

**POLI 4000 Politics of the U.S. Supreme Court**  
**Louisiana State University**  
**Department of Political Science**  
**Spring 2020**  
**Tuesday and Thursday 10:30 – 11:50**  
**236 Coates Hall**

Professor Elizabeth Lane  
Office: 208B Stubbs Hall  
Office Hours: 3:00 – 4:00 Tu & Th, or by appointment  
Email: elane8@lsu.edu - please include “POLI 4000” in subject line

## **I. PURPOSE**

This course is designed to introduce students to the operation of the United States Supreme Court. Specifically, we will examine theoretical issues regarding judicial process and politics. Unlike courses on constitutional law, which focus on legal doctrine, we will contemplate and discuss the political aspects of the legal system, with a particular emphasis on social scientific research on law and legal process. Students should leave this class with a fundamental understanding of the inter-workings of the U.S. Supreme Court, the judicial decision making process, how both internal and external mechanisms influence this process, as well as a greater understanding of social scientific research.

## **II. OBJECTIVES AND LEARNING OUTCOMES**

By the end of the semester, students should have a deeper understanding of the judiciary in the United States, with the ability to identify and explain particular stages of the Supreme Court legal system (i.e., the nomination and confirmation processes, agenda setting, opinion writing, etc.). More specifically, students should be able to articulate and apply social scientific theories to the legal process and judicial decision making. Using this lens, then, students should have the ability to critically evaluate news media accounts of current events in the nation’s highest court. Specifically, students should be able to answer the following questions:

1. How does the Supreme Court nomination and confirmation process shape the character of the Court?
2. What are the primary factors that influence justices’ decision making?
3. How and when do institutional factors constrain or enable a justice to pursue their policy preferences?
4. How do elected politicians (i.e., members of Congress and the president) and unelected actors (i.e., attorneys, interest groups, the public) influence how the Court decides cases?
5. How does bargaining among Supreme Court justices impact the development of law and legal doctrine?
6. Does the Supreme Court influence public opinion and does public opinion influence the Supreme Court?

## **III. SOCIAL SCIENCES COMPETENCY STATEMENT**

LSU graduates will demonstrate an understanding of the informing factors of global interdependence, including economic forces, political dynamics, and cultural and linguistic differences.

## IV. COURSE TEXTS

### Required Text

Woodward, Bob and Scott Armstrong. 2005. *The Brethren: Inside the Supreme Court*. New York: Simon and Schuster. ISBN-10: 9780743274029.

### Supplemental Text

Most of readings on the course schedule are scholarly articles from academic journals or excerpts from academic texts. All of these will be posted on Moodle.

## V. COURSE REQUIREMENTS & GRADING

Your course grade will be graded on a points system (points earned divided by points possible). The points will consist of class attendance, participation, reading responses, quizzes, two exams, and a pre- and post-test. A summary of the points breakdown is as follows:

Assignment	Due Date	Points
Pre-Test	Friday, 1/24	25
Attendance & Participation	Throughout Semester	50 (2/class)
Reading Responses	Throughout Semester	300 (100 each)
Quizzes	Throughout Semester	200 (50 each)
Midterm	Tuesday, 3/12	200
Post-Test	Wednesday, 4/28	25
Final Exam	Wednesday, 5/6	200
<b>Total</b>		<b>1,000</b>

### Assignment Descriptions

#### Pre- & Post-Tests (50 points)

These multiple-choice and true and false tests will be **graded for completion only**. Your grade is not based on how many questions you get right/wrong. These will be used to gauge your knowledge of the Supreme Court prior to taking the class and evaluate how much you learn/retain by the end of the semester.

#### Attendance & Participation (50 points)

You will be awarded two total points per class period for attendance and participation. One point is for attendance, this includes being on time and staying the entire class period. Attendance will be tracked with a sign-in sheet. An additional point is awarded for participation. Participation points will be awarded as long as you are not a distraction, I see you taking notes, and participating in group and class discussion, etc. This means if I see you spending extended time on your cell phone, not taking notes on your laptop, etc. will lead to a point reduction. I will also randomly collect short responses before the end of class throughout the semester that will count towards your participation for the day. As the table above shows, two total points per class period totaling in 50 points accounts for your attendance and participation grade for the semester. As a result, for full attendance, you must attend 25 of the 28 scheduled lectures. Due to this policy, **I will not take/require excused absences in the form of a doctor's note**. If circumstances arise during the semester that will result in an extended absence from class that will surpass the **three allotted absences**, please communicate this with me as early as possible and stay in contact with me. We will arrange a way to stay current on coursework.

#### Reading Responses (300 points)

Throughout the semester you will be reading Woodward and Armstrong's *The Brethren: Inside the Supreme Court* to provide a deeper insight into how the Supreme Court justices arrive at their decisions. Three times throughout the semester you will be given a prompt or prompts to respond to. This prompt will require that you relate your reading from *The Brethren* to concepts and theories we've discussed in class.

### Quizzes (200 points)

There will be four quizzes throughout the semester. These quizzes will serve as an assessment to ensure you are keeping up with course content between exams. They will take place at the beginning of the class period for the day that they are scheduled.

### Exams (400 points)

There will be two exams throughout the semester. These exams will consist primarily of true or false, multiple choice, matching, and short answer. The exams will be cumulative since the previous exam (i.e., the final will only cover post-midterm material).

### Late Work

The following penalty will be assessed on late Reading Responses. All other late work will **not** be accepted. That is, you are expected to attend class for all quizzes and exams. If extenuating circumstances make this impossible, you must notify the instructor **prior** to the quiz or exam. The burden then falls on the student to provide documentation for the absence. If this material cannot be provided, a makeup will not be scheduled.

<b>Lateness</b>	<b>Points Penalized</b>
1-60 minutes	-7 points
61-120 minutes	-12 points
121-180 minutes	-18 points
181-360 minutes	-22 points
361-720 minutes	-27 points
> 721 minutes	Not accepted

### Grade Scale

LSU uses a letter plus minus grading scale. The final minimum percentage needed for each grade level is as follows: A+: 97, A: 93, A-: 90, B+ 87, B: 83, B-: 80, C+: 77, C: 73, C-: 70, D+: 67, D: 63, D-: 60, F: any value below 60%.

## **VI. COURSE POLICIES & RESOURCES**

You are solely responsible for your conduct in this course and informing yourself of all relevant departmental, college, and university policies governing your behavior. This includes, but is not limited to, policies regarding academic integrity and plagiarism, accommodations for students with documented disabilities, religious holidays, and student athlete travel.

### Academic Integrity

Louisiana State University adopted the Commitment to Community in 1995 to set forth guidelines for student behavior both inside and outside of the classroom. The Commitment to Community charges students to maintain high standards of academic and personal integrity. All students are expected to read and be familiar with the LSU Code of Student Conduct and Commitment to Community, found online at [www.lsu.edu/saa](http://www.lsu.edu/saa). It is your responsibility as a student at LSU to know and understand the academic standards for our community.

Students who are suspected of violating the Code of Conduct will be referred to the office of Student Advocacy & Accountability. For undergraduate students, a first academic violation could result in a zero grade on the assignment or failing the class and disciplinary probation until graduation. For a second academic violation, the result could be suspension from LSU. For graduate students, suspension is the appropriate outcome for the first offense.

### Academic Dishonesty and Plagiarism

Nearly everyone understands that copying passages verbatim from another writer's work and representing them as one's own work constitute plagiarism. Yet plagiarism involves much more. At LSU plagiarism is defined to include any use of another's work and submitting that work as one's own. This means not only copying passages of writing or direct quotations but also paraphrasing or using structure or ideas without citation. Learning how to paraphrase and when and how to cite is an essential step in maintaining academic integrity. Written assignments for this class may be subject to review by plagiarism detection software. Incidents of dishonesty may also be reported to the Department or University, which can result in further disciplinary action.

With regard to group work, all work must be completed without assistance unless explicit permission for group or partner work is given by me. This is critical so that I can assess your performance on each assignment. If a group/partner project is assigned, you may still have individual work to complete. Read the syllabus and assignment directions carefully. You might have a project with group work and a follow up report that is independently written. When in doubt, e-mail me or ask during a class session. Seeking clarification is your responsibility as a student. Assuming group/partner work is okay without permission constitutes a violation of the LSU Code of Student Conduct.

### Electronics in Class

Laptops: I encourage you to take notes using pen and paper because it forces you to think about what you are hearing, resulting in superior retention and understanding. However, I know some students prefer to use their laptops. If you choose to do so, I ask that you sit on the far-left section (away from the door) of the classroom, or the back four rows of the middle section. The rest of the middle section and the right side of the classroom are reserved for traditional note takers.

Cell Phones: The use of cell phones in class is strictly prohibited. I will make an exception if you have an emergency situation that requires you to take a call during class. If this happens during the semester, please inform me via email or come talk to me BEFORE class begins. If your cell phone is a noticeable distraction to me or students around you, I reserve the right to alter your attendance/participation grade for that day.

### Course Communication

Class announcements will be posted on the Announcements section of Moodle. If you need to schedule a meeting outside of office hours, have questions regarding course material, or other topics, please feel free email me.. When emailing, please include "POLI 4000:" as the first part of the subject line followed by your specific concern. In order for me to reply you must also include your first and last name in the email. If you have questions regarding due dates or reading assignments **consult the syllabus or a classmate.**

You will also be submitting reading responses via Moodle. You are responsible for giving yourself enough time to do so. **If you encounter complications with Moodle contact them first.** If the issue remains unresolved after contacting them, then you can email me, but please provide proof of your communication with Moodle.

### Accommodations for Students with Disabilities

Louisiana State University is committed to providing reasonable accommodations for all persons with disabilities. The syllabus is available in alternate formats upon request.

If you have already made accommodation arrangements, please inform me of your needs at **the beginning of the course** and present me with your accommodations form. If you need to request accommodations under the Americans with Disabilities Act, you may do so by contacting Disability Services in 115 Johnston Hall. Their phone number is 225-578-5919 and website is [www.lsu.edu/disability](http://www.lsu.edu/disability). I will honor all accommodations from when the disability is registered forward. I am unable honor retroactive accommodations. Once the accommodations form is submitted, please let me know one week prior to the quiz, examination, or other assignment that will require an accommodation so that I can make arrangements.

### Classroom Recording

If you wish to record classroom lecture you must ask the instructor for permission prior to doing so. Any recording **OR** dissemination of classroom content without permission to do so is strictly prohibited and subject to academic disciplinary actions.

### Syllabus Adjustments and Tweaks

I reserve the right to make modifications to this syllabus and the course schedule as necessary to account for the unique dynamics of our class. In the event that changes are made, they will be announced on Moodle and in class.

## VII. SCHEDULE OF TOPICS, READINGS, AND ASSIGNMENTS

I expect to follow this schedule closely. Though I do not anticipate needing to, I reserve the right to modify the syllabus and course schedule as necessary. All changes (if any) will be announced in class and on Moodle.

Week	Date	Topic	Assignment
1	Tuesday, January 14	<b>NO CLASS – GEAUX TIGERS!</b>	
1	Thursday, January 16	Introduction to the Supreme Court	<ul style="list-style-type: none"><li>• Syllabus</li><li>• <a href="#">C-SPAN's Supreme Court Documentary</a></li></ul>
2	Tuesday, January 21	A Brief History	<ul style="list-style-type: none"><li>• Collins and Skover Ch. 2</li></ul>
2	Thursday, January 23	Social Science Research	<ul style="list-style-type: none"><li>• Epstein et al. (2013) Technical Introduction</li><li>• Epstein and Martin (2014)</li></ul>
2	Friday, January 24	<b>PRE-TEST DUE 11:59 PM</b>	
3	Tuesday, January 28	Social Science Research Contd.	<ul style="list-style-type: none"><li>• <a href="#">Steven Miller's Blog Post: How to Read a Regression Table</a></li><li>• <a href="#">Steven Miller's Blog Post: Taking Good Notes</a></li></ul>
3	Thursday, January 30	Measuring Ideology	<ul style="list-style-type: none"><li>• Segal and Cover (1989)</li></ul>
4	Tuesday, February 4	Staffing: Departures	<ul style="list-style-type: none"><li>• Excerpts from Ward (2003)</li><li>• <b>QUIZ 1</b></li></ul>
4	Thursday, February 6	Staffing: Nominations	<ul style="list-style-type: none"><li>• Nemacheck (2008) Ch. 1</li><li>• Black and Owens (2016)</li></ul>
5	Tuesday, February 11	Staffing: Hearings	<ul style="list-style-type: none"><li>• Schoenherr, Lane, and Armaly (2020)</li></ul>
5	Thursday, February 13	Staffing: Confirmation Voting	<ul style="list-style-type: none"><li>• <a href="#">Frontline: Extreme Revenge Documentary</a></li><li>• Cameron, Kastellec, and Park (2013)</li></ul>
5	Friday, February 14	<b>READING RESPONSE 1 DUE</b>	<ul style="list-style-type: none"><li>• <b>Covers:</b> Introduction, Prologue, and 1969 terms</li></ul>
6	Tuesday, February 18	Staff: Law Clerks	<ul style="list-style-type: none"><li>• Peppers and Zorn (2008)</li><li>• Black and Boyd (2012)</li></ul>
6	Thursday, February 20	Influences: Law	<ul style="list-style-type: none"><li>• Johnson, Spriggs, and Wahlbeck (2012)</li></ul>
7	Tuesday, February 25	<b>NO CLASS MARDI GRAS</b>	
7	Thursday, February 27	Influences: Attitudes	<ul style="list-style-type: none"><li>• Segal and Champlin (2018)</li></ul>

8	Tuesday, March 3	Influences: Life	<ul style="list-style-type: none"> <li>Black et al. (2020)</li> </ul>
8	Thursday, March 5	Deciding to Decide: Rules and Process	<ul style="list-style-type: none"> <li>Lane and Black (2017)</li> <li><b>QUIZ 2</b></li> </ul>
9	Tuesday, March 10	Deciding to Decide: Strategy and Research	<ul style="list-style-type: none"> <li>Caldeira and Wright (1988)</li> </ul>
9	Thursday, March 12	<b>MIDTERM</b>	
10	Tuesday, March 17	Legal Arguments: Written Briefs	<ul style="list-style-type: none"> <li>Schoenherr and Black (2019)</li> </ul>
10	Thursday, March 19	Legal Arguments: Oral Arguments	<ul style="list-style-type: none"> <li><a href="#">More Perfect: "Justice Interrupted"</a></li> <li>Johnson, Wahlbeck, and Spriggs (2006)</li> </ul>
10	Friday, March 20	<b>READING RESPONSE 2 DUE</b>	<ul style="list-style-type: none"> <li><b>Covers:</b> 1970, 1971, and 1972 terms</li> </ul>
11	Tuesday, March 24	<b>SPRING BREAK</b>	
11	Thursday, March 26	<b>SPRING BREAK</b>	
12	Tuesday, March 31	Internal Process: Conference Voting	<ul style="list-style-type: none"> <li>Johnson, Spriggs, and Wahlbeck (2005)</li> </ul>
12	Thursday, April 2	Internal Process: Opinion Assignment	<ul style="list-style-type: none"> <li>Maltzman, Spriggs, and Wahlbeck (2000) Introduction</li> </ul>
13	Tuesday, April 7	Internal Process: Opinion Writing	<ul style="list-style-type: none"> <li>Bonneau et al. (2007)</li> <li>Carrubba et al. (2011)</li> </ul>
13	Thursday, April 9	Internal Process: Separate Opinions	<ul style="list-style-type: none"> <li>Corley (2010) Introduction</li> <li>Ginsburg (2010)</li> <li><b>QUIZ 3</b></li> </ul>
14	Tuesday, April 14	External Influences: SOP	<ul style="list-style-type: none"> <li>Baum (2019) Ch. 6</li> </ul>
14	Thursday, April 16	<b>NO CLASS - MPSA</b>	
15	Tuesday, April 21	External Influences: The Solicitor General	<ul style="list-style-type: none"> <li>Black and Owens (2012) Ch. 2</li> <li>Wohlfarth (2009)</li> </ul>
15	Thursday, April 23	External Influences: Interest Groups	<ul style="list-style-type: none"> <li><a href="#">More Perfect: "The Imperfect Plaintiffs"</a></li> <li>Collins (2012)</li> </ul>
15	Friday, April 24	<b>READING RESPONSE 3 DUE</b>	<ul style="list-style-type: none"> <li><b>Covers:</b> 1973, 1974, and 1975 terms</li> </ul>
16	Tuesday, April 27	External Influences: Public Opinion	<ul style="list-style-type: none"> <li>Black et al. (2016)</li> <li>Krewson (2019)</li> </ul>
16	Wednesday, April 28	<b>POST-TEST DUE 11:59 PM</b>	
16	Thursday, April 30	Review	<ul style="list-style-type: none"> <li><b>QUIZ 4</b></li> </ul>
Finals	Wednesday, May 6	<b>3:00 – 5:00 FINAL EXAM</b>	