1 Course Description

This seminar addresses some of the major debates in the political science subfield of law and courts. Courts and judges often appear on the periphery of political science courses—if at all. Here, judges and courts take center stage. The material in the course is heavily influenced by the empirical legal research emerging from both political science and the legal academy. This research takes courts seriously as political institutions and judges seriously as political actors. The seminar will develop an understanding of the questions, methods, debates, and major findings in the subfield. Among the major topics are judicial selection, the position of the courts in the broader system of government, the influences on judicial behavior, and the legitimacy of courts as political institutions.

2 Requirements & Evaluation

This course will be conducted in the style of a seminar. Well-informed participation is expected, as is regular attendance. With the exception of the first class meeting, each session will be co-chaired by a pair of students. This class has a number of complementary objectives, and the assessment system is designed in keeping with these objectives. A broad and deep understanding of the subfield is a key goal of the class. The ability to produce professional-level analysis of a topic in the subfield is another. Finally, the course aims to provide professional socialization in preparation for the process of leading classes, presenting and serving at conferences, and publishing in scholarly journals.

2.1 Participation

Students are expected to come to class very well-prepared. You should come to class having read the assigned reading carefully. You should be able to discuss the merits and faults of the assigned readings, including the
methodological approach used by the authors. You should also be prepared to discuss how the readings fit
together. Class attendance is mandatory. Students must contact the instructor as soon as possible prior to
any missed session. In addition, students needing accommodation of any kind must follow the procedures
outlined in the University Procedures section of this syllabus. Obviously, students are expected to conduct
themselves according to the appropriate standards of professional behavior.

Part of your duty in this seminar will be to co-lead two class discussions. On the first day of class, students
will be randomly assigned two class periods for which they will be responsible for the discussion. In advance
of these meetings, you must prepare a 1,000 word discussion memorandum (±10%). This memo will provide
a brief analysis that integrates the readings for the day. It should conclude with a number of thoughtful
questions for discussion.

These memos will be due by Sunday at 5 p.m. on the day before the class for which you are responsible.
They must be posted to the appropriate WebCampus link. Instructions will follow on the first day of class.
In advance of the class period, students should review these memos. However, students should not use
these memos as a substitute for reading the material thoroughly. These memos will not be formally graded;
however, they will count to your participation grade. This grade will make up 20% of your final grade for
the course.

2.2 Paper

The bulk of your grade will be assigned on the basis of my assessment of a final paper. Students may choose
their topic, but the topic must be approved by the instructor through the process described below. Students
may choose from one of the following paper formats:

- **Critical Literature Review.** This assignment requires students to discuss the literature relevant to one
  of the topics relevant to this course. Students must develop a strong, specific, and falsifiable thesis
  about the state of the literature on the chosen topic. The paper must demonstrate a broad and deep
  understanding of the chosen topic. It should address any gaps or shortcomings in the literature. It
  should also explain the implications we can derive from the literature as a whole.

- **Empirical Research Note.** This assignment requires students to develop an original empirical study
  of a topic related to the subject matter in this course. The paper will be constructed as a research
  note. This assignment will require a brief review of the literature, the explication of a theoretical
  perspective, a derived testable hypothesis, and the application of existing or original data to perform
  an appropriate test of that hypothesis. Ph.D. students, and students planning to enter the Ph.D.
  program, are strongly encouraged to choose this option.

Over the course of the semester, there will be several due dates related to the paper. They are as follows:

1. **Topic Statement.** Due 2/23. This two-paragraph summary of your thesis research question will be
   submitted online via WebCampus.

2. **Meeting With Professor.** Due 3/3. Students must meet with the professor to discuss the research paper
   topic between 2/23 and 3/3.
3. **Outline and Bibliography.** Due 4/6. For students writing the critical literature review, this outline should provide a detailed roadmap for the argument your paper will make. For students writing the research note, this outline should discuss your operational hypothesis and your plans for obtaining and analyzing the data. This assignment will be submitted via WebCampus.

4. **Final Paper.** Due 4/27. Your completed paper will be submitted via WebCampus. This paper will be turned in via a Turnitin link, mainly for its usefulness in the peer review assignment process. This will generate an "originality report," which you will be able to see. I will not, however, submit your papers to the Turnitin repository. I will trust, however, that the work you turn in has not been submitted wholly or in substantial part for another course.

5. **Conference Presentation.** Due 5/4. Students will present their papers in the style of an academic conference. Students will be assigned roles as discussants, which means that you will have to read and provide commentary on a classmate’s paper. Members of the faculty will be in attendance.

All papers must be formatted in keeping with the American Political Science Association style. Papers will be approximately 4,500 words in length, ±10%. This word limit does not include tables, figures, bibliographic information, or appendices. Papers may be written in \LaTeX or in the word processing program of your choice. I strongly encourage the use of RefWorks, EndNote, or BibTeX as a reference management solution.

### 3 Schedule of Topics

This syllabus is detailed but tentative. I reserve the right to alter reading assignments and scheduled class meeting topics as the semester progresses.

#### 3.1 January 26: The How & Why of Studying Courts

Required Reading:


Required Supplementary Resources:


Recommended:


### 3.2 February 2: Ideology & the Psychological Models

Required Reading:


Recommended:


### 3.3 February 9: The Role of ”Law”

**Required Reading:**


**Recommended:**


### 3.4 February 23: Collegial Strategy Models

**Required Reading:**


**Recommended:**


3.5 March 2: Interbranch Strategy Models

Required Reading:


Recommended:


3.6 March 9: Federal Judicial Selection

Required Reading:


Recommended:


### 3.7 March 16: Supreme Court Legitimacy

**Required Reading:**


**Recommended:**


3.8 March 23: The Dominant Governing Regime

Required Reading:


Recommended:


3.9 April 6: Judicial Elections

Required Reading:


Recommended:


### 3.10 April 13: Competing Selection Models

**Required Reading:**


**Recommended:**


3.11 April 20: Behavior of State Judges

Required Reading:


Recommended:


3.12 April 27: State Court Legitimacy

Required Reading:


Recommended:


### 3.13 May 4: Panel Presentations

All students are required to attend. Presentations will run approximately 10 minutes each. This may mean that the class period will be extended beyond the customary 8:15 p.m. ending time. Each student will be assigned discussant duties for a classmate. These assignments will happen automatically immediately following the final paper due date. Students will have one week to read their assigned paper. All students must come prepared to deliver approximately 5 minutes’ worth of remarks, along with a short summary of those remarks.
4 University Policies

4.1 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 Student 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. Plagiarism is using the words or ideas of another, from the Internet or any source, without proper citation of the sources. See the Student Academic Misconduct Policy (approved December 9, 2005) located at: http://studentconduct.unlv.edu/misconduct/policy.html.

4.2 Copyright

The University requires all members of the University Community to familiarize themselves with 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. Additional information can be found at: http://www.unlv.edu/provost/copyright.

4.3 Disability Resource Center (DRC)

The UNLV Disability Resource Center (SSC-A 143, http://drc.unlv.edu/, 702-895-0866) provides resources for students with disabilities. If you feel that you have a disability, please make an appointment with a Disabilities Specialist at the DRC to discuss what options may be available to you.

If you are registered with the UNLV Disability Resource Center, bring your Academic Accommodation Plan from the DRC to me during office hours so that we may work together to develop strategies for implementing the accommodations to meet both your needs and the requirements of the course. Any information you provide is private and will be treated as such. To maintain the confidentiality of your request, please do not approach me before or after class to discuss your accommodation needs.

4.4 Religious Holidays Policy

Any student missing class quizzes, examinations, or any other class or lab work because of observance of religious holidays shall be given an opportunity during that semester to make up missed work. The make-up will apply to the religious holiday absence only. It shall be the responsibility of the student to notify the instructor no later than the end of the first two weeks of classes, September 5, 2014, of his or her intention to participate in religious holidays which do not fall on state holidays or periods of class recess. For additional information, please visit: http://catalog.unlv.edu/content.php?catoid=6&navoid=531.
4.5 Incomplete Grades

The grade of I – Incomplete – can be granted when a student has satisfactorily completed three-fourths of course work for that semester/session but for reason(s) beyond the student’s control, and acceptable to the instructor, cannot complete the last part of the course, and the instructor believes that the student can finish the course without repeating it. The incomplete work must be made up before the end of the following regular semester. If course requirements are not completed within the time indicated, a grade of F will be recorded and the GPA will be adjusted accordingly. Students who are fulfilling an Incomplete do not register for the course but make individual arrangements with the instructor who assigned the I grade.

4.6 Tutoring

The Academic Success Center (ASC) provides tutoring and academic assistance for all UNLV students taking UNLV courses. Students are encouraged to stop by the ASC to learn more about subjects offered, tutoring times and other academic resources. The ASC is located across from the Student Services Complex (SSC). Students may learn more about tutoring services by calling 702-895-3177 or visiting the tutoring web site at: http://academicsuccess.unlv.edu/tutoring/.

4.7 UNLV Writing Center

One-on-one or small group assistance with writing is available free of charge to UNLV students at the Writing Center, located in CDC-3-301. Although walk-in consultations are sometimes available, students with appointments will receive priority assistance. Appointments may be made in person or by calling 702-895-3908. The student’s Rebel ID Card, a copy of the assignment (if possible), and two copies of any writing to be reviewed are requested for the consultation. More information can be found at: http://writingcenter.unlv.edu/

4.8 Rebelmail

By policy, faculty and staff should e-mail students’ Rebelmail accounts only. Rebelmail is UNLV’s official e-mail system for students. It is one of the primary ways students receive official university communication such as information about deadlines, major campus events, and announcements. All UNLV students receive a Rebelmail account after they have been admitted to the university. Students’ e-mail prefixes are listed on class rosters. The suffix is always @unlv.nevada.edu.
References


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