

Fall 2018
PLSC 217-0 [15441]
MW 2:00-3:15
Pray-Harrold 421

Introduction to Law and Courts
Dr. Henschen
601 F Pray-Harrold
Hours: MW 12:30-1:30 (office), by email or by
appointment
bhenschen@emich.edu; 734.487.3113; 734.487.1398

This course will focus on the role that courts play in the American political system. The topics we will examine include the organization of the federal and state court systems; aspects of the legal profession; judicial behavior; methods of choosing judges; decision making in the criminal and civil justice systems; and policymaking in appellate courts, with special focus on the U.S. Supreme Court and its relationships with other actors in the political system. Throughout our discussions, we will emphasize that courts are political as well as legal institutions, and that much of the decision making in judicial systems is characterized by discretion rather than formality or certainty.

Book: Required

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

Useful References and Readings

Glossary of Legal Terms <<http://www.uscourts.gov/glossary>>

United States Courts: About Federal Courts <<http://www.uscourts.gov/about-federal-courts>>

National Center for State Courts: State Court Structure Charts <http://www.courtstatistics.org/other-pages/state_court_structure_charts.aspx>

American Bar Association: Legal Profession Statistics/Lawyer Demographics
<http://www.americanbar.org/content/dam/aba/administrative/market_research/lawyer-demographics-tables-2016.authcheckdam.pdf>

Brennan Center for Justice. Judicial Selection: An Interactive Map
<<http://judicialselectionmap.brennancenter.org/?court=Supreme>>

National Center for State Courts: Methods of Judicial Selection
<http://www.judicialselection.us/judicial_selection/methods/selection_of_judges.cfm?state=>

Raftery, William. (2013). *Trends in State Courts: Judicial Selection in the States*
<<http://www.ncsc.org/sitecore/content/microsites/future-trends-2013/home/monthly-trends-articles/judicial-selection-in-the-states.aspx>>

Bannon, Alicia. (June 6, 2016). *Rethinking Judicial Selection in State Courts*. Brennan Center for Justice
<<https://www.scribd.com/document/314863637/Rethinking-Judicial-Selections-in-State-Courts>>

Judicial Elections 2018: https://ballotpedia.org/State_judicial_elections,_2018

Supreme Court of the United States: About the Court
<<https://www.supremecourt.gov/about/courtatwork.aspx>>

Reading, Assignments, and Exam Schedule

September

5/Wednesday	Courts as Legal and Political Institutions
10/Monday	Federal Court Organization and Jurisdiction United States Courts: About Federal Courts < http://www.uscourts.gov/about-federal-courts >
12/Wednesday	State Judicial Systems National Center for State Courts: State Court Structure Charts < http://www.courtstatistics.org/other-pages/state_court_structure_charts.aspx >
17/Monday	The Legal Profession / Lawyer-Client Relationship American Bar Association: Legal Profession Statistics/Lawyer Demographics < http://www.americanbar.org/content/dam/aba/administrative/market_research/lawyer-demographics-tables-2016.authcheckdam.pdf >
19/Wednesday	Judges and the Quality of Judicial Performance
24/Monday	Choosing State Court Judges Brennan Center for Justice. Judicial Selection: An Interactive Map < http://judicialselectionmap.brennancenter.org/?court=Supreme > National Center for State Courts: Methods of Judicial Selection < ">http://www.judicialselection.us/judicial_selection/methods/selection_of_judges.cfm?state=> > Raftery, William. (2013). <i>Trends in State Courts: Judicial Selection in the States</i> < http://www.ncsc.org/sitecore/content/microsites/future-trends-2013/home/monthly-trends-articles/judicial-selection-in-the-states.aspx > Bannon, Alicia. (June 6, 2016). <i>Rethinking Judicial Selection in State Courts</i> . Brennan Center for Justice. < https://www.scribd.com/document/314863637/Rethinking-Judicial-Selections-in-State-Courts > Judicial Elections 2018: < https://ballotpedia.org/State_judicial_elections,2018 >
26/Wednesday	Quiz 1

October

1/Monday	Federal Judicial Selection/The Federal Judiciary as an Election Issue
3/Wednesday	Trial Courts in the Criminal Justice System: Discretionary Decision Making
8/Monday	Screening Cases <i>NHNV</i> chapters 1-12
10/Wednesday	Moving Towards Trial <i>NHNV</i> chapters 13-21
15/Monday	Juries <i>NHNV</i> chapter 22
17/Wednesday	Trials and Sentencing <i>NHNV</i> chapters 23-32
22/Monday	Civil Law and Trial Courts in the Civil Justice System
24/Wednesday	Quiz 2
29/Monday	Civil Litigation Decisions and Court Processes
31/Wednesday	<i>A Civil Action</i>

November

5/Monday	<i>A Civil Action</i>
7/Wednesday	Election Recovery: No Class
12/Monday	Appellate Courts
14/Wednesday	The Supreme Court: Setting the Agenda
19/Monday	The Supreme Court: Making Decisions
21/Wednesday	No Class
26/Monday	Explaining Supreme Court Policy
28/Wednesday	<i>This Honorable Court</i>

December

3/Monday	Quiz 3
5/Wednesday	Judicial Implementation/Judicial Impact
10/Monday	Discretionary Decision Making in Judicial Systems
12/Wednesday	Final Exam [1:30-3:30] 50 points

Summary of Graded Exercises: There will be 3 quizzes, each worth 40 points, over the course of the semester, for a total of 120 points. A final exam (50 points) will focus on discretionary decision making in the judicial system. Your *NHNV* contribution during our discussion of the criminal justice process (which will be explained in class) will count for the remaining 30 points.

Grading scale:

188-200 points	A	94-100%
180-187	A-	90-93
174-179	B+	87-89
166-173	B	83-86
160-165	B-	80-82
154-159	C+	77-79
146-153	C	73-76
140-145	C-	70-72
134-139	D+	67-69
126-133	D	63-66
120-125	D-	60-62
Below 120	F	Below 60%

Note: Be prepared, when called on, to contribute thoughtfully to class discussions.

Class attendance, good note taking, and careful reading are essential to doing well in this course. It is also important to *be present*—to be fully engaged during lectures and in class discussions. Laptops closed, phones put away... Additional classroom matters will be discussed if/when the need arises.

Because this is an in-person class, there is no Canvas shell for the course. I will review with you the way you can keep track of your grade in the course. Relevant course material and instructions related to exams and assignments will be provided in class. Check your university email frequently for announcements related to class.

Depending on the circumstances, any make-up work that is necessary/warranted may be given during the last week of classes. The format of the work may differ from the original.

PLSC 217 Introduction to Law and Courts A survey of U.S. federal court organization and state court systems, methods of judicial selection, trial and appellate court decision-making processes, and the impact of judicial policies. Comparisons to legal systems outside the United States will be made. In the American context, courts are political as well as legal institutions. Thus, the area of law and 43 courts is a primary subfield of the political science discipline. A student's knowledge of the discipline will be enhanced by examining the ways in which the judiciary resolves disputes, shapes behavior, and interacts with other entities in the political system, such as legislatures, executives, bureaucratic agencies, and interest groups. Attention will be given to how political scientists examine court processes and the way in which both qualitative and quantitative research methods are used to further our understanding of courts in the United States. As such, PLSC 217 meets the outcomes for a course in the Knowledge of the Disciplines, Social Science Category.

UNIVERSITY WRITING CENTER
115 Halle Library
734-487-0694
<http://www.emich.edu/uwc>

FALL 2018 SYLLABUS TEXT

The **University Writing Center** (115 Halle Library; 487-0694) offers one-to-one writing consulting for both undergraduate and graduate students. Hours are **10 a.m. to 6 p.m. Mondays through Thursdays and 11 a.m. to 4 p.m. Fridays**. The UWC opens **Monday, September 10**, and closes **Thursday, December 13**.

The UWC also has several college and program satellite locations across campus. **The locations and hours for the other satellites can be found on the UWC web site:** <http://www.emich.edu/ccw/writing-center/contact.php>

Students seeking writing support at any UWC location should bring a draft of their writing (along with any relevant instructions or rubrics) to work on during the consultation.

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 student's 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](tel:734.487.0074), emu_ombuds@emich.edu, or visit the website: www.emich.edu/ombuds."

University Course Policies: <http://www.emich.edu/studenthandbook/policies/academic.php#univ>

Student Handbook Link: <https://www.emich.edu/studenthandbook/index.php>

Graduate School Policies: <http://www.emich.edu/graduate/policies/index.php>

Additional Resources:

Library Research and Technology Help

The EMU Library offers support for finding, evaluating, and using information sources for research papers and projects.

Use **Library research guides** for your assignments or subject area. You'll also find **self-service help** on using the library, research basics, plagiarism, and citing sources at: <http://www.emich.edu/library/help/index.php>

Get **one-on-one research help** by visiting the Library, calling the Information Desk at 734-487-2445, or making an appointment with a subject specialist librarian. Subject specialist librarians, assigned to each EMU department, can give you friendly expert advice on your research project. You can also **consult a librarian online** via the 24/7 *Ask-A-Librarian* chat service. For details, visit: <http://www.emich.edu/library/help/ask.php>

The **Academic Projects Center**, *located on the Halle Library first floor*, offers drop-in help with research, writing, and technology to improve the quality of your research paper, project, or presentation. You can get help with brainstorming ideas, finding sources, structuring an essay, or putting together a presentation using PowerPoint or Emich Google Apps. The APC is staffed by writing and technology consultants as well as Library faculty. More info at: <http://www.emich.edu/apc/>

Fall 2018 Registration Dates and Deadlines

Deadlines shown here are for Part of Term 1 (15 week session) only.

Last date to add courses via the web (a)

Oct. 26, 2018

Last date to add courses with departmental authorization

Sept. 14, 2018

Last date for 100% tuition refund (individual or total withdraw from term)

Nov. 13, 2018

Last date for individual class withdrawal (with W grades) - No Refund

Oct. 1, 2018 (b)

Last date for 50% tuition refund (total withdrawal only) with W grades

Oct. 26, 2018 (b)

Last date for 25% tuition refund (total withdrawal only) with W grades

Dec. 11, 2018 (b)

Last date for total withdrawal from term (with W grades) - No Refund

Sept. 14, 2018

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

Dec. 11, 2018

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

(a) Initial registration occurring on or after the Part of Term start date will incur a one-time \$175 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.