

POLS 3330: Judicial Politics and the Judicial Process

Fall 2020

Instructor: Dr. Kayla Canelo

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Office: TBD

Office Hours: Thursdays from 1-2 p.m. on Microsoft Teams and by appointment

Time and Location of Class: Remotely via Canvas with occasional synchronous meetings.

Synchronous meetings are listed in the class schedule below and will be held during our usual class time (T/R 3:30 – 4:50 p.m.) online via Canvas.

Political Science Department Phone Number: 817-272-2991

Canvas: <https://uta.instructure.com/>

Course Description:

This course will provide students with a broad overview of the current state of the theory, substantive knowledge, and research methods in the field of judicial politics and process. The primary emphasis of this course will be on the U.S. Supreme Court, but we will also touch on the lower federal courts and state supreme courts. Specific topics on process include the organization and operation of the courts, the selection of judges, and case selection. Topics in judicial politics include the numerous theories of judicial decision-making, and the influence of external audiences on the Court (including Congress, interest groups, the solicitor general, and the public). Throughout the course students will learn to analyze and critique social science research on judicial politics and process and work towards developing their own research projects on the subject.

Intended Student Learning Outcomes (SLOs):

At the end of this course, students should be able to:

1. Communicate a thorough factual understanding of the structure and operation of our federal judicial system
2. Demonstrate knowledge of the central questions, theories, approaches, and findings in the field of judicial politics
3. Comprehend and critique contemporary political science research on law and courts
4. Conduct basic but rigorous social science research on a topic in the field of judicial politics

Required Readings:

Hume, Robert J. 2018. *Judicial Behavior and Policymaking: An Introduction*. Rowman and Littlefield Publishers. ISBN: 978-1-4422-7604-8

Additional readings will be made available on Canvas.

Technology Requirement:

Since this course is administered online via Canvas, you are responsible for having a computer with internet access, a microphone/sound, and access to the features used on Canvas. We might also use programs like Microsoft Teams and collaborative programs on Office 365 (provided by UTA) might be useful for collaborating on your research project. Exams require the use of the LockDown Browser.

Assignments and Grading:

Midterm 25%

There will be one midterm consisting of both multiple-choice, short answer, and essay-based questions. Exam dates are listed in the semester calendar. Barring an emergency or documented illness, you must take the exams on the scheduled dates. This exam will help assess the degree to which you attain SLOs 1, 2, and 3.

Research Paper 30%

This class requires a 10-page research design paper on a judicial politics or process topic. You will be required to identify an interesting research question, conduct a literature review, propose a theory and hypothesis, and provide a plan on how to potentially test this empirically. Note that you will not need to do the actual data analysis, just propose a plan on how this could be done.

You are required to work with at least one other classmate on this assignment. Groups of more than three will not be allowed. Please note that this does not require you to meet in person. I encourage you to take advantage of programs like Microsoft Teams and Office 365 that allow for collaboration online and are provided to you by UTA. We will select groups early in the semester and enter them using the “People” section of Canvas.

A handout providing additional details will be posted to the files section of Canvas.

The following portions of your paper will be due at various points throughout the semester. These due dates are listed in the semester calendar. **Failure to turn in the research question or lit review and theory will result in a “0” grade on those assignments and your final paper will be penalized a letter grade (per assignment missed).**

Each portion of your research paper will be penalized one letter grade per 24 hours it is late. *Assignments that are more than 48 hours late will not be accepted.* These must be submitted online via Canvas. The completion of the research paper contributes to and assesses your attainment of SLOs 2, 3 and 4.

1. Research Question (5% of overall grade)
2. Literature Review and Theory (15% of overall grade)
3. Full paper with Research Design and Potential Tests (10% of overall grade)

Final Exam 30%

There will be one final exam in this class containing both essay questions, short answer, and multiple-choice questions. Barring an emergency or documented illness, you must take the exam on the scheduled date. This exam will help assess the degree to which you attain SLOs 1, 2, and 3.

Discussions 15%

Discussion is worth 75 points or 15% of your overall grade. *There are two ways you can earn discussion points. First, you can participate by contributing to the discussion during our live*

sessions (worth 5-10 points each, more details will be provided later). Second, you can participate in discussion posts where you will be required to answer an initial prompt (worth 15 points) and then reply to your classmates (worth 10 points). You can combine both types but cannot exceed 75 points.

Extra Credit

There will be a few extra credit opportunities throughout the semester. Details will be announced on Canvas.

Grading Scale:

- A: 450 – 500 points (90+%)
- B: 400 – 449 points (80 – 89%)
- C: 350 – 399 points (70-79%)
- D: 300 – 349 points (60-69%)
- F: 299 points and below (59% or below)

Important Dates & Deadlines:

- September 7th: Labor Day Holiday
- November 6th: (4 p.m.) - Last Day to Add/Drop Classes
- November 25th- 27th: Thanksgiving Holiday
- December 8th: Last Day of Classes
- December 10th – 16th: Final Exams

Policies:

Attendance:

At The University of Texas at Arlington, taking attendance is not required but attendance is a critical indicator of student success. Each faculty member is free to develop his or her own methods of evaluating students' academic performance, which includes establishing course-specific policies on attendance. Given this is course will be administered remotely, I do not formally take attendance. However, it is essential that you log into the course regularly, review the content each week, and participate in assignments. We do have regular live check in sessions, you are highly encouraged to participate in these sessions! While UT Arlington does not require instructors to take attendance in their courses, the U.S. Department of Education requires that the University have a mechanism in place to mark when Federal Student Aid recipients "begin attendance in a course." UT Arlington instructors will report when students begin attendance in a course as part of the final grading process. Specifically, when assigning a student a grade of F, faculty report must the last date a student attended their class based on evidence such as a test, participation in a class project or presentation, or an engagement online via Canvas. This date is reported to the Department of Education for federal financial aid recipients.

Late & Make Up Work: Each portion of your research paper will be penalized one letter grade per 24 hours it is late. Failure to turn in the research question or literature review will result in a "0" grade on those assignments and your final paper will be penalized a letter grade (per assignment missed) regardless of why the assignment is late. *Assignments that are more than 48 hours late will not be accepted.* I encourage you to plan ahead and submit your assignments on

time. Exams cannot be made up unless there is a documented medical emergency or death in the family.

Academic Dishonesty: Academic dishonesty will not be tolerated and will be reported. More information on UTA's policies pertaining to Academic Integrity can be accessed here: <http://www.uta.edu/conduct/academic-integrity/index.php>.

Special Accommodations: All UTA instructors are required by law to provide "reasonable accommodations" to students with disabilities, so as not to discriminate on the basis of disability. Students are responsible for providing the instructor with official notification in the form of a letter certified by the Office for Students with Disabilities (OSD). Please contact me within the first two weeks of class, if possible. All conversations on this matter will remain confidential. Students experiencing a range of conditions (Physical, Learning, Chronic Health, Mental Health, and Sensory) that may cause diminished academic performance or other barriers to learning may seek services and/or accommodations by contacting: **The Office for Students with Disabilities, (OSD)** www.uta.edu/disability or calling 817-272-3364 or **Counseling and Psychological Services, (CAPS)** www.uta.edu/caps/ or calling 817-272-3671.

Only students who have officially documented a need for an accommodation will have their request honored.

Expectations of Behavior:

Students are expected to be courteous. In political science courses we at times discuss sensitive content and issues that not everyone agrees on. It is important that everyone is respectful of the views of others. Abusive or disrespectful language will not be tolerated. It is very easy to misinterpret what someone says online, so be mindful of this when completing tasks throughout the course.

The Student Code of Conduct also applies in this course. By staying enrolled in this course, you are agreeing to the terms of this syllabus.

Drop Policy:

Students may drop or swap (adding and dropping a class concurrently) classes through self-service in MyMav from the beginning of the registration period through the late registration period. After the late registration period, students must see their academic advisor to drop a class or withdraw. Undeclared students must see an advisor in the University Advising Center. Drops can continue through a point two-thirds of the way through the term or session. It is the student's responsibility to officially withdraw if they do not plan to attend after registering. **Students will not be automatically dropped for non-attendance.** Repayment of certain types of financial aid administered through the University may be required as the result of dropping classes or withdrawing. For more information, contact the Office of Financial Aid and Scholarships (<http://www.uta.edu/aao/fao/>).

Title IX Policy:

The University of Texas at Arlington is committed to maintaining a learning and working environment that is free from discrimination based on sex in accordance with Title IX of the

Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act (SaVE Act). Sexual misconduct is a form of sex discrimination and will not be tolerated. For information regarding Title IX, visit www.uta.edu/titleIX or contact Ms. Jean Hood, Vice President and Title IX Coordinator at (817) 272-7091 or jmhood@uta.edu.

Non-Discrimination Policy:

The University of Texas at Arlington does not discriminate on the basis of race, color, national origin, religion, age, gender, sexual orientation, disabilities, genetic information, and/or veteran status in its educational programs or activities it operates. For more information, visit uta.edu/eos.

Campus Carry:

Effective August 1, 2016, the Campus Carry law (Senate Bill 11) allows those licensed individuals to carry a concealed handgun in buildings on public university campuses, except in locations the University establishes as prohibited. Under the new law, openly carrying handguns is not allowed on college campuses. For more information, visit <http://www.uta.edu/news/info/campus-carry/>

Student Feedback Survey:

At the end of each term, students enrolled in face-to-face and online classes categorized as “lecture,” “seminar,” or “laboratory” are directed to complete an online Student Feedback Survey (SFS). Instructions on how to access the SFS for this course will be sent directly to each student through MavMail approximately 10 days before the end of the term. Each student’s feedback via the SFS database is aggregated with that of other students enrolled in the course. Students’ anonymity will be protected to the extent that the law allows. UT Arlington’s effort to solicit, gather, tabulate, and publish student feedback is required by state law; students are strongly encouraged to participate. Data from SFS is also used for faculty and program evaluations. For more information, visit <http://www.uta.edu/sfs>.

Electronic Communication:

UT Arlington has adopted MavMail as its official means to communicate with students about important deadlines and events, as well as to transact university-related business regarding financial aid, tuition, grades, graduation, etc. All students are assigned a MavMail account and are responsible for checking the inbox regularly. There is no additional charge to students for using this account, which remains active even after graduation. Information about activating and using MavMail is available at [OIT: Student MavMail](#). Emails sent from personal accounts will not receive a response. *Please make sure your emails follow proper etiquette by including a formal greeting, the course you are enrolled in, and by beginning the message with the main reason for reaching out. This will help generate good habits for sending professional emails when you enter the workforce!*

Course Modality:

This course is online and synchronous meaning there are occasionally live check in sessions. You are encouraged to attend these sessions as it will provide an opportunity for you to ask

questions and engage more directly with the content via discussion. If you are absolutely unable to attend, recorded videos of these sessions will be posted to Canvas. Live session dates are listed in the semester calendar and will be held during what would have been our usual in-person class time. Please note that you are not required to appear on video during our live sessions if you are uncomfortable doing so. You are welcome to join via audio only. Please ensure your mic is muted when you are not speaking to the class so as to avoid distracting your classmates.

The semester calendar includes weekly topics and assignment due dates. The COVID-19 situation is rapidly changing, and this syllabus is subject to change. Any and all changes will be announced in Canvas. Please make sure you log in regularly to keep up with course details, as you are responsible for being aware of any changes. I encourage you to ask questions! Information on office hours is included above. If you have questions on content etc., please feel free to send me a message on Canvas.

Grading Questions: All questions regarding re-grading of written assignments must be submitted in writing and include reasonable justification for consideration. Note that any re-grading of papers could result in a change of grade (higher or lower).

Grade Grievances: Any appeal of a grade in this course must follow the procedures and deadlines for grade-related grievances as published in the current University Catalog.

Student Support Services: UT Arlington provides a variety of resources and programs designed to help students develop academic skills, deal with personal situations, and better understand concepts and information related to their courses. Resources include [tutoring](#), [major-based learning centers](#), developmental education, [advising and mentoring](#), personal counseling, and [federally funded programs](#). For individualized referrals, students may visit the reception desk at University College (Ransom Hall), call the Maverick Resource Hotline at 817-272-6107, send a message to resources@uta.edu, or view the information at <http://www.uta.edu/universitycollege/resources/index.php>.

Final Review Week: for semester-long courses, a period of five class days prior to the first day of final examinations in the long sessions shall be designated as Final Review Week. The purpose of this week is to allow students sufficient time to prepare for final examinations. During this week, there shall be no scheduled activities such as required field trips or performances; and no instructor shall assign any themes, research problems or exercises of similar scope that have a completion date during or following this week unless specified in the class syllabus. During Final Review Week, an instructor shall not give any examinations constituting 10% or more of the final grade, except makeup tests and laboratory examinations. In addition, no instructor shall give any portion of the final examination during Final Review Week. During this week, classes are held as scheduled. In addition, instructors are not required to limit content to topics that have been previously covered; they may introduce new concepts as appropriate.

Classroom recordings – With the exception of disability-related accommodations of which I have been informed, I do NOT consent to ANY recording of our class meetings and redistribution of content for this course is not allowed.

Week/Date	Topic	Reading	Assignments Due
Week 1: 8/27	Introduction to the Course		
Week 2: 9/1 & 9/3	Introduction to the Judiciary Live Check in Session 9/3	Hume Chapter 1	Plagiarism Quiz (Extra Credit) Due 9/4
Week 3: 9/8 & 9/10	Organization of the Courts	Corley, Ward, and Martinek Chapter "Organization of the Courts" (posted on Canvas)	
Week 4: 9/15 & 9/17	Staffing the Courts Live Check in Session 9/17	Hume Chapter 5 Huber, Gregory A. and Sanford C. Gordon. 2004. "Accountability and Coercion: Is Justice Blind When it Runs for Office?"	
Week 5: 9/22 & 9/24	Agenda Setting	Caldeira, Gregory A., and John R. Wright. 1988. "Organized Interests and Agenda Setting in the U.S. Supreme Court." <i>American Political Science Review</i> 82(4):1109-1127. Baird, Vanessa A. 2004. "The Effect of Politically Salient Decisions on the U.S. Supreme Court's Agenda." <i>Journal of Politics</i> 66(3):755-772.	Research Question Due 9/24
Week 6: 9/29 & 10/1	Oral Argument	Black, et. al. "Emotions, Oral Arguments, and Supreme Court Decision-Making" <i>Journal of Politics</i> 73(2):572-581.	
Week 7: 10/6 & 10/8	The Legal and Attitudinal Models of Decision Making	Hume Chapters 2 and 3	Canvas Discussion 1 (Optional)
Week 8: 10/13 & 10/15	The Strategic Model of Decision Making Live Check in Session 10/15	Hume Chapter 4 Rice, Douglas R. 2017. "Issue Divisions and US Supreme Court Decision Making." <i>Journal of Politics</i> 79(1):210- 222.	

Week/Date	Topic	Reading	Assignments Due
Week 9: 10/20 & 10/22	Judges and Juries	<p>Rose, Ellison, and Diamond. 2008. "Preferences for Juries Over Judges Across Racial and Ethnic Groups." <i>Social Science Quarterly</i> 89(2):372-391.</p> <p>Bodapati, Jones, and Marquat. 1995. "The Sentencing Practices of Judges and Juries: A Comparative Analysis Using Texas Drug Offenders." <i>Journal of Crime and Justice</i> 18(2).</p>	Midterm Exam Due 10/22
Week 10: 10/27 & 10/29	Congress and the Courts	<p>Uribe, Spriggs II, & Hansford, "The Influence of Congressional Preferences on Legislative Overrides of Supreme Court Decisions"</p> <p>Clark, Tom S. 2009. "The Separation of Powers, Court-Curbing and Judicial Legitimacy." <i>American Journal of Political Science</i> 53(4):971-989.</p>	Canvas Discussion 2 (Optional)
Week 11: 11/3 & 11/5	Organized Interests and the Courts Live Check in Session 11/5	<p>Epstein, Lee, and Jack Knight. 1999. "Mapping Out the Strategic Terrain: The Informational Role of <i>Amici Curiae</i>." In <i>Supreme Court Decision-Making: New Institutional Approaches</i>, ed., Cornell W. Clayton and Howard Gillman. Chicago: University of Chicago Press.</p> <p>Canelo, "The Supreme Court, Ideology, and the Decision to Cite or Borrow from Amicus Curiae Briefs"</p>	Literature Review and Theory Due 11/5
Week 12: 11/10 & 11/12	The U.S. Solicitor General	<p>Black and Owens, "A Built-In Advantage: The Office of the Solicitor General and the Supreme Court"</p>	Canvas Discussion 3 (Optional)

Week/Date	Topic	Reading	Assignments Due
Week 13: 11/17 & 11/19	Public Opinion and the Court Live Check in Session 11/19	Hume Chapter 6 Hansford, Thomas G., Chanita Intawan, and Stephen P. Nicholson. 2018. "Snap Judgment: Implicit Perceptions of a (Political) Court." <i>Political Behavior</i> 40(1):127-147. Wedeking, Justin, and Michael A. Zillis. 2018. "Disagreeable Rhetoric and the Prospect of Public Opposition: Opinion Moderation on the U.S. Supreme Court." <i>Political Research Quarterly</i> 71(2):38-394.	
Week 14: 11/24 & 11/26	Thanksgiving Holiday		
Week 15: 12/1 & 12/3	Opinion Writing Implementation and Impact Live Check in Session 12/3	Staton & Vanberg, "The Value of Vagueness: Delegation, Defiance, and Judicial Opinions" Hume Chapter 7 Rosenberg, <i>The Hollow Hope</i> , Chapter 2	Final Research Paper (with design) Due 12/3
Week 16: 12/8	Navigating the Courts		
12/15	FINAL EXAM DUE 12/15 BY 4:30 P.M.		FINAL EXAM