

**University of Kentucky**  
**Department of Political Science**  
**PS360: Politics of Law & Courts**  
**Summer 2019, Section 210**

**Instructor:** Mr. Travis N. Taylor, MPS

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**Meeting Days & Time:** Asynchronous

**Meeting Location:** Online

**Office Hours:** This is an online, asynchronous course, so office hours are by appointment only. Students should e-mail the Instructor to begin the process of setting an appointment, which may be done in-person, telephonically, or via video conference, depending on the Instructor's availability and the student's needs.

### **University Course Description**

A survey of the actors in American government and society who shape the meaning of the law, focusing especially on the judiciary. The course will outline the structure of the judicial system including both state and federal courts as well as the judicial process followed within that system. Prepares students for advanced study in public law and judicial politics.

### **Course Prerequisites**

UN2 Status, i.e., have completed 30 credits.

### **Course Purpose**

The purpose of this course is to introduce the student to the basic structures of the American judicial system, including institutional arrangements, judicial behavior, the legal profession, and various aspects of American jurisprudence. Students will gain a basic understanding of the fundamentals – both theoretical and practical – of the federal and state court systems.

### **Course Objectives & Learning Outcomes**

1. Understand the basis of law and the reasons we have law.
2. Identify the structure and hierarchy of the American courts system at both the federal and state levels.
3. Understand the processes by which judges at both the federal and state levels come to hold their seat on the bench, and the arguments for and against various nominating mechanisms.
4. Understand the processes (a) by which a legal case is introduced to the judicial system, (b) the case goes through within the system, and (c) by which a case is disposed of.
5. Comprehend and identify various theories of judicial behavior, i.e., how judges make the decisions they do.
6. Conceive of the courts as a policy-making institution and understand why people follow judicial decisions.
7. Identify various careers in the legal profession and the path to those careers.
8. Brief a legal case.

### **Course Structure & Methods**

This course is online and asynchronous. What do I mean by “asynchronous”? I mean simply two things: (1) the Instructor and students will not meet in a physical location at a set time; and (2) students may work on course material at different times and different paces.

Students will be responsible for checking Canvas, the online learning platform for UK, on a frequent basis; checking the site daily is highly encouraged. All course material will be released on Canvas at the beginning of

the term. Students may complete the materials at a pace faster than the schedule below outlines, but given the constrained time nature of the summer term, the deadlines in the schedule are firm. LATE WORK WILL NOT BE ACCEPTED and missing work will receive a grade of zero (0). Students will submit all assignments, access resources such as additional readings, collaborate with classmates when necessary, check grades, and other activities using the Canvas platform.

### **General Course Policies & Expectations**

- Read and/or watch all assigned material.
- Read and/or watch the news on a regular (preferably daily) basis.
- Learn, grow, and have fun!
- Begin to develop, or improve upon, college-level academic writing. Resources, including the Instructor, are available to students who need to improve their writing. Writing includes proofreading.
- Late work will NOT be accepted and will earn an automatic grade of zero.
- Academic dishonesty in any form will not be tolerated and could lead to any number of consequences up to and including expulsion from the university. At a minimum, you will receive a zero (0) on any assignment found to be completed by means of academic dishonesty. Please refer to the university academic integrity policy located [here](#).

### **Communication Policy**

Communication with the Instructor will be primarily through e-mail. The Instructor will check his e-mail once per business day at 9:30 a.m. and respond to all student e-mails during that time. A response is not guaranteed if you have not e-mailed the Instructor prior to 9:30 a.m. **Per University policy, the Instructor will respond to e-mails *only* from official UK e-mail addresses** (i.e., your.name@uky.edu).

Office hours are by appointment only, and student should e-mail the Instructor to set up an appointment time. The Instructor will make every effort to honor reasonable appointment requests.

### **Accommodation Policy**

In this course, I happily adhere to University policy with regards to students with disabilities. Details on University rules related to academic accommodations are available from the Disability Resource Center's website, located [here](#). With regards to a student presenting his/her letter of accommodation to me, the DRC recommends that you do so "as early in the semester as possible" to take full advantage of the accommodation. Accommodations cannot be applied to coursework, including exams, that has/have already taken place. The DRC also recommends scheduling a meeting with me "to discuss how your accommodations will be addressed during the semester." I view accommodating your needs as a collaborative process, and having a discussion about your needs and how I can best accommodate them is the best way to begin that collaborative process. I strongly encourage you to abide by these DRC recommendations.

Beyond the University's disability accommodation policy, it is my policy to support and accommodate pregnant and parenting students who continue to pursue their education while bearing or rearing children. This accommodation will be student-specific, so please let me know as early as possible that you need to take advantage of this accommodation, preferably within the first week of the semester, if you are already pregnant or parenting, or as soon as you learn you are pregnant, if the pregnancy begins during the semester. It is my goal to work with you to ensure that both your responsibilities as a student and your responsibilities as a parent are met without any additional, undue burden.

### **Required Readings**

The following textbook is required for the class.

Carp, Robert A., Ronald Stidham, Kenneth L. Manning, and Lisa M. Holmes. 2017. *Judicial Process in America* 10<sup>th</sup> ed. Thousand Oaks: Sage.

The book is available on Amazon [here](#), and may be available through other resources, including the UK Bookstore. Due to the condensed nature of the summer course, you will be accountable for material from the book starting four days after the start of class, so you should order the book as soon as possible. **The book is referenced as “CSMH” in the remainder of this syllabus.**

Other readings listed on the syllabus are required and can be found on Canvas, unless otherwise noted. Additional readings may be assigned throughout the semester and will be announced in advance.

In addition to purchasing the required textbook, students should obtain a copy of the documentary *Kids for Cash*, which is available for purchase on [Amazon](#) or on [YouTube](#).

You are at a research-intensive university, taking classes with the people who do the research. You may read journals articles published by your professors. It is cutting edge. No one gets money for these publications; they are how we disseminate scientific information to the broader community.

### Assignment Grading and Evaluation

Quizzes (7 x 10 points each):	70 points
Writing Assignments (9 x 10 points each):	90 points
Midterm Exam:	100 points
Final Exam:	100 points
Case Brief:	100 points
Course Total:	460 points

- At the beginning of each module, you will take a quiz to assess your comprehension of the main concepts of the course material presented to you in the readings or other preparation.
- Writing assignments will measure your ability to apply the material from the module to a real-world (or at least plausible in the real world) problem. The problems will make application of the material presented in that module or a previous one. These assignments should be no more than one, single-spaced page in length.
- You will take one midterm exam and a final exam. Your performance on exams will be evaluated based on your ability to provide comprehensive and correct answers to the questions on the exam.
  - The midterm exam will be in two sections. First, a multiple-choice section will be worth 75 points. Second, there will be an essay component which will have two essay options. The first essay option will be worth 14 points and will test your ability to recall information from the course and answer questions in a written format. The second essay option will be worth 25 points and will test your ability to apply the course material to a real-world scenario. You will only have to answer one of the essay questions, and the choice will be yours to make based on your academic goals and preparedness for the exam.
  - The final exam will be cumulative and will also be divided into two sections. The first section will consist of multiple-choice questions and will be worth 75 points. The second section will be an applied essay section worth 25 points. There will be no essay choices on the final exam.
- The Case Brief will evaluate your ability to distill the important details of a legal case. Lawyers and judges use case briefs throughout their careers, and writing them is a skill that will prepare you for both advanced legal studies and a legal career. The assignment will be one page and will brief the recently decided *NFLA v. Bercerra*.

- All points will be weighted equally, such that the total number of points available is 460. Points earned will be divided by 460, resulting in a percentage grade, which will be translated into a final letter grade. Final letter grades will be assigned according to the university standard grading scale, which is as follows:

Points Earned	Percentage	Letter Grade
414-460	90-100	A
368-413	80-89.9	B
322-367	70-79.9	C
276-321	60-69.9	D
0-275	Below 60	E

### General Assignment Regulations

- Unless otherwise noted, ALL assignments should be submitted via Canvas. You are responsible for making sure the file is uploaded properly and contains no technical or file errors.
- Grades will be posted on Canvas, so you will have an idea of what you have been evaluated on and your current standing in the course. If you are missing a grade in Canvas and more than 14 days have passed since the assignment was due, it means I do not have your submission for that assignment. It is your responsibility to bring this to my attention if you think I have erred.
- I have a mandatory “cooling off period” of 24 hours after an assignment is returned to you. This mandatory waiting period provides you the opportunity to process your grade, objectively examine feedback provided, and avoid saying or e-mailing something you may regret. I will not respond to grade or feedback inquiries sent during this period of time. If, after the passing of 24 hours, you still have questions regarding your grade or the feedback I provided, please e-mail me with your questions. If you wish to have the assignment regraded, you must submit to me in writing your reason for the reconsideration, using the assignment prompt as the basis for your argument. I will re-assess your work with that argument in mind, and whatever grade is assigned after this reconsideration (whether this grade is higher or lower than the original grade) will be final.

### Course Calendar & Outline

What follows is a week-by-week outline for this course. The date in the left-hand column is the date the activities are DUE. For example, the activity, “Legal Basics Quiz” is due on 24 June, while the “Legal Basics Writing Assignment” is due on 25 June. All assignments will be due by 5 p.m. Eastern time on the date listed and will be turned in via Canvas. Late assignments will not be accepted and will receive a grade of zero.

Date	Part (Module)	Readings	Activity
20 Jun	0(0): Course Overview	Syllabus	All Course Material Available
24 Jun	1(1): The Basis of Law	CSMH, Chapter 1	Legal Basics Quiz
25 Jun	1(1): The Basis of Law	—	Legal Basics Writing Assignment Due
28 Jun	2(1): Institutions & Structure – Federal Courts	CSMH, Chs. 2, 6, 7 Toobin (2017) “The Conservative Pipeline to the Supreme Court”	Federal Courts Quiz
01 Jul	2(1): Institutions & Structure – Federal Courts	—	Federal Courts Writing Assignment Due

03 Jul	2(2): Institutions & Structure – State Courts	CSMH Chs. 3, 5 Bonneau and Rice (2009)	State Courts Quiz
05 Jul	2(2): Institutions & Structure – State Courts	—	State Courts Writing Assignment Due
09 Jul	2(3): Institutions & Structure – Law & Process	CSMH, Chs. 4, 9, 10, 11 Makdisi and Makdisi (2009)	Law & Process Quiz
10 Jul	2(3): Institutions & Structure – Law & Process	—	Law & Process Writing Assignment Due
11 Jul	1(1) – 2(3)	—	Midterm Exam
15 Jul	3(1): Judicial Behavior	CSMH, Chs. 12, 13 George and Epstein (1992)	Judicial Behavior Quiz
16 Jul	3(1): Judicial Behavior	—	Judicial Behavior Writing Assignment 1 Due
18 Jul	3(1): Judicial Behavior	—	Judicial Behavior Writing Assignment 2 Due
22 Jul	4(1): Implementation & Policy	CSMH, Ch. 14 Brown (2018)	Implementation & Policy Quiz
23 Jul	4(1): Implementation & Policy	—	Implementation & Policy Writing Assignment Due
25 Jul	5(1): The Legal Profession	CSMH, Chapter 8 Toppo (2017) Harper (2015) Foster (2013)	Legal Profession Quiz
26 Jul	5(1): The Legal Profession	—	Legal Profession Writing Assignment Due
29 Jul	6(1): The Courts and Film	<i>Kids for Cash</i> Documentary	Watch Film
30 Jul	6(1): The Courts and Film	—	Courts and Film Writing Assignment Due
01 Aug	1(1) – 6(1)	<i>National Institute of Family Life Advocacy v. Becerra</i>	Final Exam & Case Brief Due