

The Judiciary
POLS 3313 - 600: Spring 2024 (1/16/2024 – 5/7/2024)
Online Course – Asynchronous
Texas A & M University-San Antonio

Amanda Gatewood, Ph.D.

Lecturer of Political Science

email: agatewood@tamusa.edu

*emails will be answered within 48 hours

Virtual Office Hours:

Course Description:

This course will examine the development of the third branch of government, the Judiciary. More specifically, the role of the Courts as an institution within the separation of powers in the United States will be analyzed thoroughly. The study of the U.S. judiciary includes the examination of the role of the Supreme Court of the United States (SCOTUS), judicial federalism, and judicial review. Much focus will be on the U.S.'s adversarial, common-law court system and the rule of law. Furthermore, this course will study external factors such as public opinion, partisan politics, interest groups, and the media and their intersection with the federal courts.

Student Learning Objectives:

Students will have:

- knowledge of and ability to analyze the federal judiciary: the constitutional founding of the nation, the role of the Supreme Court, the lower federal courts, and the judicial system as an institution of government.
- ability to evaluate institutions/processes from the perspective of democratic principles, including the 1789 U.S. Constitution, the role that precedent plays in the courts, & the significance of judicial review in the judicial branch.
- understanding of interest groups, the media, Congress, the president, the federal bureaucracy, & the American public's role in the United States government & society.
- knowledge regarding the common-law (or, judge-made law) system with the United States.
- ability to think critically using political science research and professional resources such as indexes, journals, and government documents.

Blackboard Announcements:

The Announcements tab will on Blackboard will be utilized this semester. Updates to the syllabus, coursework, or any reminders at all, will be posted as an “Announcement”. PowerPoints, study guides, & video segments/documentaries will be uploaded into the “Course Content” tab. You must check Blackboard daily/weekly and keep looking out for any updates/announcements.

COURSE INSTRUCTIONS:

- The first session (Tuesday, 1/16) will cover all pertinent information concerning the course syllabus, class structure, and what to expect. This will be a pre-recorded video posted on the blackboard by that date.
- Lecture Uploads: Both lectures and PowerPoint for each week will be posted online weekly.
- TEXTBOOKS (2): Be sure to have access to your e-books no later than the end of week 2 so that you can be prepared for the class.
- Zoom virtual office hours, blackboard tabs, ANNOUNCEMENTS, and MESSAGES will be utilized this semester.
- Uploaded audio lectures are not intended to replace your reading of the text(s), but to supplement it. Success depends on your reading the required assigned material.

Course Textbooks

***Judicial Process in America*, by Robert A. Carp, Kenneth L. Manning, Lisa M. Holmes, Ronald Stidham, 11th Ed.: ISBN 9781071821886, 1071821881 {CORE} (e-book)**

***Introduction to Law and the Legal System, 12th Edition* Frank August Schubert
ISBN-13: 9780357660218 (e-book) (Schubert)**

Any additional readings or documentaries (or links to them), if assigned, will be posted on BLACKBOARD.

Email:

Please use my email (agatewood@tamusa.edu) as a tool to set up a one-on-one meeting with me through my virtual office hours via Zoom. In every email, you MUST include the course title, course section, & class time in your message so I can identify you quickly and assist you in setting up a meeting OR to answer any questions about class or content.

Grading Scheme:

Online Quizzes: **200 points** (4 quizzes at 50 points each)

Weekly Discussion Activities(WDAs): **200 points** (10 at 20 points)

Total= 400 points

Online Quizzes:

4 Quizzes (each worth 50 points) will be available online via Blackboard within COURSE CONTENT. They will consist of multiple-choice questions regarding key terms & concepts for the scheduled chapters of that section.

- Quizzes will be available Mon. & posted until Saturday at 11:59 p.m.
- You must work alone.
- You will have 45 minutes to complete the quiz and may use your book.
- Do not wait until the last minute; the quiz closes at 11:59 p.m. on the dot.
- No quizzes will be accepted late or made up

Weekly Discussion Activities:

- Semi-weekly discussions within the “WDA” tab within your Blackboard must be completed by Sunday at 11:59 p.m.
- Each WDA is worth 20 points,
- You will be asked key discussion questions weekly and must provide a thorough 1–2-page response.
- These discussion question responses **MUST** be typed in **YOUR OWN WORDS** (not the author's) and utilize political science terminology and insight. **YOU MUST CITE SOURCES.**
- These responses will help prepare you for future exam essay questions.
- All 10 WDAs total 200 points or 50% of your grade.

Plagiarism Disclaimer:

Keep in mind your work is checked for plagiarism intensely. **DO NOT USE WIKIPEDIA OR A RANDOM WEBSITE PAGE.** Your case briefs are meant to be **SUMMARIES** of a complicated SCOTUS case and **NEED** to be written/typed **IN YOUR OWN WORDS.** If you change a word here or there to make someone else’s statement "your own," you are not doing yourself any favors.

Papers with similarity percentages higher than 20% will be given a zero. If high similarity percentages continue (individually), disciplinary action will be pursued. Everyone needs to put their best writing/typing and paraphrasing skills & efforts forward, as many of you already have.

Minimize the use of quotes: quote a portion of a statement but then build upon it in your own words and expand upon it. If you are using quotes, you will need an in-paper citation (APA) & a Reference page

Make-up Policy:

Students have ample time to complete the assignments, so there will be no make-up for any required submissions. Exceptions to this will be made only in extreme situations where a student cannot submit the assignment due to unforeseen, devastating circumstances. On such occasions, you must speak to me beforehand. Late assignments/exams are subject to point deductions

Weekly Class Schedule:

The following schedule illustrates what will be covered each week.

Week 1 (1/16-1/21/2024)

Course Syllabus Introduction

Introduction to Content

Week 2: (1/22-1/28/2024)

Chapter 1: The Politics of Law and Courts in Society (CORE)

Chapter 1: Introduction (Schubert)

Weekly Discussion Activity (WDA) # 1 due 1/28 by 11:59 p.m.

Week 3: (1/29-2/4/2024)

Chapter 2: The Politics of Law and Jurisprudence (CORE)

Chapter 2: Ethics (Schubert)

WDA #2 due 2/4 by 11:59 p.m.

Week 4: (2/5-2/11/2024)

Chapters Chapter 3: Judicial Organization and Administration (CORE)

Chapter 4: The Judicial System (Schubert)

WDA #3 due 2/11 by 11:59 p.m.

Week 5: 2/12-2/18/2024)

Online Quiz 1 Chapters 1-3 (CORE) and Chapters 1, 2, & 4 (Schubert) due 2/18 by 11:59 p.m.

Worth 50 points

Week 6: (2/19-2/25/2024)

Chapter 4: Judicial Selection and Removal (CORE)

Chapter 3: Institutional Sources of American Law (Schubert)

WDA#4 due 2/25 by 11:59 p.m.

Week 7: (2/26-3/3/2024)

Chapter 5: The Practice of Law (CORE)

Chapter 5: Civil Procedure (Schubert)

WDA #5 due 3/3 by 11:59 p.m.

Week 8: (3/4-3/10/2024)

Chapter 6: Access to Courts and Justice (CORE)

Chapter 7: Judicial Remedies

Online Quiz #2 Chapters 4-6 (CORE) and Chapters 3, 5, & 7 (Schubert) due 3/10 by 11:59 p.m.

Worth 50 points

Week 9: (3/11-3/17/2024)

--SPRING BREAK—No Classes

Week 10: (3/18-3/24/2024)

Chapter 7: Trial Courts: The Adversarial Process and Criminal Cases (CORE)

Chapter 8: Criminal Law and Procedure (Schubert)

WDA #6 due 3/24 by 11:59 p.m.

Week 11: (4/1-4/7/2024)

Chapter 8: Trial Courts: Civil Cases and Litigation (CORE)

Chapter 10: Contracts (Schubert)

WDA #7 due 4/7 by 11:59 p.m.

Week 12: (4/8-4/14/2024)

Chapter 9: Appellate Courts and Decision Making (CORE)

WDA #8 due 4/14 by 11:59 p.m.

Quiz 3, Worth 50 points, Covers Chapters 7-9 (CORE) and Chapters 8 & 10 (Schubert) due 4/14 by 11:59 p.m.

April 13th: Last day to drop with an automatic “W”]

Week 13: (4/15-4/21/2024)

Chapter 10: The Scope and Limits of Judicial Power (CORE)

Chapter 13: Administrative Law & Administrative Agencies (Schubert)

WDA #9 due 4/21 by 11:59 p.m.

Week 14: 4/22-4/28/2024)

Chapter 14: Alternative Dispute Resolution (Schubert)

WDA #10 due 4/28 by 11:59 p.m.

Weeks 15 & 16: (4/29 5/7/2024)

Chapter 12: Property (Schubert)

Quiz 4 Worth 50 points Covers Chapter 10 (CORE) and Chapters 12, 13, and 14 (Schubert) due 5/7 by 11:59 p.m.

University Policies & Resources:

Academic Accommodations for Persons with Disabilities: The Americans with Disabilities Act Amendments Act (ADAAA) of 2008 and the Rehabilitation Act of 1973 are federal anti-discrimination statutes that provide comprehensive civil rights protection for persons with disabilities. Title II of the ADAAA and Section 504 of the Rehabilitation Act require that students with disabilities be guaranteed equal access to the learning environment through the provision of reasonable and appropriate accommodation of their disability. If you have a diagnosed disability that may require an accommodation, please contact Disability Support Services (DSS) for the coordination of services. The phone number for DSS is (210) 784-1335 and email is dss@tamusa.edu.

Student Misconduct:

Appropriate conduct is essential to the effective functioning of the University. University policy defines unacceptable conduct, both academic and non-academic misconduct, and penalties for such behavior.

Academic Dishonesty Policy:

Students at Texas A&M University-San Antonio are expected to adhere to the highest academic honesty and integrity standards. Academic dishonesty for which a student is subject to penalty includes cheating, plagiarism, fabrication, multiple submissions, misrepresentation of academic records, facilitating academic dishonesty, unfair advantage, violating known safety requirements, and ethical misconduct. This includes holding other students to the same standards and reporting any incidents of alleged violation of the honesty policy to the instructor involved or, if necessary, to the appropriate academic department head. All students are responsible for being familiar with the Academic Dishonesty Policy, which may be found in the Texas A&M University-San Antonio.

Academic Learning Center:

All currently enrolled Texas A&M University-San Antonio students can utilize the Academic Learning Center for subject-area tutoring. The Academic Learning Center is an appointment-based center where appointments are made through the Navigate platform. Students access Navigate through Jagwire in the Student Services tab. The Center is active on campus, reaching out to students to highlight services offered. You can contact the Academic Learning Center by emailing tutoring@tamusa.edu or calling (210)-784-1332. Appointments can also be made through JagWire under the services tab.

Counseling Resources:

As a college student, there may be times when personal stressors interfere with your academic performance and/or negatively impact your daily functioning. If you or someone you know is experiencing life stressors, emotional difficulties, or mental health concerns at Texas A&M University – San Antonio, please contact the Student Counseling Center (SCC) located in Modular C, Room 166 (Rear entrance) or call 210-784-1331 between the hours of 8:00AM and 5:00PM. All mental health services provided by the SCC are free, confidential (as the law allows), and are not part of a student's academic or university record. SCC provides brief individual, couples, and group therapy, crisis intervention, consultation, case management, and prevention services. For more information, please visit www.tamusa.edu/studentcounseling

In a crisis, please walk into the Student Counseling Center (SCC) any time between the hours of

8:00AM and 5:00PM to be seen by a licensed clinician. After hours, please contact UPD at 911 or text “HOME” to 741-741 24/7/365 to connect with a trained crisis counselor. The National Suicide Prevention hotline also offers a 24/7/365 hotline at 1-800-273-8255.

Emergency Preparedness:

JagE Alert is Texas A&M University-San Antonio’s mass notification. In the event of an emergency, such as inclement weather, students, staff and faculty, who are registered, will have the option to receive a text message, email and/or phone call with instructions and updates. To register or update your information visit: <https://tamusa.bbcportal.com/>.

More information about Emergency Preparedness and the Emergency Response Guide can be found here: <https://www.tamusa.edu/upd/index.html>.

Financial Aid and Verification of Attendance:

According to the following federal regulation, 34 CFR 668.21:

U.S. Department of Education (DoE) Title IV regulation, a student can only receive Title IV funds based on Title IV eligibility criteria which include class attendance. If Title IV funds are disbursed to ineligible students (including students who fail to begin attendance), the institution must return these funds to the U.S. DoE within 30 days of becoming aware that the student will not or has not begun attendance. Faculty will provide the Office of Financial Aid with an electronic notification if a student has not attended the first week of class. Any student receiving federal financial aid who does not attend the first week of class will have their aid terminated and returned to the DoE. Please note that any student who stops attending at any time during the semester may also need to return a portion of their federal aid.

Jaguar Writing Center:

The Jaguar Writing Center provides writing support to graduate and undergraduate students in all three colleges. Writing tutors work with students to develop reading skills, prepare oral presentations, and plan, draft, and revise their written assignments. The Writing Center is currently holding all appointments digitally. Students can schedule appointments with the Writing Center in JagWire under the student services tab. Students wanting to work in realtime with a tutor can schedule an “Online Appointment.” Students wishing to receive asynchronous, written feedback from a tutor can schedule an “eTutoring” appointment. More information about what services we offer, how to make an appointment, and how to access your appointment can be found on our website at www.tamusa.edu/Writing-Center. The Writing Center can also be reached by emailing writingcenter@tamusa.edu.

Meeting Basic Needs:

Any student who has difficulty affording groceries or accessing sufficient food to eat every day, or who lacks a safe and stable place to live, and believes this may affect their performance in the course, is urged to contact the Dean of Students (DOS@tamusa.edu) for support. Furthermore, please notify the professor if you are comfortable in doing so. This will enable them to provide any resources they may possess.

Military Affairs:

Veterans and active-duty military personnel are welcomed and encouraged to communicate, in advance if possible, and special circumstances (e.g., upcoming deployment, drill requirements,

disability accommodations). You are also encouraged to visit the Patriots' Casa in-person room 202, or to contact the Office of Military Affairs with any questions at military@tamusa.edu or (210)784-1397.

Religious Observances:

Texas A&M University-San Antonio recognizes the diversity of faiths represented among the campus community and protects the rights of students, faculty, and staff to observe religious holidays according to their tradition. Under the policy, students are provided an opportunity to make up any examination, study, or work requirements that may be missed due to a religious observance provided they notify their instructors before the end of the second week of classes for regular session classes.

Respect for Diversity:

We understand that our students represent diverse backgrounds and perspectives. When we are equity-minded, we are aware of differences and inequalities and are willing to discuss them so we can act to resolve them. The University is committed to building cultural competencies, or the attitudes, skills, and knowledge that enable individuals and organizations to acknowledge cultural differences and incorporate these differences in working with people from diverse cultures. Respecting and accepting people different than you is vital to your success in the class, on campus, and as a future professional in the global community. While working together to build this community we ask all members to:

- Share their unique experiences, values, and beliefs.
- Be open to the views of others.
- Honor the uniqueness of their colleagues.
- Value each other's opinions and communicate respectfully.
- Keep confidential discussions that the community has of a personal (or professional) nature.
- Use this opportunity together to discuss ways in which we can create an inclusive environment in this course and across the A&M-San Antonio community.

The Six-Drop Rule:

Students are subject to the requirements of Senate Bill (SB) 1231 passed by the Texas Legislature in 2007. SB 1231 limits students to a maximum of six (6) non-punitive course drops (i.e., courses a student chooses to drop) during their undergraduate careers. A non-punitive drop does not affect the student's GPA. However, course drops that exceed the maximum allowed by SB 1231 will be treated as "F" grades and will impact the student's GPA.

Statement of Harassment and Discrimination:

Texas A&M University-San Antonio is committed to the fundamental principles of academic freedom, equality of opportunity and human dignity. To fulfill its multiple missions as an institution of higher learning, A&M-San Antonio encourages a climate that values and nurtures collegiality, diversity, pluralism and the uniqueness of the individual within our state, nation, and world. All decisions and actions involving students and employees should be based on applicable law and individual merit. Texas A&M University-San Antonio, in accordance with applicable federal and state law, prohibits discrimination, including harassment, on the basis of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, gender identity, or gender expression. Individuals who believe they have experienced harassment or

discrimination prohibited by this statement are encouraged to contact the appropriate offices within their respective units.

Texas A&M University-San Antonio faculty are committed to helping create a safe learning environment for all students and for the university as a whole. If you have experienced any form of sex- or gender-based discrimination or harassment, including sexual assault, sexual harassment, domestic or dating violence, or stalking, know that help and support are available. A&M-San Antonio has staff members trained to support survivors in navigating campus life, accessing health and counseling services, providing academic and housing accommodations, and more. The university strongly encourages all students to report any such incidents to the university. Please be aware that all A&M-San Antonio employees (other than those designated as confidential resources such as counselors and other healthcare providers are required to report information about such discrimination and harassment to the university. This means that if you tell a faculty member about a situation of sexual harassment or sexual violence, or other related misconduct, the faculty member must share that information with the university's Title IX Coordinator. If you wish to speak to a confidential employee who does not have this reporting responsibility, you can contact the Student Counseling Center at (210) 784-1331, Modular C.

Students' Rights and Responsibilities:

The purpose of the following statement is to enumerate the essential provisions for the student freedom and responsibility to learn at Texas A&M University-San Antonio. All students are required to follow all policies and regulations as set forth by The Texas A&M University System. This includes the [A&M-San Antonio Student Code of Conduct](#).

Students' Rights

- A student shall have the right to participate in a free exchange of ideas, and there shall be no university rule or procedure that in any way abridges the rights of freedom of speech, expression, petition and peaceful assembly as set forth in the U.S. Constitution.
- Each student shall have the right to participate in all areas and activities of the university, free from any form of discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, genetic information or veteran status in accordance with applicable federal and state laws.
- A student has the right to personal privacy except as otherwise provided by law, and this will be observed by students and University authorities alike.
- Each student subject to disciplinary action arising from violations of university student rules shall be assured a fundamentally fair process.

Students' Responsibilities

- A student has the responsibility to respect the rights and property of others, including other students, the faculty and the administration.
- A student has the responsibility to be fully acquainted with the published University Student Rules found in the Student Handbook, Student Code of Conduct, on our website, University Catalog and students must comply with them and the laws of the land.
- A student has the responsibility to recognize that student actions reflect upon the individuals involved and upon the entire university community.
- A student has the responsibility to recognize the University's obligation to provide an

- environment for learning.
- A student has the responsibility to check their university email for any updates or official university notification.

We expect that students will behave in a manner that is dignified, respectful, and courteous to all people, regardless of sex, ethnic/racial origin, religious background, sexual orientation or disability. Behaviors that infringe on the rights of another individual will not be tolerated.

Blackboard contact info:

*Please contact TAMUSA IT department at helpdesk@tamusa.edu/210- 784-4357 if technological is arise. Lastly, contact me in advance if you have a situation that you believe justifies an exception to the no make-ups rule. Requests after the due date will not be considered.