

# Political Science 225: Judicial Process

**Professor:** Marcus E. Green  
**Office:** Towers 216  
**Office Hours:** MWF 11:00-12:00  
 or by appointment  
**Phone:** (614) 823-1106  
**Email:** mgreen@otterbein.edu

**Quarter:** Winter 2011 | Sep 14-Nov 25  
**Section #:** 01  
**Schedule #:** 11360  
**Class Time:** MWF 2:00–3:20  
**Location:** Towers 235  
**Website:** access through Blackboard

## Course Description

Political Science 225 analyzes the role of federal and state courts as political institutions, with special attention to the roles of judges and lawyers in the judicial process. Civil and criminal courts are studied, as well as judicial norms and procedures.

## Course Objectives and Learning Goals

1. To develop an understanding of the judicial process in the United States.
2. To develop an understanding of the US court system at local, state, and federal levels.
3. To develop an understanding of law and legal reasoning.
4. To expose students to aspects of the legal profession.
5. To help students decide whether to go to law school.

## Required Texts

1. Robert A. Carp, Ronald Stidham, Kenneth L. Manning, *Judicial Process in America*, 8th edition. CQ Press, 2011. ISBN: 9781604266085
2. Lief Carter and Tom Burke, *Reason in Law*, 8th Edition. Longman/Pearson, 2010. ISBN-13: 978-0205745395

## Exam Dates & the Determination of Final Grade

Exams & Partic.	Date	Points	Grades
Exam 1	Mon, Jan 24	4	
Exam 2	Mon, Feb 14	4	
Final Exam	Mon, Mar 14	4	
Participation	n/a	4	
<b>Total Possible Points</b>		<b>16</b>	
<b>Average</b>		<b>4</b>	
<b>- points for absences</b>			
<b>Final Grade</b>			

Average of essay grades & participation  
 - 0.1 for each unexcused absence after 3<sup>rd</sup> absence

## Calculation of Final Grade

The calculation of the final grade for the course is determined by the average of the grades for two exams, the final exam, and class participation. The final grade recorded for the course follows the grade scale below. The final grade average must meet the minimum threshold of the grade scale for each corresponding grade. For example, to receive an A- in the course, a student's final grade average must be 3.7 or above. In the case of a marginal final grade within .05 of a point, I will round up. For instance, if a student's final grade average is 3.66, I will record the final grade as an A-, but a final grade average of 3.60 will be recorded as a B+.

## Grade Scale

The grading system for this course follows Otterbein University's four-point grade scale found in the University Catalog. (<http://catalog.otterbein.acalog.com/content.php?catoid=10&navoid=463#Grading>). Grades for exams and final grade averages will follow the Grade Scale in first column in the table below. This Grade Scale will be used to determine the final Letter Grade.

Grade Scale	Letter Grade	Grade Points	Description
3.85 – 4.00	A	4.0	Exceptional
3.7 – 3.84	A-	3.7	Excellent
3.3 – 3.69	B+	3.3	Above Average
3.0 – 3.29	B	3.0	Above Average
2.7 – 2.99	B-	2.7	Above Average
2.3 – 2.69	C+	2.3	Average
2.0 – 2.29	C	2.0	Average
1.7 – 1.99	C-	1.7	Below Average
1.3 – 1.69	D+	1.3	Below Average
1.0 – 1.29	D	1.0	Below Average
0.0 – 0.99	F	0.0	Failure

Grades for assignments and final grade averages will follow the Grade Scale in first column. This Grade Scale will be used to determine the final Letter Grade.

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## Exams, Attendance, and Class Participation

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### Exams

The course includes two exams and a final exam. Exam dates are noted above and in the reading schedule. Each exam consists of questions drawn from the readings and lectures. The final exam is scheduled according to the university's final exam schedule. The final covers material in the last section of the course and some comprehensive material.

### Make-up Exam Policy

There are no make-up exams.

### Attendance

Attendance is required but not graded. Students are permitted up to 3 unexcused absences without penalty. After a student's third unexcused absence, I will deduct .1 of a point from the student's final grade average for each additional absence. For example, 4 absences = -0.1 point; 5 absences = -0.2 point, etc. If you need to miss more than three classes for university approved reasons, please see me to make arrangements. Sickness short of hospitalization or incapacitation does not constitute grounds for an excused absence. I may make exceptions for truly unusual and unanticipated events, but such arrangements must be discussed with me. Colds, flus, hangovers, broken bones, dental work, doctor appointments, changes in work schedules, etc. do not count as either unusual or unanticipated. You are permitted three unexcused absences for such events.

### Tardiness

If you are regularly late to class, I reserve the right to reduce your final grade average by .1 point for each instance of tardiness.

### Participation Grade

Students are graded on class participation. In addition to the formal essay requirements, successful achievement of course objectives requires active class participation, which is an important and valuable aspect of the learning experience. Therefore, 25% of the final course grade is determined by class participation. This means that I expect you to contribute and

participate in class discussions. You will only receive an acceptable grade for class participation if you attend class and participate in discussion. You should come to class prepared to discuss particular issues, topics, and readings.

To facilitate discussion, I will distribute discussion questions based upon the readings. Students are expected to answer particular questions in class – one participation point for each question successfully answered. I will also give students credit for participation when they provide significant contributions to class discussions that either enhance or provide greater meaning to the discussion. Your participation grade will be determined by the quality and quantity of your participation performance.

### **Participation Grade Breakdown**

<b>Participation Points</b>	<b>Grade</b>
12	4.0
11	3.8
10	3.7
9	3.3
8	3.0
7	2.7
6	2.3
5	2.0
4	1.7
3	1.3
2	1.0
1	0.7
0	0.0

Participation grades will be determined by the quality and quantity of student performance. For each discussion question a student successfully answers, the student will receive one point. At the end of the semester, students' participation grades will be calculated based upon their total raw participation points following the scale to the left. For instance, a student with 11 participation points, will receive a grade of 3.8 for participation.

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## **Course Policies**

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### **Course Format**

Class meetings will be largely organized around lectures. The lectures are designed to provide students with a framework of meaning through which they are better able to understand and discuss the course material. Class discussions will be based upon readings from the required texts. The discussions shall provide students with a forum in which they can discuss and debate the key concepts of the texts under review with their classmates and the instructor.

### **Lectures and Readings**

Students are responsible for knowing the material covered in the assigned readings and the material covered in lectures. Lectures will address information found in the readings as well as information not found in the readings. I do not distribute my lecture notes to students. Therefore, students are encouraged to attend class and to take notes.

### **Classroom Environment**

Class discussions are designed to challenge your verbal communicative skills, which are, in my view, not only necessary to the learning process but vital to the development of democratic culture and citizenship. The public exchange of ideas requires skill. It requires a level of confidence to speak in front of others and a level of maturity and respect to listen to others. Our discussions will be similar to workshops in which we workout different thoughts and ideas in coordination with one another. Because of this, I will work to make the classroom environment respectful and comfortable for all, and I expect you to do the same.

## **Blackboard**

I will distribute course materials on Blackboard. Therefore, it is your responsibility to familiarize yourself with Blackboard and to login periodically for course updates.

## **Plagiarism and Academic Dishonesty**

Otterbein policies regarding academic integrity will be strictly enforced. All submitted work must be your own. I will investigate indications of copied or plagiarized work, and I reserve the right to administer an oral exam and to question the student, if I suspect a student has submitted work that may be plagiarized.

According to the Otterbein Campus Life Handbook, “any use of the words or ideas of someone else as though they were the student’s own words, constitutes plagiarism. This definition applies to the use of both printed and unprinted sources, including the work of other students or faculty.” (See: [http://www.otterbein.edu/CLH/code\\_of\\_conduct\\_policies.asp#sec\\_4](http://www.otterbein.edu/CLH/code_of_conduct_policies.asp#sec_4) ). I will report violations of academic dishonesty to the Office of the Vice President for Academic Affairs. According to Otterbein policy, students who violate standards of academic integrity are subject to disciplinary sanctions, which include the “failure on the given assignment or a failing grade for the course.”

## **Disability Accommodation**

If you need an accommodation based on the impact of a disability, you should contact me to arrange an appointment as soon as possible. At the appointment, we can discuss the course format, anticipate your needs and explore potential accommodations. I rely on the Disability Services Coordinator for assistance in verifying the need for accommodations and developing strategies. If you have not previously contacted the Disability Services Coordinator (x1618 or [LMonaghan@otterbein.edu](mailto:LMonaghan@otterbein.edu)), I encourage you to do so.

## **Email**

Outside of my office hours, I can be reached via email, and I will usually respond within 24 hours. Note: In the subject, include the course number (POLS 225), and in the body of the message, please include your first and last name.

## **Electronic Devices**

**Recording Lectures:** In accordance with federal regulations, students may not make audio recordings of class lectures without the prior written consent of the instructor. Students who have registered and documented disabilities may make audio recordings with the consent of the instructor.

**Cell Phones & iPods:** Please turn off cell phone ringers during class. No texting or no iPod listening in class. If I see a student texting in class, I will automatically subtract one point from the student’s participation points.

## **Drop Dates & Withdrawal Policy**

Students who wish to drop the course may do so using the regular procedures. It is not the responsibility of the professor to drop students from the course.

- Last day to drop classes with no grade recorded on transcript: Monday, February 7, 2011
- Last day to drop with “W” on transcript: Monday, February 21, 2011

## Class Schedule and Readings.

*This is a tentative schedule and will likely change to accommodate the schedule of guest lecturers.*

Week	Date	Reading & Topics	Exam Dates
Week 1	Mon Jan 3	Introduction to the course	
	Wed Jan 5	Carp, Ch. 1 Foundations of Law in the United States	
	Fri Jan 7	Carp, Ch. 2 History and Organization of the Federal Judicial System	
Week 2	Mon Jan 10	Carp, Ch. 3 History and Organization of State Judicial Systems	
	Wed Jan 12	Carp, Ch. 4 Jurisdiction and Policymaking Boundaries	
	Fri Jan 14	Carp, Ch. 5 State Judges	
Week 3	Mon Jan 17	Carp, Ch. 6 Federal Judges	
	Wed Jan 19	Guest Lecture (to be determined)	
	Fri Jan 21	Review	Review
Week 4	Mon Jan 24	Exam 1	Exam 1
	Wed Jan 26	Carp, Ch. 8 Lawyers, Litigants, & Interest Groups in the Judicial Process	
	Fri Jan 28	Carp, Ch. 9 Crime and Procedures Prior to a Criminal Trial	
Week 5	Mon Jan 31	Guest Lecture (to be determined)	
	Wed Feb 2	Carp, Ch. 10 The Criminal Trial and Its Aftermath	
	Fri Feb 4	Carp, Ch. 11 The Civil Court Process	
Week 6	Mon Feb 7	Carp, Ch. 12 Decision Making by Trial Court Judges	
	Wed Feb 9	Guest Lecture (to be determined)	
	Fri Feb 11	Review	Review
Week 7	Mon Feb 14	Exam 2	Exam 2
	Wed Feb 16	Guest Lecture (to be determined)	
	Fri Feb 18	Carp, Ch. 7 Policy Links: Citizenry, President, & Federal Judiciary	
Week 8	Mon Feb 21	Carp, Ch. 14 Implementation and Impact of Judicial Policies	
	Wed Feb 23	Carp, Ch. 15 Policymaking by American Judges: A Synthesis	
	Fri Feb 25	Carter & Burk, Ch 1 What Legal Reason Is	
Week 9	Mon Feb 28	Carter & Burk, Ch 2 Change & Stability in Legal Reasoning	
	Wed Mar 2	Carter & Burk, Ch 3 Common Law	
	Fri Mar 4	Carter & Burk, Ch 4 Statutory Interpretation	
Week 10	Mon Mar 7	Carter & Burk, Ch 5 Interpreting the U.S. Constitution	
	Wed Mar 9	Carter & Burk, Ch 6 Law and Politics	
	Fri Mar 11	Review	Review
Week 11	Mon Mar 14	<b>Final Exam 1:30-3:30</b>	Final Exam