

Judicial Politics

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Political Science 113 (10)
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Class Times: Tuesday & Thursday 8:00-9:15

Goals and Objectives. The primary purpose of this course is to introduce you to judicial politics. This entails two immediate objectives. First, we will discuss the operation and work of the courts. Second, we will examine issues in judicial process and behavior. The texts for this class have been selected with these goals in mind. Baum is an introductory text in judicial politics; it will introduce you to the essential functioning of the system. Accordingly, I would recommend that you read the appropriate chapters from Baum before moving on to the other reading. The books by Maltese, Stern, and Epstein/Knight cover specifics of the topics that we will discuss, while Toobin provides an interesting account of the Supreme Court.

Texts and Readings: The following texts have been ordered for the course

Lawrence Baum. 2008. *American Courts: Process and Policy*. Sixth Edition. Boston, MA: Houghton Mifflin.

John Anthony Maltese. 1995. *The Selling of Supreme Court Nominees*. Baltimore: Johns Hopkins University Press.

Gerald M. Stern. 1976. *The Buffalo Creek Disaster*. New York: Random House.

Lee Epstein and Jack Knight. 1998. *The Choices Justices Make*. Washington, D.C.: CQ Press.

Jeffrey Toobin. 2007. *The Nine: Inside the Secret World of the Supreme Court*. New York: Doubleday.

Baum, Maltese, Stern, Epstein & Knight, and Toobin will be available on reserve at Gelman Library in addition to the bookstore.

Requirements and Grading: The requirements for this course are two exams and a paper. Each of these components will have equal weight in calculating your final grade.

The Exams: I will give two exams in this course. The first exam will cover the material through Section III, Trial Courts. The second exam will cover the material beginning with Section IV, Appellate Courts and the Supreme Court, through Section V, Implementation and Impact. I strive to balance test coverage between class lectures and the readings. Thus, it is imperative that you be familiar with material covered in the class and the books. The exams will probably contain multiple-choice and other objective questions, identification, short answer, and essay questions.

The first exam will be held on March 4. The second exam is scheduled for April 24.

The Paper: I will give you a written assignment later this semester and it will be due on Thursday, April 3rd. It requires you to use Toobin's book to further explore one of the topics that we will cover in this course. Remember, there is an inevitable crunch at the end of the semester -- you will undoubtedly have papers due in other classes. Since Toobin's book is a critical component of this paper, start reading the book early in the semester. I hope that you enjoy reading this book, but this project will be much more manageable if you don't have to read the book at crunch time.

Of course, failure to complete the paper assignment or exams in a timely manner will result in a point deduction unless excused for exceptional reasons, such as a documented medical problem.

Class Schedule: The following course outline lists the topics that we will cover in this class and our reading assignments. Next to each major topic, I have a date -- this is a tentative schedule that I have provided to give you an idea of our schedule.

I reserve the right to make changes to this syllabus as the semester progresses.

I. Introduction to the Courts

A. The Role and Structure of the Courts (January 17 and 22)

Baum, Chapters 1 and 2 and Pages 284-294

B. Study of Judicial Politics (January 24)

II. The Actors

A. Judges - Maltese

· Selection of Federal Judges (January 29)

Baum, Pages 95-105

· Confirmation of Federal Judges (January 31)

Baum, Pages 95-105

· Selection of State Judges (February 5)

Baum, Pages 105-117

· Characteristics (February 7)

Baum, Pages 118-120 and Chapter 5

B. Lawyers (February 12)

Stern

Baum, Chapter 3

C. Interest Groups (February 14)

Baum, Pages 255-260

III. Trial Courts

- A. Policy making in Trial Courts (February 19 and 21)
- B. Plea Bargaining (February 26)
Baum, Chapter 6
- C. Patterns of Litigation (February 28)
Baum, Chapter 7

FIRST EXAM (March 4)

IV. Appellate Courts & the Supreme Court

- A. Agendas & Gatekeeping – Epstein & Knight (March 6)

Baum, Pages 243-255, 260-265
Epstein & Knight, Pages 112-125
- B. Decision Making – Baum, Pages 265-71
 - The Rule of Law (March 11)
Epstein & Knight, Pages 159-177
 - The Role of Policy Preferences (March 13)
Epstein & Knight, Chapter 2
- C. Marshalling the Court
 - Power of the Chief Justice (March 25 and 27)
Epstein & Knight, Pages 125-135
 - Strategic Interaction among Justices (April 1)
Baum, Pages 271-275
Epstein & Knight, Chapter 3
- D. The Justices Speak (April 3)
This Honorable Court
- E. The Political Environment
 - Congress and the President (April 8)
Baum, Pages 276-278
Epstein & Knight, Pages 138-157
 - The Public (April 10)
- F. The Legal Environment (April 15)
Baum, Pages 275-276

V. Implementation and Impact

- Implementation (April 17)
Baum, Chapter 9
- Social Impact (April 22)

SECOND EXAM (April 24)