Judicial Process

Course Description:

This course offers an overview of the functioning of the legal system, focusing in particular on the role of courts. During the semester, we will review topics ranging from the meaning of law to the role of lawyers to the details of criminal trials. Two primary themes will run through all of the readings and discussions. The first is the intersection of law and politics. Courts and judges are inherently political creatures, although in particular ways that make them distinct from other political institutions. Throughout the course, I will highlight ways in which law and politics overlap and we will try to work out the implications of that relationship. The second theme considers how to evaluate the successes and failures of the judicial system. How can we tell if courts are functioning properly or if reform is necessary? By what criteria can we make these conclusions? Readings in both texts should provide insight on these questions.

While we will look at all levels of courts in the United States, particular emphasis will be placed on the role of trial courts. Our interest will not merely be law on the books, but also law in action- how law is actually applied at the working level. Judges and lawyers play a critical role in how law affects the lives of most citizens. They are quintessential street-level bureaucrats, with wide-ranging discretion that strongly influences the impact of law.

By the end of the course, you should have a working familiarity with the structure of state and federal courts, the processes in legal disputes, and a clear picture of the political nature of courts in the United States.

Student Learning Objectives:

Professional Interaction and Effective Communication – Students should demonstrate persuasive and rhetorical communication skills for strong oral and written communication in small and large groups.

Critical Thinking – Students should demonstrate increasingly sophisticated skills in reading primary sources critically. Students should be able to research and evaluate the models, methods and analyses of others in the field of Political Science, and critically integrate and evaluate others’ work.

Political Decision Making – Students should demonstrate an in-depth understanding and knowledge of the political institutions through which public policies are formulated, modified, and implemented.

Required Texts:


If you are having a tough time with the legal terms, Neubauer and Meinhold have a helpful glossary at the back of the book. And, of course, I am always available to help.

Assignments and Grading:

Your grade for the course will be based on six components:

1. Court Impressions papers- 5%
You will receive more information about these two page papers in class. The first is due in class on Thursday, January 31st and the second is due in class on Thursday, May 8th.

2. Midterm- 25%
The midterm will be a take-home essay exam on the first half of the course, due in class on Thursday, March 13th.

3. Reason in Law paper- 10%
You will need to write a 4 to 5 page paper responding to the themes in the Reason in Law book, due Thursday, May 1st. You will receive more information about this assignment at the appropriate time.

4. Research Paper- 25%
You will have a choice of two topics for this paper, which will be due Thursday, April 17th. I will hand out the assignment sheet during class with further details.

5. Final- 25%
The final, on Thursday, May 15 from 3-5pm, will be an in-class essay exam on the second half of the course.

6. Attendance and participation- 10%
Your attendance and participation in class are essential. You are expected to not only attend, but to have completed the reading ahead of time. I generally allow one unexcused absence without penalty, but after that your grade will suffer.

Note that I use a plus/minus system of grading. This grading system can be altered in general or individually if I believe it is necessary to achieve the educational goals of this course or to mark down students who engage in disruptive behavior such as chronic lateness. Also be aware that I do not offer extra credit for the class.

Class Laptop Policy:

Laptops are wonderful things (I own one myself) and they can be beneficial in an educational environment. Unfortunately, the temptation and distraction available on a laptop during class makes them problematic. Were it simply a matter of the owner of the laptop failing to pay attention to class, that would be less worrisome, since that student’s choice would be reflected in
their grade. However, when students use laptops for inappropriate activities during class (e-mailing, surfing the internet, IMing friends, etc.) that inevitably distracts those students sitting around and behind them. Having seen this first-hand, I have adopted a policy which restricts the use of laptops in my classes, unless necessary for a documented disability and approved through the Center on Disabilities (see contact information below). I do not take this step lightly and I realize that it may present a significant inconvenience to those used to relying on taking their notes electronically. Nonetheless, in the interest of improving the quality of engagement and to minimize the unwanted distractions for others, there will be no laptops in this class.

**Political Science Department Student Code of Conduct**

Students may not intentionally engage in any sort of behavior that is disruptive to the classroom. These include, but are not limited to, the following:

- entering the class late or leaving early;
- engaging in non-class related conversation with classmates;
- receiving or answering cellular phone calls or pages in non-emergencies;
- sleeping in class.

**Policy on Plagiarism**

CSUN catalogue defines plagiarism as intentionally or knowingly representing the words, ideas, or work of another as one’s own in academic exercise.” The Political Science Department does not tolerate plagiarism or academic dishonesty of any kind and will pursue plagiarism cases to the full extent allowed by CSUN rules, including expulsion from the university. At the minimum, based on the discretion of the instructor, students found guilty of plagiarism may receive an “F” in the course and their case may be referred to the appropriate university offices for further administrative action.

**Course Outline:**

This outline is flexible and could change throughout the semester. I will notify the class when changes are necessary. All reading for a week should be done by the beginning of that week.

Week 1- Jan. 24
Neubauer & Meinhold, Chs. 1 and 2

Week 2- Jan. 31
Carter & Burke, Chs. 1 & 2

**First Court Impressions Paper Due**

Week 3- Feb. 7
Neubauer & Meinhold, Chs. 3 & 4

Week 4- Feb. 14
Neubauer & Meinhold, Ch. 5
Week 5 - Feb. 21
Neubauer & Meinhold, Chs. 6 & 7

Week 6 - Feb. 28
Neubauer & Meinhold, Ch. 8

Week 7 - Mar. 6
Neubauer & Meinhold, Ch. 9
**Hand out midterm**

Week 8 - Mar. 13
Frontline: Real Justice, Neubauer & Meinhold, Ch. 10
**Midterm due**

**NO CLASS MAR. 20- SPRING BREAK**

Week 9 - Mar. 27
Carter & Burke, Ch. 3

Week 10 - Apr. 3
Neubauer & Meinhold, Ch. 11

Week 11 - Apr. 10
Neubauer & Meinhold, Ch. 12

Week 12 - Apr. 17
Carter & Burke, Ch. 4, Neubauer & Meinhold, Ch. 13
**Research Paper due**

Week 13 - Apr. 24
Neubauer & Meinhold, Ch. 14

Week 14 - May 1
Carter & Burke, Ch. 5
**Reason in Law Paper due**

Week 15 - May 8
Neubauer & Meinhold, Ch. 15
**Second Court Impressions Paper due**

**Final Exam - Thursday, May 15. 3-5pm**