



PLSC 326
AMERICAN POLITICAL INSTITUTIONS: JUDICIARY
SPRING 2017

- Buller Hall 106
- 12:30 pm – 1:45 pm, MW
- Credits offered: 3

2 INSTRUCTOR CONTACT

Instructor: Marcella Myers, Ph.D.
Telephone: 269-471-3293
Email: marcellm@andrews.edu
Office location: Buller Hall 129
Office hours: 10:00 a.m. – 11:30 a.m. MW
2:00 p.m. – 3:30 p.m. TR

3 DISCLAIMER

This syllabus is subject to change. Subsequent versions will be uploaded and available in iVUE.

4 COURSE DESCRIPTION

Course discusses the structure of the United States legal system. This includes an examination of the roles of law enforcement, lawyers, and judges; as well as the structure of courts and appointment process for judges, the legal system, the court system, and the judicial decision making.

5 COURSE MATERIALS

Required:

Banks, Christopher P., David M. O'Brien. *The Judicial Process: Law, Courts, and Judicial Politics*. SAGE: Thousand Oaks, CA, 91320. ISBN 978-1-4833-1701-4

6 PROGRAM OUTCOMES

Program Outcomes (PO)

1. Students will demonstrate knowledge of key political facts, values, and ideas that have shaped government.
 2. Students will demonstrate ability to conduct independent research to construct arguments based on data and political science method.
 3. Students will demonstrate competence in oral communication, presenting ideas, perspectives, and arguments in an effective manner.
 4. Develop relationships with department faculty, staff, and fellow majors.
 5. Students will critically examine and evaluate judicial institutions from an SDA/Christian worldview.
-

7 STUDENT LEARNING OUTCOMES

Student Learning Outcomes (SLO) The student should be able to:

1. Describe the politics of Law, the Courts, and Jurisprudence.
2. Explain how the American judicial system works.
3. Describe the relationship of the judiciary interacts with the legislature.
4. Identify different types of courts.
5. Describe how the judiciary participates in policymaking.
6. Identify the limits of judicial power.

8 TOPICS AND ASSIGNMENTS

Week	Date	Class Topic	Assignments Due
1	1/9/17	Introduction	
	1/11/17	Federalist 78 and 79	
2	1/16/17	MLK Day – No Class	
	1/18/17	Federalist 80 and 81	
3	1/23/17	Federalist 82 and 83	
	1/25/17	Article III; Amendments 1 - 10	
4	1/30/17	Banks and O'Brien Chapter 1 "Law and Political Jurisprudence in a Globalized Society"	
	2/1/17		Amendment Quiz
5	2/6/17	Banks and O'Brien Chapter 2 "The Politics of Law and Jurisprudence"	
	2/8/17		<i>Assignment #1:</i> Address the five questions on page 47 of the textbook.
6	2/13/17	Banks and O'Brien Chapter 3 "Judicial Organization and Administration"	
	2/15/17		<i>Assignment #2:</i> Describe the dual system of courts in the United States. Include in the paper the original jurisdiction of each court and the responsibilities of that jurisdiction.
7	2/20/17	President's Day – No Class	
	2/22/17	Banks and O'Brien Chapter 4 "Judicial Selection and Removal"	
8	2/27/17		
	3/1/17	Exam I	

9	3/6/17	Banks and O'Brien Chapter 5 "The Practice of Law"	
	3/8/17		<i>Assignment # 3:</i> In your opinion, what is the best way to conduct judicial selection? Provide supporting evidence for your argument.
10	3/13/17	Banks and O'Brien Chapter 6 "Access to Courts and Justice"	
	3/15/17		<i>Assignment #4:</i> Why do organized interest groups engage in strategic litigation, and what strategies may they pursue in trying to change the law and legal policy?
	3/20/17	Spring Break – No Class	
	3/22/17	Spring Break – No Class	
12	3/27/17	Banks and O'Brien Chapter 7 "Trial Courts: The Adversarial Process and Criminal Cases"	
	3/29/17		<i>Assignment #5:</i> What are the strengths and weaknesses of indeterminate and determinate sentencing practices? Does it matter if prosecutors or judges and juries have greater discretion in sentencing? In what ways, would you reform the sentencing process?
13	4/3/17	Banks and O'Brien Chapter 8 "Trial Courts: Civil Cases and Litigation"	
	4/5/17		<i>Assignment #6:</i> What are the strengths and weaknesses of class action lawsuits? Should they be further restricted and, if so, in what ways and why?
14	4/10/17		
	4/12/17	Exam II	
15	4/17/17	Banks and O'Brien Chapter 9 "Appellate Courts and Decision Making"	
	4/19/17	Guest Lecture	

16	4/24/17	Banks and O'Brien Chapter 10 "The Scope and Limits of Judicial Power"	
	4/26/17		<i>Assignment #7:</i> Explain and contrast the concepts of "judicial self-restraint" and "judicial activism". What contrasting examples would you give, and why?

FINAL EXAM: 5/1/17 MONDAY 1:30 – 3:30 P.M.

9 GRADING CRITERIA

Criteria for Grades

Exams: 40%

Amendment Quiz 10%

Exam I 20%

Exam II 25%

Exam III 25%

Papers: 40%

Attendance: 20%

Letter grades will be assigned as follows:

A 94 – 100%

A- 90 – 93%

B+ 86 – 89%

B 83 – 85%

B- 80 – 82%

C+ 76 – 79%

C 71 – 75%

C- 68 – 70%

D 60 – 67%

F 0 – 60%

Assignment Submission

All assignments must be submitted in hard copy in class on the designated due date. **Late papers will not be accepted.**

Papers must be printed doubled spaced, not more than two pages in length, stapled, 12 pt Times New Roman font. Do not use plastic covers or folders. Appropriate citations must be included using Chicago style notes and bibliography.

Writing Assignments:

Students will write a series of papers, each one not to exceed two pages. Instructions for each writing assignment are listed in the course schedule. Outside resources may be used in making your argument, but must be properly cited. A list of resources is provided at the end of this syllabus and may be found at the end of each text book chapter.

Student Responsibility

Email is the official form of communication at Andrews University. Students are responsible for checking their Andrews University email, Moodle, and iVue regularly.

Professionalism

To prepare students for the professional world, certain behaviors/activities are not allowed in the classroom.

- Cell Phones, Personal Laptops, and Recording devices: Cell phones should be turned off before entering the classroom. Picture-taking during class is not allowed. Recording devices are allowed only if pre-approved by instructor, and if approved, under no circumstance are recordings—visual or verbal—to be posted on a public website.

Laptops should not be used for surfing the web or watching movies during class. It is disrespectful and unprofessional to use these devices inappropriately during class.

- Late Assignments are unacceptable unless prearranged with instructor.
- Tardiness.
- Eating in class: Please do not bring food or beverages to class. Water is permitted.

Presentation is important. Your attention to detail, demeanor, and attire factor into how you are perceived as a professional. Active participation in class discussions and critiques is an essential part of learning. Without participating and expressing opinions and thoughts, it is impossible to clarify your goals and develop a personal style.

Disability Accommodations

If you qualify for accommodation under the American Disabilities Act, please contact Student Success in Nethery Hall 100 (disabilities@andrews.edu or 269-471-6096) as soon as possible so that accommodations can be arranged.

Examinations

“Credit is not granted in courses unless the required examinations are completed by the student. Students are expected to follow the published examination schedule. In cases where the schedule requires a student to complete four exams in one day, arrangements may be made with the dean to complete one of the examinations at another time”. *AU Bulletin 2014-2015 – Student Responsibilities, page 30*

Class Attendance

“Regular attendance at all classes, laboratories and other academic appointments is required for each student. Faculty members are expected to keep regular attendance records. The syllabus notifies students of the attendance requirements. *AU Bulletin 2014-2015 – Student Responsibilities, page 30*

Teacher Tardiness

“Teachers have the responsibility of getting to class on time. If a teacher is detained and will be late, the teacher must send a message to the class with directions. If after 10 minutes no message has been received, students may leave without penalty. If teacher tardiness persists, students have the right to notify the department chair, or if the teacher is the department chair, to notify the dean”.

AU Bulletin 2014-2015 – Student Responsibilities, page 30

Class Absences

“Whenever the number of absences exceeds 20% (10% for graduate classes) of the total course appointments, the teacher may give a failing grade. Merely being absent from campus does not exempt the student from this policy. Absences recorded because of late registration, suspension, and early/late vacation leaves are not excused. The class work missed may be made up only if the teacher allows. Three tardies are equal to one absence.

Registered students are considered class members until they file a Change of Registration form in the Office of Academic records”.

AU Bulletin 2014-2015 – Student Responsibilities, page 30

Excused Absences

“Excuses for absences due to illness are granted by the teacher. Proof of illness is required. Residence hall students are required to see a nurse on the first day of any illness which interferes with class attendance. Non-residence hall students should show written verification of illness obtained from their own physician. Excuses for absences not due to illness are issued directly to the dean’s office. Excused absences do not remove the student’s responsibility to complete all requirements of a course. Class work is made up by permission of the teacher”.

AU Bulletin 2014-2015 – Student Responsibilities, page 30

Academic Integrity

University learning thrives on the rigor of individual investigation, the authentic exchange of ideas, and a corporate commitment to integrity and mutual respect. University learning requires all members of the academic community to behave honestly. Andrews University anchors its practices in the teachings of the Bible as well as in widely established and honorable academic traditions. As the apostle Paul calls us to authenticity in our Christian walk, so the educational institution demands of its participants true and accurate self-representation. In Ephesians, Paul invites believers “to be renewed in the spirit of your minds, and to clothe yourselves with the new self, created according to the likeness of God in true righteousness and holiness” (Eph. 4:23-24, NRSV). As scholars and as Christ servants, we build His living body through our honesty in all things, both small and great. To that end, Andrews University’s faculty and students pledge to learn and grow together, committing to the following Standards and affirming honesty as a core component of an Andrews University education.

Andrews University is a community of scholars where academic honesty is the expected norm for faculty and students. All members of this community are expected to exhibit academic honesty in keeping with the policy outlined in the University bulletin. In addition, the student is expected

to comply with ethical and scientific standards in research as recognized by the US Office of Human Subjects Protection and the US Office of Research Integrity. It is expected that members of the scholarly community will act with integrity at all times, however, should an individual choose to demonstrate dishonesty, it should be understood that acts of academic dishonesty are taken extremely seriously. Acts of dishonesty are classified by level and reported centrally. The consequences of academic dishonesty will be determined by the instructor unless a student's record demonstrates repeated offenses (either three level-one offenses or two level-two offenses, or a level three and any other level violation). In the situation where the student record demonstrates such repeated violations, or where the student is accused of a level-four violation, the case will be referred to an Academic Integrity Panel for resolution. Serious or repeated violations can result in the issuance of an "XF" grade by Academic Integrity Panels, which indicates that the student failed the class for breach of academic integrity. The XF is placed on the student's permanent record and can only be removed under certain circumstances (see the University Bulletin)."

Section 1: Standards for Faculty

Because academic integrity grows out of a partnership between faculty, staff involved in academic endeavors, and students, faculty members of Andrews University promise to:

1. Model academic integrity both in the classroom and in the course of research activities and publication.
2. Cultivate academic honesty in each course, using the following means as deemed appropriate:
 - a. Make the Academic Integrity Policy available to students.
 - b. Communicate clearly in the syllabus the expectations of the course, including what academic integrity means within the context of the course.
 - c. Explain acceptable source citation practices within the specific course or discipline.
 - d. Encourage use of campus learning resource.
3. Intervene when academic integrity is breached and report intentional violations.

Section 2: Standards for Students

The Andrews University faculty pledge to promote classroom experiences that foster academic integrity. In the same way, students commit to do their part to build a community of honesty. Students promise to:

1. Present assignments, lab reports, and research findings that are not falsified in any way.
2. Respect copyrighted and/or licensed material (whether it be directly quoted or paraphrased)
by citing print or electronic sources as appropriate.
3. Follow the source citation guidelines outlined by the course professor.
4. Submit work that is solely created by the person to whom it is assigned.

5. Contribute equitably when participating group-work.
6. Prepare for quizzes and examinations by study and review without stealing, accepting, or using unauthorized quizzes or examination materials.
7. Follow the professor's instructions regarding allowable aids during a quiz or examination.
8. Complete quizzes and tests without seeking answers from or sharing answers with other students or unauthorized sources.
9. Encourage others to high standards of integrity by refusing to assist in acts of academic dishonesty.

Emergency Protocol

Andrews University takes the safety of its student seriously. Signs identifying emergency protocol are posted throughout buildings. Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting that specific location. It is important that you follow these instructions and stay with your instructor during any evacuation or sheltering emergency.

Resources:

References:

Chicago Style Quick Guide: http://www.chicagomanualofstyle.org/tools_citationguide.html
Purdue Online Writing Lab: <https://owl.english.purdue.edu/owl/>

Legal Resources:

Cornell Legal Information Institute: <https://www.law.cornell.edu/>
Law and Society Association: <http://www.lawandsociety.org/>
Jurist: <http://www.jurist.org/>
Social Science Research Network: <https://www.ssrn.com/en/index.cfm/lsn/>
Justia's BlawgSearch (listing of popular legal theory blogs):
<http://blawgsearch.justia.com/blogs/categories/legal-theory>
The Supreme Court of the United States: www.supremecourt.gov
World Legal Systems: <http://www.juriglobe.ca/eng/index.php>
National Center of State Courts: www.ncsc.org
State Justice Institute: www.sji.gov
US Courts: <http://www.uscourts.gov/>
Federal Judicial Center: <http://www.fjc.gov/>
Conference of Chief Justices: <http://ccj.ncsc.org/>
The American Judicature Society's Judicial Selection in the States: www.judicialselection.com
Department of Justice's Office of Legal policy: <https://www.justice.gov/olp>;
<https://www.justice.gov/olp/judicial-nominations>
Death Penalty Information Center: www.deathpenaltyinfo.org
NAACP Legal Defense and Educational Fund, Inc.: www.naacpldf.org
Federalist Society for Law and Public Policy Studies: www.fed-soc.org
National District Attorneys Association: www.ndaa.org/index.html
Center for Jury Studies: www.ncsc-jurystudies.org
The Sentencing Project: www.sentencingproject.org/template/index.cfm
Federal Rules of Practice and Procedure: www.uscourts.gov/RulesAndPolicies/rules.aspx
American Tort Reform Association: www.atra.org/about/mission
American Association for Justice: www.justice.org
American Arbitration Association: www.adr.org
The International Centre for Dispute Resolution: www.icdr.org