THE U.S. SUPREME COURT
PSCI 3210.001
COURSE SYLLABUS
FALL 2010
TUESDAYS AND THURSDAYS 2:00-3:20
WOOTEN HALL ROOM 219

Instructor: Professor Collins
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OBJECTIVES

The U.S. Supreme Court sits at the apex of the American judiciary. In this capacity, the Supreme Court plays a significant role in both dispute resolution and national policymaking. The purpose of this course is to introduce students to the complexities of judicial politics and behavior by focusing on empirical research on the United States Supreme Court, in addition to lower federal and state courts and foreign judiciaries. We will cover a host of topics, including decision making by judges, the litigation strategies of interest groups, staffing the bench, as well as how courts shape and are shaped by public opinion.

While I will lecture at some length each class, your participation is expected. Accordingly, class attendance is not optional. Rather, you should come to class with questions and critiques of the readings for each day’s class. I strongly suggest you prepare notes on the readings prior to each day’s class. If you have questions on the readings, I expect you will take advantage of my office hours before class.

READINGS

Please purchase the following book from the UNT bookstore:


The majority of the readings are from journal articles and book chapters. These readings are available on this course’s Blackboard page (http://ecampus.unt.edu). Journal articles can also be found on-line (www.jstor.org) and in the journal stacks in the library. All readings are required and listed the day they are expected to be read in the Course Outline section. I suggest you read the required readings in the order in which they are listed and prepare notes to bring to class for discussion.
**GRADES**

Final grades will be computed on the following basis:

- 90-100% = A
- 80-89% = B
- 70-79% = C
- 60-69% = D
- < 60% = F

**Quizzes (10%)**

We will have approximately one quiz per week at the beginning of class. The quizzes will last about five minutes and will be closed book/notes. The quizzes will consist of roughly two to four short answer questions relating to the main points of the readings for that day's class. If you have done the reading, you will find the quizzes easy. If you are late for class or are absent, you cannot make up the quiz – you receive a zero. However, I understand that not everyone will make every class. Accordingly, the lowest two quiz grades will be dropped.

**Exams (Midterm – 30%; Final – 30%)**

There will be two exams, a midterm and a final. Both exams are closed book. Exams will consist of some combination of multiple choice, matching, short answer, and essay questions. The midterm exam will include all material addressed in the readings and in class up to and including October 12th. The final will be cumulative, but will focus most heavily on the second half of the semester.

**Research Paper (25%)**

For your research paper, you will develop and test a theory of judicial decision making, using a single U.S. Supreme Court justice as a case study. In particular, you are to select one justice (who served from 1953-2009) and critically analyze that justice’s voting behavior in at least five cases. You are free to choose the five cases, but it might be wise to consider that justice’s voting behavior in especially salient cases and those in which the justice authored an opinion. You are free to develop and test any hypothesis relating the Supreme Court decision making. For example, you might ask: Is Justice X influenced by his or her ideology in these cases? Is Justice X influenced by precedent in these cases? Is Justice X influenced by public opinion in these cases? Is Justice X influenced by interest groups or the Solicitor General in these cases? These questions are meant to be suggestive and are therefore by no means exhaustive. The research paper is due in class on November 23rd, 2010. Late papers will be penalized five points for each calendar day they are tardy.

Your paper will be structured similar to the journal articles we read this semester and must be 10-15 pages in length. It will consist of three main parts:

1) **Introduction and Theory:** You will introduce your topic, conduct a brief literature review (a discussion of published research on the topic under investigation), and provide a theoretically grounded hypothesis about the determinants of your justice’s voting behavior in the cases under analysis.

2) **Data Analysis:** You will review the justice’s voting behavior in each case to evaluate the validity of your hypothesis.

3) **Conclusion:** You will provide a conclusion regarding the voting behavior of your justice, as well as the power of the explanatory theory under investigation.

Full details on the research paper will be distributed in class and will be made available on the course’s Blackboard page.

**Participation (5%)**

As previously stated, you are expected to actively participate in class discussions. Your participation grade will not be determined by the quantity of your remarks in class, but rather their quality. Thus, come to class with
the expectation of contributing positively to class discussion and being able to answer questions posed by your fellow classmates.

**COURSE OUTLINE**

8/26  **General Class Information**

8/31  **The American Legal System I**
Segal and Spaeth, Chapter 1

9/2   **The American Legal System II**

9/7   **Getting to Know the Current Supreme Court**
“Biographies of Supreme Court Justices” on Blackboard.

9/9   **Primer on Statistical Approaches to Political Science**
“Primer on Statistical Approaches to Political Science” on Blackboard.


Because we will be reading materials that rely on statistical methods, it is vital that you do not miss this class.

9/14  **Staffing the Federal Bench**
Segal and Spaeth, Chapter 5


9/16  **The Supreme Court’s Agenda**
Segal and Spaeth, Chapter 6


9/21  **Conducting Legal Research**

9/23  Decision Making I: The Legal and Attitudinal Models  
Segal and Spaeth, pages 44-97, 279-326

9/28  Decision Making II: The Separation of Powers Model  
Segal and Spaeth, pages 97-114, 326-351

9/30  Making Law: The Opinion Writing Process  


10/5  Oral Arguments  


10/7  Supreme Court Law Clerks  


10/12  Review for Midterm Examination

10/14  Midterm Examination

10/19  Inter-branch Interactions  


10/21  Interest Groups in the Courts  

Winning in the Courts: Are Some Litigants (dis)Advantaged?


Public Opinion and the Supreme Court

- Does Public Opinion Shape Supreme Court Decision Making?

- Does the Supreme Court Shape Public Opinion?

The Impact of Supreme Court Decisions


Public Attitudes Towards Courts
Caldeira, Gregory A. 1986. “Neither the Purse Nor the Sword: Dynamics of Public Confidence in the Supreme Court.” American Political Science Review 80: 1209-1226.


The Supreme Court and Federalism


In Their Own Words: An Inside Look at the U.S. Supreme Court
We will watch The Supreme Court: Home to America’s Highest Court, which contains a series of interviews with actors on the Supreme Court. This film, and several others, are available for viewing here: http://supremecourt.c-span.org/TVPrograms.aspx

Judicial Selection Methods and State Court Decision Making

11/18  **Judging on the Courts of Appeals**  


11/23  ***RESEARCH PAPERS DUE***

**Trial Courts**


11/25  **No Class: Thanksgiving Break**

11/30  **Inter-court Relations**


12/2  **Judicial Decision Making in a Comparative Context**


12/7  **Courts and War**


12/9  Review for Final Examination

12/14  Final Examination (1:30 p.m. – 3:30 p.m.)

**MISCELLANEOUS INFORMATION**

**Grade Disputes:** A great deal of time is invested in grading student assignments. If a student wishes to dispute a grade, he or she must do so in writing. Students must articulate a clear explanation as to why they
feel a different grade is in order, as well as what grade they believe to be more representative of their work. Merely “wanting” or “needing” a higher grade is not a sufficient reason. Students should also note that if work is reviewed for a grade dispute, the entire work is reviewed, not simply the specific aspect being disputed by the student. All grade disputes are due in writing to the Professor within two calendar weeks after the graded work is returned in class. Grade disputes will not be considered if submitted past the two week statute of limitations. Note that the Family Educational Rights and Privacy Act (FERPA) prohibits the Professor from discussing grades via email or on the phone. Accordingly, grade disputes should be handled during office hours.

**Email Etiquette:** Email is the preferred means of communication for the Professor outside of office hours. Please use the email addresses posted on the syllabus. Do not email the Professor via Blackboard. When you email the Professor, you need to follow some basic rules. First, insert the course title and number into the subject line of your message. Second, plainly identify yourself and articulate the content of your message clearly. This means you should not use text message or instant message speak. Finally, before you email the Professor, you should review the syllabus and the course’s Blackboard page. It is very likely that you can find an answer to your question(s) by examining this syllabus or the Blackboard page. Failure to follow these simple rules will generally result in a non-response from the target of your email communication.

**Make Up Policies:** Each student is expected to complete all assignments by the due date and take all examinations at the scheduled times. Make up exams will be permitted only under the gravest of circumstances. As a general rule, make up exams will not be offered. Failure to appear for a scheduled exam without prior notification and an acceptable reason will result in a score of zero (0) for that exam. Students should be aware that the makeup exam, if allowed, may not be the same as the original examination. While the general format and the material to be tested will stay the same, the exact questions may differ.

**Office Hours:** Office hours are currently scheduled from 10:00-11:30 Tuesdays and Thursdays. If these times prove to be inconvenient, special appointments are available. Students should contact me to schedule special appointments. Contact via e-mail is encouraged.

**Accommodations:** If you are a student with a disability and wish to request accommodations, please notify me by the second week of class. You are also encouraged to contact the Office of Disability Accommodation at (940) 565-4323. The ODA makes formal recommendations regarding necessary and appropriate accommodations based on specifically diagnosed disabilities. Information regarding disabilities is treated in a confidential manner.

**Statement of ADA Compliance:** The Political Science Department cooperates with the Office of Disability Accommodation to make reasonable accommodations for qualified students with disabilities. Please present your written accommodation request on or before the sixth University class day (the second week of classes).

**Religious Holidays:** In accordance with University policy, I will excuse any absences that result from religious observances, provided that you notify me in advance of your planned absence.

**Academic Honesty:** Academic dishonesty will not be tolerated in this class. Incidents of plagiarism and/or cheating will result in a failing grade for the class and further penalties per the University’s judicial process. Students are advised to review the policies established by UNT regarding academic integrity (http://policy.unt.edu/sites/default/files/untpolicy/pdf/7-Student_Affairs-Academic_Integrity.pdf). If you have any questions about what constitutes plagiarism or cheating, see the Professor. Finally, students agree that, by taking this course, all required assignments may be subject to submission for textual similarity review to www.turnitin.com or a similar plagiarism prevention system.
The UNT Department of Political Science Policy on Cheating and Plagiarism:

I. Categories of Academic Dishonesty.

A. Cheating. The use of unauthorized assistance in an academic exercise, including but not limited to:
   1. use of any unauthorized assistance to take exams, tests, quizzes or other assessments;
   2. dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems or carrying out other assignments;
   3. acquisition, without permission, of tests, notes or other academic materials belonging to a faculty or staff member of the University;
   4. dual submission of a paper or project, or re-submission of a paper or project to a different class without express permission from the instructor;
   5. any other act designed to give a student an unfair advantage on an academic assignment.

B. Plagiarism. Use of another’s thoughts or words without proper attribution in any academic exercise, regardless of the student’s intent, including but not limited to:
   1. the knowing or negligent use by paraphrase or direct quotation of the published or unpublished work of another person without full and clear acknowledgement or citation.
   2. the knowing or negligent unacknowledged use of materials prepared by another person or by an agency engaged in selling term papers or other academic materials.

C. Forgery. Altering a score, grade or official academic university record or forging the signature of an instructor or other student.

D. Fabrication. Falsifying or inventing any information, data or research as part of an academic exercise.

E. Facilitating Academic Dishonesty. Helping or assisting another in the commission of academic dishonesty.

F. Sabotage. Acting to prevent others from completing their work or willfully disrupting the academic work of others.

II. Available Academic Penalties

The following academic penalties may be assessed at the instructor’s discretion upon determination that academic dishonesty has occurred. Admonitions and educational assignments are not appealable.

A. Admonition. The student may be issued a verbal or written warning.

B. Assignment of Educational Coursework. The student may be required to perform additional coursework not required of other students in the specific course.

C. Partial or no credit for an assignment or assessment. The instructor may award partial or no credit for the assignment or assessment on which the student engaged in academic dishonesty, to be calculated into the final course grade.

D. Course Failure. The instructor may assign a failing grade for the course.

Stipulation: I reserve the right to change this syllabus as I see fit at any point in the semester.