

**University of Kentucky  
Department of Political Science  
PS463G: Judicial Politics  
Fall 2020, Section 002**

**Instructor:** Dr. Travis N. Taylor

**Contact Info:** travisntaylor@uky.edu

**Meeting Days & Time:** MWF, 11-11:50 a.m.

**Meeting Location:** Online, Synchronous

**Student Time:** Monday, 1-3 p.m. and Thursday 10-11 a.m.; or by appointment, at the following link: <https://uky.zoom.us/j/94457487664>. Students who cannot meet during regular student time should e-mail me to begin the process of setting an appointment. I will not hold student time on days marked on the course calendar as “No Class.” I will, however, announce make-up student time for those dates the week before the cancellation.

**University Course Description**

A survey of how politics influences, and in turn is influenced by, the behavior of judicial institutions and the judges who staff them. Draws heavily on the social science literature studying judicial behavior, the structure of the court system, and the implementation of legal rulings.

**Course Prerequisites**

Successfully passed PS360.

**Course Purpose**

The purpose of this course is to introduce the student to the basic structures of the American judicial system, including institutional arrangements, judicial behavior, the legal profession, and various aspects of American jurisprudence. Students will gain a basic understanding of the fundamentals – both theoretical and practical – of the federal and state court systems.

**Course Objectives & Learning Outcomes**

1. Understand the processes by which judges at both the federal and state levels come to hold their seat on the bench, and the arguments for and against various nominating mechanisms.
2. Comprehend and identify various theories of judicial behavior, i.e., how judges make the decisions they do.
3. Conceive of the courts as a policy-making institution and understand why people follow judicial decisions.
4. Understand how courts and judges fit into the larger sociopolitical environment.
5. Relate the course material to popular accounts of the courts.
6. Complete an original research project.

**Course Structure & Methods**

This course is online and synchronous. What do I mean by “online and synchronous”? I mean simply two things: (1) rather than meeting in a physical location, the Instructor and students will meet via the Zoom platform; and (2) the Instructor and students will meet at the appointed time on the appointed days of the week.

Students will be responsible for checking Canvas, the online learning platform for UK, on a frequent basis; checking the site daily is highly encouraged. Students will submit all assignments, access resources such as additional readings, collaborate with classmates when necessary, check grades, and other activities using the Canvas platform.

This course follows a **team-based learning** (TBL) format that provides students the opportunity to approach and learn the course material in varying formats and to practice skills that are valuable both in academic and professional environments. In addition to preparing you with marketable skills, such as the ability to work in teams, think critically, and communicate effectively, scientific research has demonstrated that students in TBL classrooms enjoy their experience more, are more engaged in the classroom, and score higher on exams than non-TBL students.

**Team-based learning functions differently than the traditional class.** The Instructor will assign students to teams early in the semester, and students will work with that team throughout the course. This learning environment is structured to ensure that individuals are prepared for team work and that the team experience avoids typical “group work” problems, such as free-riding, dominant actors, and division of labor to avoid interaction, among many others. Individuals are responsible for learning basic materials by working outside the class, while class time is spent working both individually and in teams using the material in creative and sophisticated ways. All team work is done during class time. Course grades will be based on both individual and team work. **A supplemental handout on TBL will be posted on Canvas.**

### **General Course Policies & Expectations**

- Read and/or watch all assigned material prior to coming to class.
- Although I do not require attendance, coming to class is strongly encouraged. Class attendance provides you the opportunity to demonstrate your knowledge on the content, to learn from your peers, and to apply the material. Additionally, because this course adheres to a team-based format, your peers will evaluate your contribution to the team, which necessitates your presence. It is unnecessary to let me know if you will be/were absent from class unless the absence will occur on an exam day or other day when graded, in-class work is scheduled. For absences on those days, I follow the University policy on excused absences (found [here](#)) and require appropriate documentation. Additionally, although military (e.g., National Guard) drill and other training is not an excused absence under University policy, those absences will be excused with appropriate documentation (e.g., training orders). You should communicate absences to your teammates.
- Read and/or watch the news on a regular (preferably daily) basis.
- Learn, grow, and have fun!
- Improve upon your college-level academic writing. Resources, including the Instructor, are available to students who need to improve their writing. Writing includes proofreading.
- Late work will be accepted ONLY with prior authorization from the Instructor. A student wishing to submit a late assignment must contact the Instructor to request an extension *at least* 24 hours before the assignment is due. Submitting a request does not grant the student an extension; an extension is only granted once the Instructor has given it in writing to the student. Extensions will be granted only in extenuating circumstances and work submitted under the extension will be reduced by one letter grade per day. Late work submitted without an extension will not be evaluated and will earn an automatic grade of zero.
- Making up a missed exam will be subject to the same restrictions as late work. However, if an *emergent* or *urgent* situation arises that prevents making an advance request to miss an exam, the student should contact the Instructor as soon as practical to request a make-up exam. Any request to make up a missed exam must be accompanied by appropriate documentation about the absence (e.g., physician’s note). Make up exams will not be permitted without proper documentation from the student.
- Academic dishonesty in any form will not be tolerated and could lead to any number of consequences up to and including expulsion from the university. At a minimum, you will receive a zero (0) on any assignment found to be completed by means of academic dishonesty. Please refer to the university academic integrity policy located [here](#).

- While differences of opinion are inevitable and the expression of a diversity of opinions is strongly encouraged, intolerance, derogatory remarks, and personal attacks are strictly forbidden. Remember, politics is about relationships—make them, develop them, nourish them, and cherish them.

### Communication Policy

Communication with me will be primarily through e-mail. I will check my e-mail once per business day at 3:00 p.m. and respond to all student e-mails during that time. A response is not guaranteed if you have not e-mailed me prior to 3:00 p.m. **Per University policy, I will respond to e-mails only from official UK e-mail addresses** (i.e., your.name@uky.edu).

Student time listed at the head of this document will be honored; an appointment during those times is *not* necessary. If these options do not work for you, e-mail the Instructor to set up an appointment for an alternative time. The Instructor will make every effort to honor reasonable appointment requests.

### Accommodation Policy

In this course, I happily adhere to University policy with regards to students with disabilities. Details on University rules related to academic accommodations are available from the Disability Resource Center's website, located [here](#). With regards to a student presenting his/her letter of accommodation to me, the DRC recommends that you do so "as early in the semester as possible" to take full advantage of the accommodation. Accommodations cannot be applied to coursework, including exams, that has/have already taken place. The DRC also recommends scheduling a meeting with me "to discuss how your accommodations will be addressed during the semester." I view accommodating your needs as a collaborative process, and having a discussion about your needs and how I can best accommodate them is the best way to begin that collaborative process. I strongly encourage you to abide by these DRC recommendations.

Beyond the University's disability accommodation policy, it is my policy to support and accommodate pregnant and parenting students who continue to pursue their education while bearing or rearing children. This accommodation will be student-specific, so please let me know as early as possible that you need to take advantage of this accommodation, preferably within the first week of the semester, if you are already pregnant or parenting, or as soon as you learn you are pregnant, if the pregnancy begins during the semester. It is my goal to work with you to ensure that both your responsibilities as a student and your responsibilities as a parent are met without any additional, undue burden.

### Required Readings

The following textbook is required for the class.

**Miller, Mark C. 2015. *Judicial Politics in the United States*. Boulder, CO: Westview Press.**

The book is available on Amazon [here](#), and may be available through other resources, including the UK Bookstore. You should order the book as soon as possible. **The book is referenced as "Miller" in the remainder of this syllabus.**

In addition to the required textbook, you will also be responsible for reading two of the following three journalistic accounts of the Supreme Court. However, **do not** purchase any of the books until you are instructed which ones to purchase, which will be in the first few weeks of class.

Greenburg, Jan Crawford. 2007. *Supreme Conflict: The Inside Story of the Struggle for Control of the United States Supreme Court*. New York: The Penguin Press.

Root, Damon. 2014. *Overruled: The Long War for Control of the U.S. Supreme Court*. New York: Palgrave Macmillan.

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

Other readings listed on the syllabus are required and can be found on Canvas, unless otherwise noted. Additional readings may be assigned throughout the semester and will be announced in advance.

You are at a research-intensive university, taking classes with the people who do the research. You may read journals articles published by your professors. It is cutting edge. No one gets money for these publications; they are how we disseminate scientific information to the broader community. E-mail me a picture of a Boxer dog by 21 August at 11:59 p.m. to earn an extra five percent on your research project score.

### Assignment Grading and Evaluation

Student-Instructor Meeting (before 11 September):	5% of final grade
iRATS (5 x 3% each; I drop lowest earned grade):	15% of final grade
tRATS (5 x 3% each; I drop lowest earned grade):	15% of final grade
Peer Assessment (2 x 5% each):	10% of final grade
Midterm Research Brief:	10% of final grade
Chapter Reports (4 x 1.25% each):	5% of final grade
Book Presentation:	10% of final grade
Final Book Report:	5% of final grade
Research Project:	25% of final grade

- **STUDENT-INSTRUCTOR MEETING:** Each student will be required to meet one-on-one with me at least one time before the end of the fourth week of class (i.e., before 11 September). This meeting allows us to get to know one another and gives you the chance to ask any questions you might have. Expect this meeting to last between 10 and 15 minutes. You must make an appointment for this meeting.
- **iRATs and tRATs:** At the beginning of each module, you will take readiness assessment tests, or RATs, each of which is taken twice, once as an individual (iRAT) and a second time as a team (tRAT). RATs assess your comprehension of the main concepts of the course material presented to you in the readings or other before-class preparation. RATs are used to ensure readiness to proceed to the application activities. Although you will take 6 total RATs, only 5 of them will count toward your final grade. I will drop the score for the RATs you have taken. If you have an unexcused absence during a RAT, you have two options: (1) take the missed RAT for a 0 and have it dropped, or (2) not take the RAT for a 0 and have it included in your scores. If you miss a RAT with an excused absence, you may make it up and the iRAT score will also count toward your tRAT score for that module. **Please note** that in order to earn the team score for a RAT, you must score a 50% or higher on your iRAT. If your iRAT score is below 50%, that score will also count as your tRAT score for that module.
- **APPLICATION ACTIVITIES:** Application activities are real-world (or at least plausible in the real world) problems for which your team must provide a solution. The problems will make application of the material presented in that module or a previous one. Once all teams have developed a solution, all teams will simultaneously report their solution to the class. Teams will then defend their solution in a spirited (hopefully) and respectful (I will enforce this) debate. Note that these activities are not formally graded, but are described here so you will know what they are when you see them on the course calendar.
- **PEER ASSESSMENT:** Participation in your teams will be evaluated by your peers. Before the first peer assessment, we – as a class – will develop a rubric, or a set of criteria, on which you will evaluate your peers and by which your peers will evaluate you. This peer evaluation will serve as a non-trivial percentage of your final grade. It also serves as an accountability device to ensure you come to class prepared and that freeloading is not tolerated by others on the team. Peer evaluations will be conducted twice – once at the middle of the semester and once again at the end.

- **BOOK REPORT:** You will engage in a collective book club reading of one of the three journalistic accounts mentioned above. You will read a section of the assigned book each week and discuss it with the members of your assigned book club. The graded portions of this assignment will include:
  - **Chapter Reports:** You will submit to me four summaries of one chapter of your assigned book. This report should be limited to a single page and will discuss the main theme of the chapter, a critical analysis of how it fits into the material presented from the course readings, and at least two discussion questions.
  - **Book Presentation:** Your book club, as a whole, will make a presentation about the assigned book. It should cover the general theme of the book, including specific examples of that theme; how the book connects to the textbook material, including specific examples; what you see as one or two shortcomings of the book; and a collective recommendation for why your peers should read the book.
  - **Book Report:** The book report will be a final analysis that connects the book from your book club to one of the other book-club books—i.e., one of the other journalistic books that your book club did not read—of your choosing. You must also purchase and read this second book. Your final book report will draw on similarities and differences between the content of the two books and how they fit into your understanding of the courts and judges.
- **RESEARCH PROJECT:** The research project presents you with an opportunity to hone your research skills in a way that best suits your career goals or interests. Early in the semester, you should decide which of two options you will select for this project. In either case, the final product should be approximately 20-25 pages in length. Your options for this assignment are to write either a (1) original scholarly research paper or (2) a dossier on a potential nominee for the U.S. Supreme Court. I will discuss these options in more detail during the semester. The **Midterm Research Brief** should provide 2-page brief on your proposed research project. For option 1, you should provide a research question, a *brief* literature review, how your proposed project fits into the literature, and identify a data source and an appropriate method for carrying out the research. For option 2, you should identify the president (either Trump or Biden) for whom you are preparing the dossier, the name of the candidate you are researching, his/her current position, and a brief biographical sketch.

Final letter grades will be assigned according to the university standard grading scale, which is as follows:

Letter Grade	Percentage
A	90-100
B	80-89.9
C	70-79.9
D	60-69.9
E	Below 60

### General Assignment Regulations

- When an assignment is submitted via Canvas, you are responsible for making sure the file is uploaded properly and contains no technical or file errors.
- Assignments completed in class (e.g., tRATs) are not eligible for makeup without appropriate documentation of an excused absence.
- Grades will be posted on Canvas, so you will have an idea of what you have been evaluated on and your current standing in the course, but they should not be considered definitive as they are not weighted properly. If you are missing a grade in Canvas and more than 14 days have passed since the assignment was due, it means I do not have your submission for that assignment. It is your responsibility to bring this to my attention if you think I have erred. If you would like a more accurate idea of your grade in the class (i.e., one that is correctly weighted), e-mail me or come see me during office hours.

- I have a mandatory “cooling off period” of 24 hours after an assignment is returned to you. This mandatory waiting period provides you the opportunity to process your grade, objectively examine feedback provided, and avoid saying or e-mailing something you may regret. I will not respond to grade or feedback inquiries sent during this period of time. If, after the passing of 24 hours, you still have questions regarding your grade or the feedback I provided, please e-mail me with your questions. If you wish to have the assignment regraded, you must submit to me in writing your reason for the reconsideration, using the assignment prompt as the basis for your argument. I will reassess your work with that argument in mind, and whatever grade is assigned after this reconsideration (whether this grade is higher or lower than the original grade) will be final.

### Library Services

You can get personalized or group research assistance from reference librarians at Young Library. The Political Science Librarian is Dr. Taylor Leigh ([taylor.c.leigh@uky.edu](mailto:taylor.c.leigh@uky.edu)).

Dr. Leigh can help you:

- Find sources for research projects
- Identify and evaluate different kinds of sources
- Navigate databases and the library catalog effectively
- Perform a literature review
- Brainstorm keywords and subject terms

Dr. Leigh also maintains the [Political Science Research Guide](#), which is full of useful resources to help you in this class. Please contact Dr. Leigh directly with any questions regarding the library or research assistance.

(Note: the language for this section was written and provided by Dr. Taylor Leigh for inclusion in Political Science syllabi.)

### Course Calendar & Outline

What follows is a class-by-class outline for this course. The date in the left-hand column is the date the activities are DUE. For example, the activity, “Legal Basics Quiz” is due on 24 August, while the “Legal Basics Writing Assignment” is due on 26 August. All assignments will be due by 11:59 p.m. Eastern time on the date listed and will be turned in via Canvas. Late assignments will not be accepted and will receive a grade of zero.

Date	Readings (to be completed <b>BEFORE</b> coming to class)	Activity
Module 0: Course Administration		
17 Aug	None	Course Introduction
19 Aug	—	Introduction to TBL
21 Aug	—	Assessment of Prior Knowledge
24 Aug	“Which Supreme Court Justice Are You?	Team Formation
26 Aug	—	Book Club Discussion & Formation
Module 1: Judicial Selection		
28 Aug	Miller, Ch. 3 Module 1 Readings in Course Packet	Judicial Selection RAT
31 Aug	—	Judicial Selection Application Activity
02 Sep	—	Judicial Selection Application Activity
04 Sep	First ≈ 1/3 of Book Club Book	Book Club Discussion
07 Sep	—	Judicial Selection Application Activity <b>Chapter Report 1 DUE</b>

Module 2: Appellate Court Process, Litigants & the Judicial Hierarchy		
09 Sep	Miller, Ch. 7 Module 2 Readings in Course Packet	Appellate Court Process RAT
11 Sep	—	Appellate Court Process Application Activity <b>Student-Instructor Meeting DUE</b>
14 Sep	—	Appellate Court Process Application Activity <b>Chapter Report 2 DUE</b>
16 Sep	—	Appellate Court Process Application Activity
18 Sep	Middle ≈1/3 of Book Club Book	Book Club Discussion
21 Sep	—	Peer Assessment Rubric <b>Chapter Report 3 DUE</b>
Module 3: Judicial Decision Making		
23 Sep	Miller, Ch. 8 Module 3 Readings in Course Packet	Decision Making RAT
25 Sep	—	Decision Making Application Activity
28 Sep	—	Decision Making Application Activity <b>Chapter Report 4 DUE</b>
30 Sep	—	Decision Making Application Activity
02 Oct	Final ≈ 1/3 of Book Club Book	Book Club Discussion <b>Peer Assessment 1</b>
05 Oct	—	<b>NO CLASS – Midterm Research Brief DUE</b>
07 Oct	—	Book Club Presentation Preparation
09 Oct	—	Book Club Presentations
12 Oct	—	Book Club Presentations
Module 4: The Judiciary & the Executive Branch		
14 Oct	Miller, Ch. 11–12 Module 4 Readings in Course Packet	Executive Branch RAT
16 Oct	—	Executive Branch Application Activity
19 Oct	—	Executive Branch Application Activity
21 Oct	—	Executive Branch Application Activity
23 Oct	—	Executive Branch Application Activity
Module 5: The Judiciary & the Legislative Branch		
26 Oct	Miller, Ch. 10 Module 5 Readings in Course Packet	Legislative Branch RAT
28 Oct	—	Legislative Branch Application Activity
30 Oct	—	Legislative Branch Application Activity
02 Nov	—	Legislative Branch Application Activity
04 Nov	—	Legislative Branch Application Activity
Module 6: The Judiciary, the Media & the Public		
06 Nov	Miller, Ch. 9 Module 6 Readings in Course Packet	Media & the Public RAT
09 Nov	—	Media & the Public Application Activity
11 Nov	—	Media & the Public Application Activity
13 Nov	—	<b>NO CLASS – Research &amp; Writing Day</b>
16 Nov	—	Media & the Public Application Activity <b>Book Report DUE</b> <b>Research Project DUE</b>
18 Nov	—	Course Wrap-up <b>Peer Assessment 2</b>
20 Nov	—	<b>NO CLASS</b>

