



POLS 3313-8B (AP5) – Judicial Process (Section 12646) Fall 2017

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LU Learn Technical Support: <http://luonline.lamar.edu/blackboard-support/index.html>

Teaching Philosophy Statement

Given the complexities in understanding judicial process and politics, it is imperative that students take an active role in learning. To aid in this process, I embrace the following philosophy regarding teaching:

1. I believe students learn best when they are given opportunities to apply their knowledge. As an Active and Collaborative Engagement for Students (ACES) Fellow, I encourage student interaction.
2. I believe students will get what they put in this course. Simply put, each student must decide how much time he/she is willing to commit to the course to earn the grade he/she desires.
3. It is my ultimate goal to ignite students' interest in learning about the political world around them, challenge them to think proactively about their education, and finally, to create a learning environment that will allow students to develop critical thinking skills that will be an asset throughout their academic and professional lives.

Virtual Office Hours and Email Policy

I check LU Learn and Lamar email accounts throughout the day during business hours and weekends. Feel free to contact me at any time and I will return correspondence within 24 hours on weekdays and 48 hours on weekends. When you receive a communication from me, you should attempt to reply within 48 hours. Please feel free to ask me any questions about the course, but out of courtesy please check the syllabus and the course website to see if the answer is already available.

Course Description

The courts are the least democratic of the major American political institutions. Yet the role of the courts is often claimed to be essential to maintaining not only the rule of the law, but the basic rights necessary to maintain a functioning democratic republic. This course will provide a broad survey of judicial institutions, while engaging with the propriety and impact of judicial policymaking in the United States.

The course begins with a basic introduction to law and political jurisprudence in a globalized society which includes an analysis of legal systems, classical and contemporary legal theories, and the origin and structure of state and federal courts. Part II considers judicial organization and administration while Part III concentrates on access to courts and how formal and informal barriers affect judicial decision making and access to justice. The remaining section of the textbook (Part IV) explores judicial policymaking and the scope and limits of judicial power in appellate courts.

Course Goals

After the course, you should:

1. Develop an informed view of American courts, judicial actors and the judicial process in the United States.
2. Continue to improve critical-thinking, reading, written and oral communication through formal and informal assignments.

Student Learning Outcomes

1. Demonstrate an understanding of the powers, processes, and structures of the United States federal judiciary;
2. Convey understanding of the structure and workings of the United States Supreme Court and the important legal principles of judicial review, jurisdiction, and *certiorari*;
3. Demonstrate knowledge of various theories about judicial decision making and the application of theoretical knowledge to practical understanding about the role the judiciary plays in American democracy and politics;
4. Convey sufficient command of the subject matter to be able to compare and contrast the federal and state judiciaries particularly with respect to structures, organizations, and methods of judicial selection; and
5. Demonstrate your ability to think critically about the American judiciary and the public policies emanating from the courts.

Prerequisites

Students registered for this course must be at least at junior-level standing and have already successfully completed POLS 2301 (Introduction to American Government I) and POLS 2302 (Introduction to American Government II).

Required Course Materials

Banks, Christopher P. and David M. O'Brien. 2016. *The Judicial Process: Law, Courts, and Judicial Politics*. Thousand Oaks, CA: CQ Press. ISBN: 978-1-4833-1701-4.

Course Structure

This course will be delivered through LU Learn. Since this course is taught entirely online, you have to be disciplined in order to keep up with the readings and lecture materials. May I suggest that you set a schedule for working on this course and be prepared to devote at least as much time to it as you would a class that physically meets a few times a week. Assignments are based on a weekly schedule that begins on Monday (based on the first day of class) and ends on Sunday night.

PLEASE NOTE: Be sure to pay close attention to deadlines—there will be no make-up assignments or quizzes, or late work accepted without a serious and compelling reason and instructor approval. **Assignments and exams posted in LU Learn will disappear after the deadline so please plan according.**

Computer and Software Requirements

Students who take distance courses via LU Learn will need to be responsible to have the following capabilities and software:

- High Speed (Broadband) Internet access
- Computer with at least 4 gigabyte memory
- Word processor software that is compatible with Microsoft Word
- Adobe Acrobat Reader - <http://www.adobe.com>
- Firefox browser – <http://www.mozilla.com>
- Flash Player – <http://www.adobe.com>
- Java <http://www.java.com>

To log into the myLamar website and LU Learn, you also will need a Lamar Electronic Account username and password. You can access LU Learn from the University's homepage (<http://www.lamar.edu>) and then clicking the myLamar link on the left top corner of the screen. For assistance with issues concerning your username and/or password you are required to contact the university help desk at (409) 880-2222 or Toll Free at 1-866-585-1738. The LU Learn Students FAQ's page can assist you with changing your profile, submitting

assignments and other related questions. You can visit this page at <http://luonline.lamar.edu/blackboard-support/students.html>.

Accessibility Policies

Lamar University

<http://www.lamar.edu/about-lu/accessibility.html>

Blackboard

<http://www.blackboard.com/accessibility.aspx>

Firefox

<https://support.mozilla.org/en-US/kb/accessibility-features-firefox-make-firefox-and-we>

Microsoft

<https://www.microsoft.com/enable/microsoft/mission.aspx>

Adobe Flash

<http://www.adobe.com/accessibility/products/flash.html>

Adobe Connect

<http://www.adobe.com/accessibility/products/adobeconnect.html>

Adobe Reader

<http://www.adobe.com/accessibility/products/reader.html>

Java

<http://www.oracle.com/us/corporate/accessibility/policies/index.html>

ProctorU

<http://blog.proctoru.com/?p=345>

Course Policy

To ensure that everyone can learn without undue distraction, the following are guidelines for appropriate behavior:

- Adhere to the same standards of behavior online that you follow in real life when writing emails or posting on the discussion board which means the following:
 - Respecting the opinions and thoughts of others
 - Refraining from making any race, gender, or sex-based discriminatory or harassing comments
- I will ensure we maintain this online culture by addressing any disruptive behavior immediately. I will address disruptions as follows:
 - A first instance of disruptive behavior will be addressed via email and expectations for appropriation behavior will be clarified.
 - A student who continues to be disruptive will be reported to the department chair and/or the Dean of Students.
 - Any student who exhibits extreme behavior or makes threats against members of the online classroom community will immediately be reported to LUPD.
- Students are expected to have the assigned readings completed each week, to regularly (i.e.: multiple times per week) participate in online class discussions, activities, and simulations, to complete and hand in assignments on time, and to ask questions.
- *Humor Note:* Despite the best of intentions, jokes and--especially--satire can easily get lost or taken seriously. If you feel the need for humor, you may wish to add “emoticons” to help alert your reader 😊.

Sexual Harassment

In accordance with administrative policy, sexual harassment is reprehensible and will not be tolerated by the university. Behavior in the course must conform to the university policy.

Course Evaluation

Instruction as well as student performance is subject to evaluation. Procedures may be instituted for this purpose near the end of this course.

Participation and Attendance

I want to make sure everyone is clear about the difference between **logging on, attendance, and participation**. Don't worry, I know Week One has a steep learning curve – I will take this into account for the first week.

Logging On

When we “log on” we might spend a great deal of time reading the course content—please realize that the system cannot track how long you spend in the course nor can it tell exactly what you are doing. As a result, “logging on” is not part of either attendance or participation.

Attendance

To be in attendance each week you must complete the post-chapter quiz by **11:00 p.m. central standard time** the night before the start of the next chapter. **By completing and posting all weekly assignments on time, you will automatically meet the attendance requirement.** To keep this course both informative and useful, you should read required materials *before* completing quizzes and exams. You can earn 5 points for attendance in each week (50 points total).

Participation

Every odd numbered week (e.g., 3, 5, 7) you will be asked to reflect on and respond to a Discussion Board question and post your contribution to the topic on the Discussion Board. Your contribution to the topic should be clear, complete, and accurate. This assignment also requires that you read the answers posted by your classmates and provide a substantive response to at least two (2) of those postings each week (**no partial credit for incomplete assignments**). There's also no make-up option for participation and students cannot be given "other assignments" or extra credit to "make-up" for not being able to participate.

Your responses to your classmates are due **no later than 11 p.m. (CST) on Sunday**. Do not wait to the last minute to post your answer! Posting early allows you to write thoughtful answers and to be the first one to make important points. Posting early also ensures that you will not miss the deadline. You will find additional instructions in LU Learn by clicking on ‘Discussion Forum.’ Your contributions to discussion forums are worth 10 points for a total 30 points.

Exams

All four (4) exams in this course are closed book and closed note, timed, hour long exams administered online through LU Learn. Exams are available immediately following the completion of each section of the book (Part I-IV) and will remain open for three days (midnight on Friday – 11 p.m. on Sunday (CST)). **Make-up exams will only be given to students who have a medical excuse or University-excused absence.** To qualify for a make-up examination, students must provide supporting documentation for missing the scheduled exam and must contact me (by phone or e-mail) *prior* to the scheduled exam. If a student cannot contact me prior to the exam due to extenuating circumstances, the student is required to contact me within 24 hours after the missed exam.

Questions will be presented one at a time and you will not be able to revisit past questions. **Under no circumstances should students cut and paste material from the Internet or take direct statements from the textbook or lecture notes in answering essay questions for these exams. Doing so is cheating and students will be punished according to the Academic Honesty policy described below.**

Expect multiple choice questions for the most part, with short answer and essay elements. Exams are cumulative, but will focus primarily on course materials and discussions since the last exam. Questions will come from course lectures, discussion board topics, and course readings which means anything taught in class is testable material, and not everything taught in class will be in the course texts. Each question is worth one point and exams are worth 50 points (200 points total).

Court Observation Analysis (50 points)

Additional instructions for this assignment can be found in LU Learn. An outline of your paper is due via **SafeAssign** in LU Learn by **8:00 p.m., Sunday, October 8, 2017** (worth 10 points) (See Week 6 folder). Your essay must follow the five-paragraph essay structure (introduction with an argumentative thesis statement, body, and conclusion) and must be submitted via SafeAssign in LU by **8:00 p.m. on Friday, October 13th, 2017** (See folder for Week 7 for additional instructions and the submission link). **I will not accept late assignments.** I've posted a Five-Paragraph Essay template in LU Learn for those of you who are unfamiliar with proper essay structure.

PLEASE NOTE: SafeAssign restricts submissions to specific file formats such as PDF, DOC, DOCX, ODT, and RTF. You will need to confirm that your document is one of the acceptable file formats listed on the file upload screen. Note: If using the Apple software Pages, the document will need to be exported as a .doc file before uploading to SafeAssign.

Grading and Evaluation*

Grades are posted in 'My Grades' in LU Learn and will be based on the following:

Attendance	50 points
Discussion Board Participation	30 points
Court Observation Analysis <ul style="list-style-type: none"> • Outline • Essay 	60 points
Four (4) Exams	200 points
Total	340 points

*I do not offer extra credit on an individual basis.

Grading Scale

A= 340 – 306 points B= 305 – 272 points C= 271 – 238 points D= 237 – 204 points F= <203 points

Assignment Feedback

Discussion posts will be graded beginning on Mondays following a Sunday night due date and will be completed in approximately three days. **If a grade does not appear at that time but instead says “In Progress,” the assignment was incomplete when the forum closed which will change to zeros at the end of the semester.** Post-chapter quizzes and exam grades will be calculated as soon as you hit "submit" on your exam. You can take quizzes more than one to receive the maximum number of points until they close. Exam questions answered incorrectly can be seen *after* exams close by clicking on your score in the Grade Center. Court observation analysis essays will be graded by the end of Week 8 of the course. Both the written assignment and the discussion forums will be graded using a rubric provided to you through the course LU Learn (Blackboard) system. All grades will be posted on LU Learn in the Grade Center. For more detailed assessment of discussion forums and the written assignment, please click on your score and the

associated rubric. There may be additional written comments provided to you beyond the rubric.

Understand When You May Drop This Course

It is the student's responsibility to understand when they need to consider dropping or withdrawing from the course. For more details, refer to the [Lamar Academic Calendar](#).

Private Policies

Consistent with the federal Family Educational Rights and Privacy Act (FERPA), Lamar University will not release personally identifiable student information to third parties (including parents, legal guardians and other family members) without written authorization from the student.

Although anyone using www.lamar.edu should not have a legal expectation of privacy, Lamar University will not share information with other parties or gather information from other private data providers. Unless specifically required, pursuant to a written request filed under the Texas Public Information Act, Government Code, Chapter 552, Lamar University generally will not release information gathered through its web site. Information and comments collected from web forms are subject to public disclosure under the Texas Public Information Act, Government Code, Chapter 552. Non-governmental email addresses are not subject to disclosure unless the affected member of the public affirmatively consents to the disclosure of his or her email address.

Help & Resources

Academic Support

Academic Support can be located at <http://students.lamar.edu/academic-support/index.html>.

There are many areas (i. e. Advising, Writing Center, etc.) of academic support. Each area provides their own specific contact information and days and hours of operation.

Student Services

Information on Student services can be located at <http://students.lamar.edu/student-services/index.html>. There are many resources (i. e. Course schedules, important phone numbers, etc.) available. Each area provides their own specific contact information and days and hours of operation.

On-Campus Tutoring Services

Lamar University's Student Advising and Retention Services (STARS) offers tutoring in many courses, including American government, and can also help you with general study, note-taking, or textbook reading strategies. The STARS Tutoring Center is located on the first floor of the Mary and John Gray Library. If you have any questions, you can reach STARS at (409) 880-PLAN.

Library Assistance

Distance education students and faculty have access to a dedicated distance education librarian. Contact information and a full account of services can be found at <http://vmlibweb.lamar.edu/distanceed/distedservice.htm>.

The Writing Center

Lamar University's Writing Center is centrally located on the first floor of the Mary and John Gray Library. The Center's individualized tutoring sessions aspire to more than just the short-term goal of improving a particular essay or paper. Writing Center tutors seek to improve the student writer's composing skills so that he or she can approach any writing assignment in a progressively more skilled and thus more confident manner. **Overall, their goal is to provide authentic learning of the writing process, not quick-fixes for papers.** Walk-ins are welcome, but students are strongly encouraged to make appointments by calling 880-8571, emailing UWC@lamar.edu, or dropping by the center.

Academic Honesty

Students are specifically warned against all forms of cheating and plagiarism. The *Lamar University Student Handbook* clearly reads: “Any student found guilty of academic dishonesty in any phase of academic work will be subjected to disciplinary action. Punishable offenses include, but are not limited to, cheating on an examination or academic work which is to be submitted, plagiarism, collusion, and the abuse of source materials.” One aspect of the *Handbook*’s definition of cheating includes “purchasing or otherwise acquiring and submitting as one’s own work any research paper or other writing assignment prepared by an individual or firm.” Plagiarism is defined as “the appropriation and the unacknowledged incorporation of another’s work or ideas into one’s own and submitted for credit.” Faculty members in the College of arts and Sciences investigate all cases of suspected plagiarism. Any student who is found guilty of academic dishonesty in this course will fail the exercise in question and perhaps the course itself.

Disability Accommodation

Lamar University is committed to providing equitable access to learning opportunities for all students. The Disability Resource Center (DRC) is in the Communications building room 105. Office staff collaborates with students who have disabilities to provide and/or arrange reasonable accommodations.

For students:

- If you have, or think you may have, a disability (e.g., mental health, attentional, learning, chronic health, sensory, or physical), please contact the DRC at [409-880-8347](tel:409-880-8347) or drc@lamar.edu to arrange a confidential appointment with the Director of the DRC to explore possible options regarding equitable access and reasonable accommodations.
- If you are registered with DRC and have a current letter requesting reasonable accommodations, we encourage you to contact your instructor early in the semester to review how the accommodations will be applied in the course.

The information contained in this class syllabus is subject to change with advanced notice.

TOPICAL OUTLINE AND CLASS SCHEDULE

Week/Dates	Dates to Remember	Readings	Exams and other Major Assignment Dates
Part I: Law and Political Jurisprudence in a Globalized Society			
1 8/28-9/3	Thurs, 8/31: Last day to drop with refund.	1. The Politics of Law and Courts in Society	
2 9/4-9/10		2. The Politics of Law and Jurisprudence	Exam I (Weeks 1-2)
Part II: Judicial Organization and Administrative Processes			
3 9/11-9/17	Wed, 9/14: Last day to drop without academic penalty	3. Judicial Organizations and Administration	
4 9/18-9/24		4. Judicial Selection and Removal	Exam II (Weeks 3-4)
Part III: Access to Courts and Judicial Decision Making			
5 9/25-10/1		5. The Practice of Law 6. Access to Courts and Justice	
6 10/2-10/8	Mon, 10/3: Last day to drop or withdraw with academic penalty	7. Trial Courts: The Adversarial Process and Criminal Cases	Exam III (Weeks 5-6) Court Observation Outline due via Safe Assign by 11 p.m. 10/8
7 10/9-10/15		8. Trial Courts: Civil Cases and Litigation	Court Observation Analysis paper due via Safe Assign by 8 p.m. 10/13
Part IV: Judicial Policymaking			
8 10/16-10/20		9. Appellate Courts and Decision Making 10. The Scope and Limits of Judicial Power	Exam IV (Weeks 7-8)