday	Quiz #3 / Public Opinion, Interest Groups, and the Media	25 points Miller, ch 9
28/Monday	Legislative-Judicial Interaction	Miller, ch 10
30/Wednesday	Executives, Agencies, and the Courts	Miller, chs 11 & 12
<b>April</b>		
4/Monday	Judicial Impact / Courts Beyond the U.S.	Miller, ch 13
6/Wednesday	Finalize Your *Research Projects	45 points

11/Monday	**Research Roundtables		45 points
13/Wednesday	**Research Roundtables		45 points
18/Monday	Thinking About Courts and Judges		
20/Wednesday	Study Day		
25/Monday	Final Exam	7:30-9:00	90 points

**Overview of Assignments:**

February 3/Wednesday	Quiz #1		25 points
March 2/Wednesday	Quiz #2		25 points
March 9/Wednesday	Exam I		90 points
March 23/Wednesday	Quiz #3		25 points
April 11/Monday	**Research Roundtables/Research Project		45 points
April 13/Wednesday	**Research Roundtables/Research Project		45 points
April 25/Monday	Final Exam	7:30-9:00	90 points

**Grading scale:**

282-300 points A		94-100%
270-281	A-	90-93
261-269	B+	87-89
249-260	B	83-86
240-248	B-	80-82
231-239	C+	77-79
219-230	C	73-76
210-218	C-	70-72
201-209	D+	67-69
189-200	D	63-66
180-188	D-	60-62
Below 180	F	Below 60%

Check your university e-mail frequently for announcements related to class.

Class attendance, good note taking, and careful reading are essential to doing well in this course. It is also important for you to be *present*—to be fully engaged during lectures and in class discussions. Laptops closed, phones put away...

**Additional information regarding classroom matters will be discussed in class.**

In addition to the articulated course specific policies and expectations, students are responsible for understanding all applicable University guidelines, policies, and procedures. The EMU Student Handbook is the primary resource provided to students to ensure that they have access to all University policies, support resources, and students' rights and responsibilities. Changes may be made to the EMU Student Handbook whenever necessary, and shall be effective immediately, and/or as of the date on which a policy is formally adopted, and/or on the date specified in the amendment. **Please note:** Electing not to access the link provided below does not absolve a student of responsibility. For questions about any university policy, procedure, practice, or resource, please contact the Office of the Ombuds: 248 Student Center, 734.487.0074, [emu\\_ombuds@emich.edu](mailto:emu_ombuds@emich.edu), or visit the website: [www.emich.edu/ombuds](http://www.emich.edu/ombuds)

**UNIVERSITY WRITING CENTER**

**115 Halle Library**

**734-487-0694**

<http://www.emich.edu/uwc>

**WINTER 2016 SYLLABUS TEXT**

The **University Writing Center** (115 Halle Library; 487-0694) offers one-to-one writing consulting for both undergraduate and graduate students. Students can make appointments or drop in between the hours of **10 a.m. and 6 p.m. Mondays through Thursdays and from 11 a.m. to 4 p.m. on Fridays**. The UWC opens for the Winter 2016 semester on **Monday, January 11** and will close on **Tuesday, April 19**. Students are encouraged to come to the UWC at any stage of the writing process.

The UWC also has several satellite locations across campus (in Owen, Marshall, Pray-Harrold, and Mark Jefferson). These satellites provide drop-in writing support to students in various colleges and programs. **Satellite locations and hours can be found on the UWC web site: <http://www.emich.edu/uwc>.**

UWC writing consultants also work in the **Academic Projects Center** (116 Halle Library), which offers drop-in consulting for students on writing, research, and technology-related issues. The APC is open **11 a.m. to 5 p.m. Mondays through Thursdays**. Additional information about the APC can be found at <http://www.emich.edu/apc>.

Students seeking writing support at any location of the University Writing Center should bring a draft of their writing (along with any relevant instructions or rubrics) to work on during the consultation. Go to <http://www.emich.edu/uwc> for information about the university writing center.

**Key Dates:**

January 6: classes begin

January 12: last day to add a class on line (after that until March 7 requires department permission)

January 15: deadline to submit proposals to be included in the April 1 Undergraduate Symposium

January 18: MLK Holiday (campus events; no classes)

February 22-28: winter break (no classes)

March 23: last day to withdraw from a class with a "W" grade

March 25-27: spring recess (university closed)

April 19: last day of classes

April 21-26: final exams

April 24: commencement

**Deadlines**

1/12/16 Last date to add courses via the web (a)

3/7/16 Last date to add courses with departmental authorization

1/15/16 Last date for 100% tuition refund (individual or total withdraw from term)

3/23/16 Last date for individual class withdrawal (with W grades) - No Refund

2/2/16 (b) Last date for 50% tuition refund (total withdrawal only) with W grades

3/7/16 (b) Last date for 25% tuition refund (total withdrawal only) with W grades

4/19/16 (b) Last date for total withdrawal from term (with W grades) - No Refund

1/15/16 Last date to declare pass/fail grading option or select to audit a course

4/19/16 Last date to remove pass/fail grading option and receive letter grade

**Codes**

(a) Initial registration occurring on or after the Part of Term start date will incur a one-time \$140 late registration fee

(b) Date applicable only if student's classes are ALL within the same Part of Term and/or a later starting Part of Term (\*\*). A written request must be faxed to the Office of Records and Registration at 734.487.6808 before midnight.

\*Research Project and Roundtables:

Students will choose to do a research project on one of three topics:

1. The increasing costs of state judicial election campaigns, with a focus on specific states (such as Ohio and Michigan).
2. Judicial performance issues, with a focus on specific states (such as Pennsylvania and Michigan).
3. Conflict between legislatures and courts, with a focus on specific states (such as Kansas).

The findings of your research will be shared during the research roundtables.

More information on the projects and the roundtables will be provided in class.