**THE AMERICAN LEGAL SYSTEM**  
PSCI 3200.002  
COURSE SYLLABUS  
SPRING 2011  
MWF 10:00-10:50  
WOOTEN HALL ROOM 216

**Instructor:** Professor Collins  
**Office:** Wooten Hall 133  
**Office Hours:** 1:30-3:00 Mondays and Wednesdays and by appointment  
**E-mail:** pmcollins@unt.edu (do not email the Professor via Blackboard)  
**Webpage:** http://www.psci.unt.edu/~pmcollins

**Objectives**

The purpose of this course is to critically analyze the American legal system. To do this, we will examine a host of topics, including the structure of federal and state court systems, the processes by which cases enter the courts, methods of judicial selection, and the determinants of judicial decision making.

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:


In addition, we will be reading several scholarly articles and book chapters throughout the semester. 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

Exams (Exam #1 – 25%; Exam #2 – 25%; Final Exam – 25%)

There will be three exams in this class. Each exam is closed book. Exams will consist of some combination of multiple choice, matching, short answer, and essay questions. The first exam will include all material addressed in class up to February 16th. The second exam will include all material covered in class from February 21st to March 28th. The final will be cumulative, but will focus most heavily on the final third of the semester. For the examinations, students are responsible for all lectures and readings from the textbook, articles, and book chapters that correspond to the time periods discussed above.

Research Paper (25%)

Each student will write one research paper (about 10-15 pages), tracing a case that was eventually decided by the U.S. Supreme Court through the American legal system. To do this, students will choose any U.S. Supreme Court case decided between October 1, 2009 and July 31, 2010. Once the case is located, the remainder of the paper is based on five parts. An instruction sheet, with complete details of the paper, is available on the course’s Blackboard page. The research papers are due on April 20th.

1. You will begin the paper by briefly summarizing the key facts surrounding the controversy. For example, how did the case begin? What laws are implicated by the case? What provisions of the Constitution are at play?

2. Next, you will trace the case throughout the American legal system. Where did the case originate? How did federal and/or state lower courts dispose of the case (who won, what did the lower court judges say)? How did the U.S. Supreme Court come to take the case (e.g., certiorari, original jurisdiction, noting probable jurisdiction, etc.)? Who was involved in the case (e.g., who are the litigants, were there amicus curiae briefs, was the case sponsored by an interest group)?

3. Following this, you will address the U.S. Supreme Court’s disposition of the case. How did the Court dispose of the case? Who wrote the majority or plurality opinion and what did he or she say? Who joined that opinion? Were there any dissenting or concurring opinions? What was said in those separate opinions and why did those justices write separately? Did the Court follow or depart from precedent? Is the decision best explained by the legal or attitudinal models?

4. What have newspapers and law reviews said about the U.S. Supreme Court’s decision and its broad importance? I would highly recommend that you examine *The New York Times*, *Washington Post*, and *Wall Street Journal* on the day after the decision. You might also take a look at what Nina Totenberg of National Public Radio has to say ([http://www.npr.org/](http://www.npr.org/)), as well as Tony Mauro from American Lawyer Media/Lawyer’s Times ([http://www.law.com/jsp/scm/index.jsp](http://www.law.com/jsp/scm/index.jsp)). Law review articles can be accessed via Lexis-Nexis or Westlaw. Because these are subscription sites, if you are off campus, you will have to login via the UNT library system.
(5) Lastly, you should indicate your own opinion about the U.S. Supreme Court’s decision. Is the decision good law and good policy? Is it a clear decision that will be helpful for future litigants and judges? You must support your opinion with references to the Court’s opinions, as well as newspaper and law review commentary.

Course Outline

1/19  General Class Information

1/21  American Law
      Carp, Stidham, and Manning, Chapter 1

1/24  The Federal Judiciary, Part I
      Carp, Stidham, and Manning, Chapter 2

1/26  The Federal Judiciary, Part II

1/28  The Federal Judiciary, Part III

1/31  State Judiciaries
      Carp, Stidham, and Manning, Chapter 3

2/2   Jurisdiction and Policy Making, Part I
      Carp, Stidham, and Manning, Chapter 4

2/4   Jurisdiction and Policy Making, Part II

2/7   State Judicial Selection and Removal
      Carp, Stidham, and Manning, Chapter 5

2/9   Federal Judicial Selection and Removal, Part I
      Carp, Stidham, and Manning, Chapter 6

2/11  Federal Judicial Selection and Removal, Part II

2/14  The Executive and the Courts
      Carp, Stidham, and Manning, Chapter 7

2/16  Review for Examination #1

2/18  Examination #1

2/21  Lawyers, Litigants, and Interest Groups, Part I
      Carp, Stidham, and Manning, Chapter 8

2/23  Lawyers, Litigants, and Interest Groups, Part II
2/25  Lawyers, Litigants, and Interest Groups, Part III  
Film: *The Road to Brown*


2/28  Criminal Trials, Part I  
Carp, Stidham, and Manning, Chapter 9

3/2  Criminal Trials, Part II  
Carp, Stidham, and Manning, Chapter 10

3/4  Criminal Trials, Part III

3/7  Civil Trials, Part I  
Carp, Stidham, and Manning, Chapter 11

3/9  Civil Trials, Part II

3/11  Juries, Part I  

3/21  Juries, Part II  

3/23  Juries, Part III  
Film: *Juries on Trial*

3/25  Trial Court Decision Making  
Carp, Stidham, and Manning, Chapter 12

3/28  Review for Examination #2

3/30  Examination #2

4/1  No Class (Midwest Political Science Association Conference)

4/4  Decision Making on Collegial Courts, Part I  
Carp, Stidham, and Manning, Chapter 13

4/6  Decision Making on Collegial Courts, Part II

4/8  Decision Making on Collegial Courts, Part III
4/11 The Impact of Court Decisions, Part I
Carp, Stidham, and Manning, Chapter 14

4/13 The Impact of Court Decisions, Part II

4/15 Confidence and Legitimacy

4/18 Courts in the Media

4/20 Research Papers Due

The Stanford Prison Experiment
Film: Quiet Rage: The Stanford Prison Experiment


4/22 Contemporary Issues: Felon Disenfranchisement

4/25 Contemporary Issues: Sex Offender Registration
4/27  Contemporary Issues: Homosexual Rights


4/29  Contemporary Issues: The CSI Effect


5/2  Judicial Policy Making (Pre-Finals Week)
Carp, Stidham, and Manning, Chapter 15

5/4  Review for Final Examination

5/6  No Class – Free Study Day

5/13  Final Examination (8:00 a.m. - 10:00 a.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. When doing so students should provide 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. Simply “wanting” or “needing” a higher grade is an insufficient reason. Students should also be aware that when work is reviewed for a grade dispute, the entire exam or paper is reviewed, not simply the specific detail 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. Accordingly, grade disputes should be handled during office hours. Note that there is no opportunity for extra credit, unless I specifically indicate such an opportunity in class.

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 1:30-3:00 Mondays and Wednesdays. 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 class day (beginning of 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. Students are advised to review the policies established in the Code of Student Conduct regarding academic honesty (http://policy.unt.edu/). If you have any questions about what constitutes plagiarism or cheating, PLEASE ASK ME! Finally, students agree that by taking this course that 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.