Course Description and Objectives
The underlying question guiding the course is how the judiciary shapes public policy in the American political system, through its ability to say what the law is. To answer this question, the course will provide an introduction to the law and an examination of the institutions (e.g. rules, norms) and actors (e.g. judges, the political branches of government) that shape the American legal system at both the federal and state level. At the course’s completion, students should be
able to understand how the legal system works, explain the actors whom influence the legal system, identify why the judiciary is considered the source of non-incremental change, and most importantly, comprehend how the outputs of the legal system affect society.

**Required Texts**


3) The Professor, through Canvas, will post additional readings.

**Requirements, Dates, and Grades**

*The composition of a student’s final grade will consist of a take-home exam, a midterm, a non-cumulative final exam, 2 (short) reflection papers, and a research paper.*

The exams will be held, in class, on the dates specified below. The format of each exam will be detailed during the class period prior to the exam, at which point a review session will also be held. Four (4) times throughout the semester, I will hand out reflection prompts based on class readings and discussion. These prompts will clearly state the expectations of the assignment (these will be papers no more than 2 pages in length). Keep in mind: *you are responsible for completing two (2) of the four (4) reflection prompts throughout the semester.* Lastly, the instructions for the research paper will be explained as the semester progresses, with ample amount of time for students to work on the papers before the due date. Canvas will be used to submit assignments and will be the medium used to deliver course content and readings.

The following are the weights given to the exams, the reflection papers, and the research paper and the date that each is due:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Date (Subject to Change)</th>
<th>Grade Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exam 1 (take-home)</td>
<td>Wednesday, Feb. 13, 2019</td>
<td>15%</td>
</tr>
<tr>
<td>Midterm</td>
<td>Wednesday, Mar. 6, 2019</td>
<td>25%</td>
</tr>
<tr>
<td>Research Paper</td>
<td>Friday, Apr. 19, 2019</td>
<td>20%</td>
</tr>
<tr>
<td>Final Exam</td>
<td>Wednesday, May 1, 2019</td>
<td>25%</td>
</tr>
<tr>
<td>Reflection Papers</td>
<td>Assigned Throughout</td>
<td>15%</td>
</tr>
</tbody>
</table>

Final grades will be granted on the following scale: A=100%-90%, B=89%-80%, C=79%-70%, D=69%-60%, and F=59%-50%.

**Attendance Policy**

Your attendance in this course is not mandatory and your grade in this course will not suffer directly from missing class (e.g. there is not an attendance grade). However, the examination
material in this course is not only based on the required readings, but on class participation and class discussions, which means that your grade will almost certainly suffer by missing too many classes. Also, you must be present (in class) to have the opportunity to participate in a reflection prompt. Lastly, borderline grades will be determined by the quality of your overall contribution to the course. All of this to say, come to class and be an active participant.

Class notes, either of my own or transcribed by other students, will only be made available to those students whom miss class due to their observance of holidays and special events by organized religions or to students that have a pre-approved absence by the Dean of Students (see also: Student Absence for University-Sponsored Events and Activities and Student Absence Due to Religious Observance sections of the syllabus).

For those students that attend lecture, photography of any class notes/lectures is strictly prohibited. Any student found in violation will be asked to leave class for the day.

“Make-Up” Policy
Make-up exams will only be offered to those students that have a University approved absence, a doctor’s note detailing your inability to take the exam on the date provided on this syllabus, or a sudden emergency (e.g. death in your family, illness) that prohibits your attendance for an exam. Anyone who has not satisfied any of these requirements and does not take the exam will be given a grade of “0.”

If any conflict (others tests, travel plans, etc.) with either of the assignments in this course (e.g. exams and research paper) exist, notify me by January 25, 2019. Be advised that allowances will only be given in extreme cases with my discretion as to what I define as extreme. Late papers (both reflection papers and the research paper) will only be accepted, without penalty, in the case of an unforeseen event, such as a sudden emergency (death in your family, illness, etc.), or if you have an approved absence by the Dean of Students (see also: Student Absence for University-Sponsored Events and Activities and Student Absence Due to Religious Observance sections of the syllabus).

Class Conduct and Threatening Behavior
Given the nature of political discourse, some of the topics discussed and debated in class may be sensitive to some students. It is expected that students, regardless of the subject matter, maintain civility in their class comments. The University and the Professor seek to promote a safe environment where students may participate in debates, discussion, and other objectives concurrent with the educational process without compromising their health, safety, and welfare. Concurrent with this ideal, mutual courtesy and respect should govern all classroom conduct. Therefore, threats of physical harm or verbal abuse will not be tolerated in this class.
All electronic devices must be silenced during class (if possible, please turn off all electronic devices) unless you have received prior permission from the Professor. Any such device that interrupts class will be confiscated and returned to the student during the Professor’s office hours.

ANYONE USING AN ELECTRONIC DEVICE WITHOUT PRIOR PERMISSION DURING AN EXAMINATION WILL RECEIVE A “0” ON THAT EXAM.

UT-Tyler Honor Code
Every member of the UT-Tyler community joins together to embrace: Honor and integrity that will not allow me to lie, cheat, or steal, nor to accept the actions of those who do.

Students Rights and Responsibilities
To know and understand the policies that affect your rights and responsibilities as a student at UT-Tyler, please follow this link: http://www.uttyler.edu/wellness/rightsresponsibilities.php

Student Absence for University-Sponsored Events and Activities
If you intend to be absent for a university-sponsored event or activity, you (or the event sponsor) must notify the instructor at least two weeks prior to the date of the planned absence. At that time the instructor will set a date and time when make-up assignments will be completed.

Student Absence Due to Religious Observance
Students who anticipate being absent from class due to a religious observance are requested to inform the instructor of such absences by the second class meeting of the semester.

Student Standards of Academic Conduct
Disciplinary proceedings may be initiated against any student who engages in scholastic dishonesty, including, but not limited to, cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, any act designed to give unfair advantage to a student or the attempt to commit such acts.

i. “Cheating” includes, but is not limited to:
- copying from another student’s test paper;
- using, during a test, materials not authorized by the person giving the test;
- failure to comply with instructions given by the person administering the test;
- possession during a test of materials which are not authorized by the person giving the test, such as class notes or specifically designed “crib notes”. The presence of textbooks constitutes a violation if they have been specifically prohibited by the person administering the test;
- using, buying, stealing, transporting, or soliciting in whole or part the contents of an unadministered test, test key, homework solution, or computer program;
• collaborating with or seeking aid from another student during a test or other assignment without authority;
• discussing the contents of an examination with another student who will take the examination;
• divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructors has designated that the examination is not to be removed from the examination room or not to be returned or to be kept by the student;
• substituting for another person, or permitting another person to substitute for oneself to take a course, a test, or any course-related assignment;
• paying or offering money or other valuable thing to, or coercing another person to obtain an unadministered test, test key, homework solution, or computer program or information about an unadministered test, test key, home solution or computer program;
• falsifying research data, laboratory reports, and/or other academic work offered for credit;
• taking, keeping, misplacing, or damaging the property of The University of Texas at Tyler, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct; and
• misrepresenting facts, including providing false grades or resumes, for the purpose of obtaining an academic or financial benefit or injuring another student academically or financially.

ii. “Plagiarism” includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any means another’s work and the submission of it as one’s own academic work offered for credit.

iii. “Collusion” includes, but is not limited to, the unauthorized collaboration with another person in preparing academic assignments offered for credit or collaboration with another person to commit a violation of any section of the rules on scholastic dishonesty.

iv. All written work that is submitted will be subject to review by plagiarism software.

If a student is suspected of academic dishonesty, the classroom instructor may ask the student to meet with him or her to discuss the incident. A student may admit to allegations of academic dishonesty, waive the right to a hearing and accept penalties imposed by the instructor. The student may also deny all allegations and ask to see the Dean of Student Affairs. An accused student may accept the decision of the Dean of Student Affairs or ask for a hearing before an impartial hearing officer appointed by the university. Witnesses may be called and evidence presented. The hearing officer will consider all evidence and make a decision. The decision of the hearing officer may be appealed to the President by either the student or the Dean of Student Affairs. For further discussion of academic dishonesty and possible penalties, please see:
http://www.uttyler.edu/judicialaffairs/scholasticdishonesty.php

Campus Carry
We respect the right and privacy of students 21 and over who are duly licensed to carry concealed weapons in this class. License holders are expected to behave responsibly and keep a handgun secure and concealed. More information is available at:
http://www.uttyler.edu/about/campus-carry/index.php

**UT-Tyler a Tobacco-Free University**

All forms of tobacco will not be permitted on the UT-Tyler main campus, branch campuses, and any property owned by UT-Tyler. This applies to all members of the University community, including students, faculty, staff, University affiliates, contractors, and visitors. Forms of tobacco not permitted include cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, electronic cigarettes, smokeless tobacco, snuff, chewing tobacco, and all other tobacco products. There are several cessation programs available to students looking to quit smoking, including counseling, quitlines, and group support. For more information on cessation programs please visit:
www.uttyler.edu/tobacco-free

**Disability/Accessibility Services**

In accordance with Section 504 of the Rehabilitation Act, Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA) the University of Texas at Tyler offers accommodations to students with learning, physical and/or psychological disabilities. If you have a disability, including a non-visible diagnosis such as a learning disorder, chronic illness, TBI, PTSD, ADHD, or you have a history of modifications or accommodations in a previous educational environment, you are encouraged to visit:
https://hood.accessiblelearning.com/UTTyler and fill out the New Student application.

The Student Accessibility and Resources (SAR) office will contact you when your application has been submitted and an appointment with Cynthia Lowery, Assistant Director of Student Services/ADA Coordinator. For more information, including filling out an application for services, please visit the SAR webpage at http://www.uttyler.edu/disabilityservices the SAR office located in the University Center, #3150 or call 903.566.7079.

*If you are registered with the SAR office, please set up a meeting with the Professor to discuss what specific accommodations should be made to ensure your success in the class.*

**Grade Replacement/Forgiveness and Census Date Policies**

Students repeating a course for grade forgiveness (grade replacement) must file a Grade Replacement Contract with the Enrollment Services Center (ADM 230) on or before the Census Date of the semester in which the course will be repeated. Grade Replacement Contracts are available in the Enrollment Services Center or at: http://www.uttyler.edu/registrar. Each semester’s Census Date can be found on this syllabus, the Contract itself, on the Academic Calendar, or in the information pamphlets published each semester by the Office of the Registrar.
Failure to file a Grade Replacement Contract will result in both the original and repeated grade being used to calculate your overall grade point average. Undergraduates are eligible to exercise grade replacement for only three course repeats during their career at UT-Tyler; graduates are eligible for two grade replacements. Full policy details are printed on each Grade Replacement Contract.

The Census Date is the deadline for many forms and enrollment actions of which students need to be aware. These include:

- Submitting Grade Replacement Contracts, Transient Forms, requests to withhold directory information, approvals for taking courses as Audit, Pass/Fail or Credit/No Credit.
- Receiving 100% refunds for partial withdrawals. (There is no refund for these after the Census Date)
- Schedule adjustments (section changes, adding a new class, dropping without a “W” grade)
- Being reinstated or re-enrolled in classes after being dropped for non-payment
- Completing the process for tuition exemptions or waivers through Financial Aid

*The Census Date for this semester is Monday, January 28, 2019.*

**State-Mandated Course Drop Policy**
Texas law prohibits a student who began college for the first time in Fall 2007 or thereafter from dropping more than six courses during their entire undergraduate career. This includes courses dropped at another 2-year or 4-year Texas public college or university. For purposes of this rule, a dropped course is any course that is dropped after the census date (See Academic Calendar for the specific date).

Exceptions to the 6-drop rule may be found in the catalog. Petitions for exemptions must be submitted to the Enrollment Services Center and must be accompanied by documentation of the extenuating circumstance. Please contact the Enrollment Services Center if you have any questions.

**Social Security and FERPA Statement**
It is the policy of The University of Texas at Tyler to protect the confidential nature of social security numbers. The University has changed its computer programming so that all students have an identification number. The electronic transmission of grades (e.g., via e-mail) risks violation of the Family Educational Rights and Privacy Act; grades will not be transmitted electronically.

**Emergency Exits and Evacuation**
Everyone is required to exit the building when a fire alarm goes off. Follow your instructor’s directions regarding the appropriate exit. If you require assistance during an evacuation, inform
your instructor in the first week of class. Do not re-enter the building unless given permission by University Police, Fire department, or Fire Prevention Services.

**UT-Tyler Resources for Students**
- UT-Tyler Writing Center (903.565.5995), writingcenter@uttyler.edu
- UT-Tyler Tutoring Center (903.565.5964), tutoring@uttyler.edu
- The Mathematics Learning Center, RBN 4021, this is the open access computer lab for math students, with tutors on duty to assist students who are enrolled in early-career courses.
- UT-Tyler Counseling Center (903.566.7254)

**Changes to the Syllabus**
The information contained in the course syllabus, other than the grading criteria and absence and make-up policies, may be subject to change with reasonable advance notice as long as the change is without prejudice to the students.

**Course Outline and Readings** (subject to change)

All readings can be found on Canvas.

Week 1 (January 14 – January 16)
- 1/14 – Introduction to the Course
  - Overview of the course, class policies, and the syllabus
- 1/16, 1/23, & 1/25 – Foundations of American Law
  - Carp et al. Chapter 1
  - The U.S. Constitution
  - Paulsen et al., pages 19-28 & 35-45
  - Judges on Judging, Chapters 14 & 30

Week 2 (January 21 – January 30)
- 1/21 – NO CLASS (Martin Luther King Jr. Holiday)
- 1/23 & 1/28 – continue, Foundations of American Law

Week 3 (January 28 – January 27)
- **1/28 – FYI: CENSUS DATE**
- 1/28 – continue, Foundations of American Law
- 1/28 & 1/30 – Courts and their Purpose
  - Article 3 of the Constitution
  - Federalists #78 & #81
  - Murphy et al., pages 38-57

Week 4 (February 4 – February 6)
- 2/4 & 2/6 – The Foundations of Judicial Review
  - Marbury v. Madison (1803)
  - Murphy et al., pages 67-73
• Judges on Judging, Chapters 1 & 2
  • 2/6 & 2/11 – Is Judicial Review Democratic?
    o Justice Gibson’s Dissent, Eakin v. Raub (1825)
    o Paulsen et al, pages 123-133
    o Judicature, pages 18-32
  • 2/6 – Exam 1 Distributed

Week 5 (February 11 – February 13)
• 2/11 – continue, Is Judicial Review Democratic?
• 2/13, 2/18, & 2/20 – Judicial Organization
  o Murphy et al., pages 77-102
  o Carp et al., Chapters 2 & 3
  o Epstein and Segal, Chapter 1
  o Justice Willet Dissent, In Re Coy Reece (Texas Supreme Court 2011)
• 2/15 – Exam 1 Due

Week 6 (February 18 – February 20)
• 2/18 & 2/20 – continue, Judicial Organization

Week 7 (February 25 – February 27)
• 2/25, 2/27, & 3/4 – Judges and Judicial Selection
  o Murphy et al., pages 141-161 & 205-209
  o Carp et al., Chapters 5 & 6
  o Justice Sotomayor Dissent, Woodard v. Alabama (2013)
  o OPTIONAL: Epstein and Segal, Chapters 3 & 4

Week 8 (March 4 – March 6)
• 3/4 – continue, Judges and Judicial Selection
• 3/4 – Review for Exam 1
• 3/6 – Midterm

Week 9 (March 11 – March 13)
• NO CLASS – SPRING BREAK!!! 😊

Week 10 (March 18 – March 20)
• 3/18, 3/20, & 3/25 – Judicial Power and Limits
  o Murphy et al., pages 253-273, 299-309, & 329-344
  o Segal and Spaeth, pages 223-239

Week 11 (March 25 – March 27)
• 3/25 – continue, Judicial Power and Limits

Week 12 (April 1 – April 3)
• 4/1 – FYI: Last Day to Drop/Withdraw From Classes
• TBD
Week 13 (April 8 – April 10)
• TBD

Week 14 (April 15 – April 17)
• TBD
• 4/19 – Research Paper Due

Week 15 (April 22 – April 24)
• TBD

FINAL EXAMS (April 29 – May 4)
• 5/1 – POLS 4320 Final Exam (2:30pm – 3:50pm)