

# The Judicial Process

## PSC 332

Fall 2006

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Office Hours: Monday 9-10:30; Tuesday 9:30-11:00; or by appointment

### **Course Description:**

This course is an introduction to the judicial process in the United States. The course will be taught to underscore the judiciary as a legal *and* political institution. Specifically, we will focus on the structure of the courts, the personnel who work in and through the courts, legal reasoning, judicial decision-making, and the various judicial systems at the state and federal levels. By examining the judicial process through a wide lens, we will expose the impact of the courts, not simply on the American legal system, but also on the political system and American society.

### **Academic Misconduct:**

Academic integrity is a legitimate concern for every member of the campus community; all share in upholding the fundamental values of honesty, trust, respect, fairness, responsibility and professionalism. By choosing to join the UNLV community, students accept the expectations of the Academic Misconduct Policy and are encouraged when faced with choices to always take the ethical path. Students enrolling in UNLV assume the obligation to conduct themselves in a manner compatible with UNLV's function as an educational institution.

An example of academic misconduct is plagiarism (i.e., using the words or ideas of another, from the internet or any source without proper citation of the sources).

### **Copyright:**

The University requires all members of the University Community to familiarize themselves and to follow copyright and fair use requirements. YOU ARE INDIVIDUALLY AND SOLELY RESPONSIBLE FOR VIOLATIONS OF COPYRIGHT AND FAIR USE LAWS. THE UNIVERSITY WILL NEITHER PROTECT NOR DEFEND YOU NOR ASSUME ANY RESPONSIBILITY FOR EMPLOYEE OR STUDENT VIOLATIONS OF FAIR USE LAWS. Violations of copyright laws could subject you to federal and state civil penalties and criminal liability as well as disciplinary action under University policies. To familiarize yourself with copyright and fair use policies, the University encourages you to visit its copyright website at: <http://www.unlv.edu/committees/copyright/>.

## **Accommodations:**

Students with disabilities are requested to inform the instructor of their needs at the beginning of the course. Accommodations for disabilities will be happily granted, however, all such guidelines will follow the requirements of university-wide policy (see <http://www.unlv.edu/studentlife/disability/>).

As a general rule, a student missing a class assignment because of observance of a religious holiday shall have the opportunity to make up missed work. Students must provide notice of anticipated absences by the last day of late registration (September 1) to be assured of this opportunity.

Also, students who represent UNLV at any official extracurricular activity shall have the opportunity to make up assignments, but the student must provide official written notification no less than one week prior to the missed class(es).

Missing deadlines or exams due to illness requires documentation from a doctor. Please refer to University policy if you have any questions or contact me directly.

## **Course Requirements:**

Unannounced Quizzes	10%
Class Participation	5%
Exam 1	25%
Exam 2	25%
Final Exam	35%

*Unannounced Quizzes*—Quizzes will cover the reading assigned for the class in which the quiz is given. The number of quizzes given is subject to the discretion of the professor but students should expect at least four. The lowest quiz grade for each student will be dropped.

*Class Participation*—Participation means participating meaningfully in class discussion. Mere attendance is not sufficient to warrant credit for participation.

*Examinations*—Exams 1 and 2 will cover only the material for the units leading up to the exam. The final exam will be comprehensive of all course material.

## **Course Outline:**

August 28—Introduction and Preliminaries

August 30—Structure and Function of the Courts in American Politics

- Baum, Chapter 1 (1-18)

September 4—Labor Day (No Class)

September 6—Organization of the Federal Judiciary

- Baum, Chapter 2 (20-39)

September 11—Organization of the Federal Judiciary

- Chapter 2 (continued)

September 13—Organization of the State Judiciaries

- Chapter 2 (39-52)

September 18—The Legal Profession: Lawyers (Constitution Day)

- Tocqueville, *The Temper of the American Legal Profession...*

Available at [http://xroads.virginia.edu/~HYPER/DETOC/1\\_ch16.htm](http://xroads.virginia.edu/~HYPER/DETOC/1_ch16.htm)

September 20—The Legal Profession: Lawyers

- Baum, Chapter 3 (55-72)
- Murphy et al., (221-229)

September 25—The Legal Profession: Judges (Selection)

- Baum, Chapter 4 (95-107)
- Murphy et al., (141-151)

September 27— The Legal Profession: Judges (Function)

- Baum, Chapter 5 (128-152)

October 2—Judicial Decision-making, Part I: Attitudes

- Murphy et al., (354-357; 476-477)

October 4—Judicial Decision-making, Part II: Strategy

- Murphy et al., (349-353)

October 9—Judicial Decision-making, Part III: Norms

- Murphy et al., (478-490)

October 11—Wrap-Up and Review

October 16—**Exam 1**

October 18—Legal Reasoning I

- Carter and Burke, Chapter 1 (1-16)

October 23—Legal Reasoning II

- Carter and Burke, Chapter 2 (21-35)

October 25—Legal Reasoning III

- Carter and Burke, Chapter 3 (36-64)

October 30—Legal Reasoning IV

- Carter and Burke, Chapter 4 (68-101)

November 1—Legal Reasoning V

- Carter and Burke, Chapter 5 (106-125)

November 6—Legal Reasoning VI: Wrap Up and Review

November 8—**Exam 2**

November 13—Judicial Impact

- Murphy et al., (727-743)

November 15—Judicial Impact

- Murphy et al., (743-757)

November 20—Criminal Law and Courts

- Baum, Chapter 6 (156-180)

November 22—Criminal Law and Courts

- Baum, Chapter 6 (180-197)

November 27—Civil Law and Courts

- Baum, Chapter 7 (205-220)
- Murphy et al., (285-291)

November 29—Civil Law and Courts

- Baum, Chapter 7 (220-236)

December 4—Private Justice

December 6—Wrap Up and Review

FINAL EXAM—TBA