

**LAW, POLITICS AND SOCIETY**  
**Political Science 355 (Section 001)**  
**Fall 2008**

Dr. Hausegger  
[lorihausegger@boisestate.edu](mailto:lorihausegger@boisestate.edu)  
 Office Hours: Tu, Th 10:35-11:35AM  
                   Tues 1:35-2:35PM  
                   and by appointment

Office: PAAW #126A  
 Phone: 426-5804

This course is concerned with the legal system in the United States. We will examine the role of courts in the American political system, the structure of different courts, the different actors that participate in courts and the processes by which courts hear and decide cases. We will also consider influences (both legal and extralegal) on judicial decisions and the impact of these decisions on society. The focus will be on state and federal courts in the United States. However, we will also consider differences in the judicial process in other countries and the implications of these differences.

**LEARNING OBJECTIVES/OUTCOMES:**

The class has two related goals. First, it should provide students with a clear understanding of courts and their workings in the United States. Second, it should provide students with the ability to explain and critically analyze phenomena and processes related to the courts and their place in society.

**REQUIRED READING:**

G. Alan Tarr. 2006. *Judicial Process and Judicial Policymaking*, 4th Edition.  
 Thomas Walker. 2009. *Eligible For Execution*.  
 Jonathan Harr. 1995. *A Civil Action*.

**Additional readings** will be placed on reserve at Albertson's Library.

The lecture and reading materials are meant to complement **NOT** duplicate each other. Thus some of what you read will not be discussed in class and much of the lecture material is intended to go beyond what you read. You will be responsible for both. The **exams** will cover material from **BOTH** lecture and readings.

**COURSE REQUIREMENTS:**

Report on Foreign Court	10%	September 16, 2008
Midterm Exam	22%	October 14, 2008
Report on Court Visit	15%	November 11, 2008
Paper	20%	December 4, 2008
Final Exam	25%	December 18, 2008 (8AM-10AM)
Participation/in class assn/quizzes	8%	

## GRADING SCALE

A	94% and above	C	74-76
A-	90-93	C-	70-73
B+	87-89	D+	67-69
B	84-86	D	64-66
B-	80-83	D-	60-63
C+	77-79	F	59 and below

**You must complete ALL of the assignments in order to pass the class.**

In addition to taking the exams and turning in all the paper components, students are required to read the assigned pages, to be prepared for discussion and to attend class on time and for the duration of the class.

**Exams:** The exams will consist of multiple choice, short answer and short essay questions and will cover material from both lecture and readings.

**Report on Foreign Court:** A separate handout will be provided detailing the instructions for this assignment and the questions you will need to address. This will be a short paper (approx. 3 pages) describing a high court in another country and analyzing its differences from the U.S. Supreme Court.

**Report on Court visit:** A separate handout will be provided with more specific instructions for this assignment. You will be responsible for attending a court dealing with civil or criminal matters for a few hours at some point during the first half of the semester. You will write a short (3-5 page) paper describing and analyzing what you observe on the visit.

**Paper:** A separate handout will be provided with more specific instructions for this assignment as well. This paper will be a term paper – allowing you to delve deeper into a topic of interest to you. The paper should be approximately 10-12 pages in length.

**Participation:** Most of the participation grade will be earned through class discussion. However, at a few points in the semester, students will have an assignment to present to the class and then hand in for points (e.g. 1-2 pages describing an interest group that litigates). There will also be a few in class “quizzes.” In order to earn the full 8% for participation students will need to both regularly attend class and participate in class discussion. Those uncomfortable with participating in class discussion can hand in written questions/comments on class topics each week or come to office hours. **You need to contribute significantly (either in class or in written form) each week in order to earn enough participation points to achieve an A in the course.**

**Extra Credit Opportunity:** There will also be an opportunity for students to earn extra credit points towards their final grade. More information will be provided later in the semester.

I will only make special arrangements for students who miss a test for a **compelling reason** (serious illness, family crisis etc.) and who notify me and receive my permission **PRIOR** to the exam (or in the case of an emergency as soon as possible). If you do not meet these conditions, you will **earn a zero**. If you do meet these conditions, an **ALL ESSAY** makeup exam will be administered. The due date for the papers **will NOT be flexible** and scores on late papers will be lowered one grade for each day they are late.

**ACADEMIC HONESTY:** All the work you do in this course is expected to be your own. Absolutely no cheating or plagiarism (using someone else's words or ideas without proper citation) will be tolerated. Any cases of cheating or plagiarism will be reported to the Dean of Students and handled according to university policy. Please refer to <http://www2.boisestate.edu/studentconduct>

## TOPICS AND TENTATIVE SCHEDULE OF READINGS

August 26	Introduction to course
August 28-Sept. 2	Structure of the judiciary Tarr: Chapter 2
September 4-9	Foundations of Judicial Power and Influence in the U.S. Tarr: Chapter 1 & 9 Start reading <i>Eligible for Execution</i>

### *Actors in Court and the Judicial Process*

Sept. 11-October 2	Judges Tarr: Chapter 3 Continue reading <i>Eligible for Execution &amp;</i> start reading <i>A Civil Action</i>
<b>September 16</b>	<b>FOREIGN COURT PAPER DUE</b>
October 7-9	Lawyers Tarr: Chapter 4 Continue reading <i>Eligible for Execution &amp; A Civil Action</i>

<b>October 14</b>	<b>MIDTERM EXAM</b>
October 16-23	Trial courts: criminal justice process <i>Eligible for Execution</i> Tarr: Chapter 5 (pp. 135-150) Chapter 6
October 28-Nov. 4	Trial courts: civil justice process <i>A Civil Action</i> Tarr: Chapter 7 Chapter 11 (pp. 349-364)
November 6-11	Juries Tarr: Chapter 5 (pp. 150-155) Handouts
<b>November 11</b>	<b>REPORT ON COURT VISIT DUE</b>
November 13-18	Interest groups Handouts
<b><u>Appellate Court Processes and Impact</u></b>	
Nov. 20; Dec. 2	Docketing/Agenda setting decisions Tarr: Chapter 5 (pp. 155-168) <i>Eligible for Execution</i> , Chapter 8
<b>November 25-27</b>	<b>Thanksgiving Break</b>
<b>December 4</b>	<b>PAPER DUE</b>
Dec. 4-11	Decisions on the merits and their impact Tarr: Chapter 8 <i>Eligible for Execution</i> , Chapter 9, 10
<b>December 18</b>	<b>FINAL EXAM (8-10AM)</b>