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Political Science 360-Sec 002

# Politics of Law and Courts

Spring 2022, University of Kentucky

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**Meeting:**

**Instructor:** EmiLee Smart

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**Office:** 1606 Patterson Office Tower

**Office Hours:** M 3:00-5:00pm & T 11:30-12:30pm or by appointment zoom or in-person

**Zoom Office Hours:**

## Course Information

### Overview

This course introduces students to the American legal system from a variety of perspectives and allows students to develop a broad understanding of the court system in the United States. We will begin with an overview of the basic functions and structure of the United States court system. Next, we will learn about the key players in the court system—including attorneys, judges, and litigants as well as external actors such as interest groups, the media, and the public. After familiarizing ourselves with the structure and key actors in the court system, we will explore the processes for criminal and civil proceedings, as well as the plea-bargaining process.

The course has a significant practical component. Students will become familiar with the legal profession and the law school path. They will consider a variety of real-world controversies. They will become familiar with legal writing and will practice their legal writing skills through written assignments. Students will also study in-depth a complex legal case from a variety of choices to explore the structure of the American legal system, the strategies employed by legal actors, and the ability of the system to provide redress.

Ultimately, the goal of this course is to give students a broad introduction to the law in the U.S.; as such, we do not focus in detail on any one area of the law, but rather lay the groundwork for later course work in the law.

### Objectives and Learning Outcomes

1. Gain an understanding of the historical development of law and the judicial system, including their theoretical and normative underpinnings.
2. Be able to explain the structure and functions of the legal system in the United States, at both the federal and state levels.
3. Be able to detail the mechanics of the legal system, including its procedural aspects and its key actors, with a focus on the power of judges and the components of judicial decision-making.
4. Read and comprehend complex legal material, the culmination of which will result in a written case brief of a landmark court ruling.
5. Research, review, and synthesize previous Supreme Court cases, relevant statutes, and constitutional provisions relevant to current US Supreme Court cases and demonstrate an understanding of these sources of law through legal writing in the form of (simulated) amicus briefs.
6. Prepare students for upper-level legal courses or law school.

### Required Textbook

The main textbook for the course is:

*American Judicial Process: Myth and Reality in Law and Courts.* Corley, Pamela C., Ward Artemus, Martinek, Wendy. 2015. ISBN: 9780415532983

Feel free to purchase the textbook anywhere that helps keep costs down.

Throughout the semester, the class will consist of lecture, group activities, as well as discussion of supplemental materials such as podcasts or journal articles. These supplemental materials will be provided and linked on Canvas.

## Evaluation Criteria

### How to Be SUCCESSFUL in this course

- Read and/or watch **all** assigned material before coming to class
- Be prepared to discuss and participate in class
- Begin to develop college-level academic writing. Resources, including the instructor, are available to students who need to improve their writing.
- Turn in assignments on Canvas on time
- If you have any concerns do not hesitate to reach out to me **early**

### Distribution of points

1 Page Legal Brief	5% of grade
Weekly Reflections	20% of grade
Essay on Courts in the Media	15% of grade
Exams 1 and 2	40% of grade
Final Exam	25% of grade

### Final grade distribution

A	90-100%
B	80-89.9%
C	70-79.9%
D	60-69.9%
E	Below 60%

### *Analyzing the Evidence Modules* (10% of grade)

This course will train you to think like a political scientist – by thinking critically, analyzing evidence carefully, and gaining an understanding of systematic patterns in political affairs. To further refine these skills, students are required to complete an “Analyzing the Evidence” module on Canvas for each topic we study. In these modules, you will be presented with systematic political data – for example, historical trends in the president’s job approval ratings over the last century. You will analyze this data by responding to a series of short answer questions. This is not a memorization task; rather, the analysis will help you not only gain a systematic understanding of politics but also equip you with skills in data analysis and critical thinking that you can apply in a variety of contexts going forward.

The “Analyzing the Evidence” modules must be completed by the start of lecture (11am) during the semester (no late work accepted on these assignments). See the course schedule below for the dates on which specific modules are due. All modules (6) are located under the Quizzes tab on Canvas. You will receive 100% if they are fully completed. You will not receive feedback on Canvas because we will discuss responses and review the data together in class. Being in class and participating in the weekly reviews will be essential as a substantial portion of the Exams will be analyzing the evidence.

### *UK Core Projects* (10% of grade each= 20% total)

This course is part of the UK Core objective focused on community, culture, and citizenship in the U.S. As such, it includes two assignments dealing with conflicts, compromises, and ethical dilemmas stemming from the diverse culture of the country.

The first core assignment is a short paper that brings together our study of institutional politics with political conflict that arises in a diverse society. During week 9, students will be introduced to and discuss a current supreme court case in class. The paper will be due during week 10. In the paper, you will be asked to evaluate both arguments being made from the attorneys in the Supreme Court case. You will then fill the role of a judge and choose which side should win the case based on an evidence supported argument. This paper will be at least two pages, double-spaced.

The second core assignment is a short paper that requires students to explore and evaluate an ongoing topic of political controversy in the U.S. The paper is due during week 15. This assignment will require you to identify the biggest problem in American politics today. To make a convincing argument, you should use many outside sources as well as information from the lectures and book. Additionally, it may prove useful to include arguments as to why other commonly discussed problems are not the biggest problem our political system faces. This final paper will be at least four pages, double-spaced.

A more detailed handout with the corresponding rubric will be discussed in class and distributed via Canvas closer to the due date of the assignments.

**To be successful on these paper assignments**, students must cite sources throughout the body of their paper and in a bibliography (citation style of your major). If you have questions about which sources are appropriate, or how to cite sources, feel free to send me an email or Canvas message.

*Exams* (20% of grade each= 40% total)

The course includes two exams, each corresponding to a major unit of material. Exams will be a mix of multiple choice and short answer questions and they are intended to evaluate not only your knowledge of basic information about American politics, but also your capacity for critical thinking and systematic social science analysis.

There are a variety of resources to help you prepare for exams, including material from lecture and the “Analyzing the Evidence” modules. However, it is essential to do more than simply memorize, since you will be required to think critically to do well on the exams. This is another reason that regular attendance and careful note-taking during lecture and section is key: good note-taking does not consist of copying down information from slides, but rather listening carefully and organizing both verbal and visual information for when you study.

Finally, as you prepare for exams, you are strongly encouraged to see me with questions about concepts and principles.

*FINAL: Reflection Assignment* (30% of grade)

Instead of a final exam, students will be asked to create an overview and evaluation of their learning progress throughout the semester. Throughout the semester each student will be responsible for coming to class prepared with a question for each chapter (14 questions total). These questions should be more than just yes/no questions but should instead be used to help clarify difficult concepts or help understand applications of concepts to current student or political situations or future career applications. During class time we will discuss and answer student questions collectively.

For the reflection assignments, students will discuss their questions as well as their answers to provide an overview of what you have learned from the class. It will be to your benefit to come to class and discuss your questions to receive help answering them. Students can discuss questions and answers in an essay, PowerPoint, presentation, or video. For this assignment, you will need to discuss *your* questions and answers for each of the 14 chapters for this class. You will also need to detail overall what concepts and skills you will take away from this class, what concepts you may still struggle with or skills you plan to improve, and how what you learned will be beneficial in the future.

A more detailed handout with the corresponding rubric will be discussed in class and distributed via Canvas towards the beginning of the semester.

## Course Policies

*Classroom Conduct*

Regular attendance and participation during lecture and section meetings is not required but is essential for three reasons. First, by getting in the habit of regular attendance, this will help to prepare you for professional careers in which “skipping” is not an option. Second, participation and critical thinking go hand-in-hand. Even if you do not plan to practice political science as a profession, it is important to foster skills in asking questions, speaking publicly, and thinking critically for your future career. Third, this is a difficult course. Although we will cover topics that you are likely familiar with, we move quickly through information.

Please arrive to class prepared and on-time. You are expected to always behave respectfully towards your fellow students.

#### *Assignments & Late Work*

“Analyzing the Evidence” modules must be completed on Canvas and will not be accepted late. Additionally, written materials for the UK Core projects should also be uploaded to Canvas and must be in either Word or pdf format. For an assignment to be considered on time, the Canvas time stamp must show that a readable, final version (e.g., no document errors or failed attachments) was submitted prior to the start of class on the day it is due.

For the major written assignments in the course, there will be a one-letter grade per day late penalty (including weekends), up to half of the value of the assignment. After one-week, late assignments will no longer be accepted. If an issue arises that will prevent you from handing in an assignment on time, please contact me asap to make alternative arrangements for handing it in **early**. Any assignments handed in after the deadline, irrespective of the reason, are considered late.

#### *Missing an Exam*

I permit makeup exams for extreme situations. If you will be missing an exam for a University-approved reason (<https://www.uky.edu/universitysenate/acadpolicy>), you must provide written notice at least 1 week *in advance of the exam*. If you miss an exam due to an unexpected emergency (e.g., a serious personal or family health issue), notify me with formal documentation and I will be happy to work with you.

#### *Grade Grievances*

If you receive a grade that is lower than you believe your work merits, you may request a re-grade by submitting a typed grievance, using the criteria outlined in the assignment as the basis of your argument. The grievance must be submitted before your first discussion meeting following the return of the assignment. Your work will be reassessed in light of your appeal, and whatever grade it is assigned at this point (whether higher or lower than the original grade) will be final.

#### *Contacting the Instructor*

If you have a question about course policy, you should first consult your syllabus and canvas. If you still have questions about course policies or course content, feel welcome to email me directly or attend any office hours with questions.

Please email from your official university email account or through canvas (preferred). To protect your privacy, we will only respond to emails that are sent from your university email address or through the course’s Canvas website (preferred). Monday through Friday I will be sure to respond within 24 hours.

#### *Accommodations*

I am happy to work with you if you have an academic accommodation from the Disability Resource Center. Please supply me email and hard copy documentation of the accommodation as soon as possible, and prior to any assignment or exam it will impact, and we will work together to make any necessary arrangements. If you need more information on how to get an academic accommodation, please visit: <https://www.uky.edu/DisabilityResourceCenter/content/academic-accommodations>.

#### *Academic Misconduct*

Per university policy, students shall not plagiarize, cheat, or falsify or misuse academic records. Students are expected to adhere to University policy on cheating and plagiarism in all courses. The minimum penalty for a first offense is a zero on the assignment on which the offense occurred. Each student is advised to become familiar with the various forms of academic dishonesty as explained in the Code of Student Rights and Responsibilities :<http://www.uky.edu/Ombud>.

*Technology Policy*

**If you choose to use a laptop for all note taking, please sit near the back of the lecture hall so as not to distract other students.** Phone use is not permitted besides for class participation.

*Other Policies*

This syllabus is a guide to the course for the student. However, the instructor may at her/his discretion, change content and requirements during the semester. All other policies can be found at <https://www.uky.edu/universitysenate/acadpolicy>

## Topic Outline

- I. Foundations
  - a. Overview of course and the analysis of politics
  - b. U.S. government and the Constitution
  - c. Federalism
  - d. Civil liberties
  - e. Civil rights
- II. Institutions
  - a. Congress
  - b. The presidency
  - c. The bureaucracy
  - d. Courts
- III. Behavior
  - a. Elections, Parties, and interest groups
  - b. Public opinion
  - c. The media

## Course Schedule

Wk	Date	Topic	Reading	Assignment
<b>I. Foundations</b>				
1	T Aug 24	Overview of course and the analysis of politics	Course syllabus	Questions: During Class
	Th Aug 26	Principles of Politics	Ch. 1	Chp 1 Analyzing the Evidence
2	T Aug 31	U.S. government and the Constitution	Ch. 2	Questions
	Th Sept 2		<a href="#">US Constitution</a>	
3	T Sept 7	Federalism	Ch. 3	Questions
	Th Sept 9			Ch. 3 Analyzing the Evidence
4	T Sept 14	Civil liberties	Ch. 4	Questions
	Th Sept 16	Civil rights and Social Movements	Ch. 5	Ch. 4 Analyzing the Evidence
5	T Sept 21	Social Movements	<a href="#">When does a moment turn into a movement NYT</a>	Questions
	Th Sept 23			<a href="#">In Class Activity-Review</a>
6	T Sept 28	Review		

	Th Sept 30	<b>Exam 1 (During class period)</b>		
<b>II. Institutions</b>				
7	T Oct 5	Congress	Ch. 6	Questions
	Th Oct 7			
8	T Oct 12	The presidency	Skim Ch. 7	Questions
	Th Oct 14		<a href="#">Podcast: Presidential Power</a>	Ch. 7 Analyzing the Evidence
9	T Oct 19	The bureaucracy	Ch. 8	Questions
	Th Oct 21	Courts	Ch 9	
10	T Oct 26	<b>*Fall break – YES! NO CLASS</b>		
	Th Oct 28	Courts	Ch. 9	UK Core Project #1
11	T Nov 2	Courts	Check Canvas (to be determined)	Oral arguments and Defending UK Core
	Th Nov 4	Review		
12	T Nov 9	<b>Exam 2 (Taken during Class Time)</b>		
<b>III. Behavior</b>				
12	Th Nov 11	Elections, Parties, and Interest groups	Ch. 11 & 12	Questions
13	T Nov 16		Ch. 13	Ch. 13 Analyzing the Evidence
	Th Nov 18	Public Opinion/ Surveys	Ch. 10	Ch.10 Analyzing the Evidence
14	T Nov 23		Kalla and Broockman (On Canvas)	
	Th Nov 25	<b>*Thanksgiving break – YES! NO CLASS</b>		
15	T Nov 30	Media	Ch. 14 <a href="#">Ted: How we can protect truth</a>	
	Th Dec 2	Wrap up and review		UK Core project #2
16	T Dec 7	Core Project Presentations		
	Th Dec 9	Review		
17	T Dec 14	<b>Reflection Assignment due 12:30pm</b>		

*\*Note that all assignments are due by 11am, before the start of lecture, for the dates listed.*