

POLS 3317
Judicial Politics
Fall 2021

Section: 001

Department of Social Sciences
Texas A&M University- Corpus Christi

1 Instructor Information

Shane A. Gleason, PhD
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Office Hours: Mondays: 12:00pm-2:00pm
Tuesdays: 3:30pm-5:30pm
Wednesdays: 11:00am-1:00pm
and by appointment
Class Location: O'Connor 130
Course Time: 9:30am to 10:45 TR

2 Course Description and Purpose

In our republican system of government the courts are the guardians of the Constitution. Clad in robes, judges project an aura of being above the fray of partisan politics. How then, do judges make their decisions? Sonia Sotomayor's 2009 confirmation hearing would suggest *who* a judge is shapes decision-making; her hearings focused in part on comments then Judge Sotomayor made where she asserted "...a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life." Is this to say she is choosing to pursue her policy preferences instead of turning into a "legal computer?" Can a judge ever truly turn off her preferences and experiences? Does the law play any role in judicial decisions? Ultimately, the answer to this question is deeply nuanced and this course explores those nuances through an exploration of the actors and institutional structures of the judiciary.

In this course, we will focus on the courts as both legal and political institutions, with an emphasis on the political nature of judicial decision-making, and how individual level factors interact with politics, law, and context to shape outcomes. While much of our time will be dedicated to the study of the U.S. Supreme Court, we will also address the role and function of lower courts at the federal, state, and international levels.

A key component of this class are your critical reading, writing, and organizational skills. Toward that end, we will read several scholarly articles over the course of the semester in addition to the more conventional textbook, to help build your critical thinking skills. I realize the scholarly literature can be daunting. To this end, we will step through each of these articles in class. Additionally, the emphasis in the exams is applying what we have covered in class to broader contexts. Since writing is a vital skill that is important regardless of your major or eventual career, you will produce a synthesis paper which explores an aspect of judicial behavior in greater depth. Feedback and direction will be provided on the synthesis paper throughout the semester.

Student Learning Outcomes

On completion of this course students will be able to:

1. Recall basic facts related to judicial behavior
2. Demonstrate understanding of key concepts relating to how institutional design shapes behavior in the judicial system.
3. Read and synthesize the scholarly literature on judicial behavior through an applied writing exercise.
4. Explain how institutional structure shapes judicial behavior.

3 Course Format

This course is heavily readings based, from both the text book and supplemental materials available on Blackboard. While the class is technically lecture based, I find class is more fun when we have a seminar discussion rather than me talking for 75 minutes. Please come prepared to discuss the readings and with any questions you might have. It is okay if you don't understand them fully, but please give it your best effort and come to class with the questions you have.

4 Requirements

Text

There is one required book, which the majority of our readings will come from. The book is open access and can be accessed online free of charge. You may print it out or you may read it on your computer or tablet. Other readings are posted on Blackboard and are noted on the course schedule.

1. Solberg, Rorie Spill, Jennifer Segal Diascro, and Eric Waltenburg 2021. *Open Judicial Politics*. Corvallis, OR: Oregon State University, <https://open.oregonstate.edu/open-judicial-politics/>

Assessment

This course is worth 100 points which are broken up over several different items

- Exams: 30 points
 - Synthesis Paper: 40 points
 - Quizzes: 20 points
 - Discussion Forums: 10 points
1. **Exams (30 points)**—There are two exams, each is worth 15 points. This is to say each exam is worth one and a half letter grades. Exams will consist of short identification terms and essays. Both exams are take-home. One week before the due date for the exam, I will post to Blackboard two essay questions and three identification terms. You must write on

one of the essay questions and two of the identification terms. The exams are open book and open note, but you must work individually. The first exam is due at 11:59pm on Friday October 8. The second exam is due by the end of the final exam time slot as assigned by the University. All exams are turned in simply by uploading them to Turnitin on Blackboard. Please use pdf format.

2. **Synthesis Paper (40 points)**— Instead of a research paper, you will produce a synthesis paper that overviews the scholarly literature in one area of judicial behavior. For instance, you might be really interested in judicial elections or the role attorney gender plays in judicial-decision making. I encourage you to write on the topic you find most interesting (research is more fun when you enjoy what you're researching!). Since this is a big project, it will be broken up into several smaller assignments spaced roughly evenly over the course of the semester. I will provide you feedback at each step along the way, which will help guide you as you move forward. More details are provided in the Synthesis Paper Project handout on Blackboard. For now though, suffice to say that the Statement of Interest is due August 27, the Proposal is due September 17, the Rough Draft is October 15, and the Final Draft is due November 19.
3. **Quizzes (20 points)**— Most weeks throughout the semester will have an associated Blackboard quiz. All quizzes are due Thursdays at 9:30am, which is to say just before class begins. The quiz will cover material from that week's readings and lectures (which includes the Thursday readings we haven't discussed in class just quite yet. All quiz questions are multiple choice and open note. Since the quizzes are timed at 10 minutes, it is a good idea to review your notes and readings before you begin the quiz. The quizzes are designed such that if you do the readings and pay close attention to the lectures, the quizzes should be easy. A full schedule of quiz dates is available on Blackboard.
4. **Discussion Forum (10 points)**— On several days over the course of the semester I will post a brief reflection question on Blackboard. This question will ask you to critically engage with the studies we are reading in class. These may pose a question akin to "What if we elected the justices?" or it may ask you to evaluate an article's argument about how important ideology is in Supreme Court decision-making. There are no right or wrong answers here; I'm looking for evidence you read the material, thought about it critically, and respond to the prompt. You will do so via a brief discussion forum post of 150 words or so. After making your initial post, you will be able to see posts made by your classmates. Pick at least one of your classmates' posts and respond to them with a reply of approximately 75 words. A full schedule of discussion days is on Blackboard.

Assessment Scale

A: 90-100	B: 80-89.9	C: 70-79.9	D: 60-69.9	F: <59.9
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Sensitive Topics

Since politics is a reflection of the society in which we live, we will cover several topics which touch on topics which might be sensitive such as the role of sexual assault allegations in judicial confirmation hearings, gay rights, and litigation over the constitutionality of abortion. These topics are included because we cannot adequately study judicial politics without covering them. My personal policy is to remain neutral (I'm a political scientist, emphasis on the second word).

I encourage disagreement, but it must be done in a respectful way. You have my assurance that I will do everything reasonably related to keeping these discussions civil and academic. I know aspects of this course may be emotionally difficult. You may personally connect with or be affected by some of the material covered in this course, so I urge you to identify a support system outside of this class. I am happy to meet with you to discuss any concerns or accommodation needs, but I also encourage you to seek out confidential or other resources.

5 Course Policies

Contacting the Instructor

I am happy to help you either via e-mail, or during office hours. At request, we can meet virtually via Zoom. If my office hours do not fit your schedule let me know and we can schedule a meeting at a time that is more convenient. If you come to office hours you should come prepared; bring your book, notes, and read the material in advance. If you contact me via e-mail, I will respond within 48 hours, though in most cases it will be less than six hours. Should you not hear from me after 48 hours, feel free to send a follow-up. However, in any e-mail you must identify yourself and use proper format which consists of an opening (As simple as the recipient's name), a closing (as simple as your name), and a descriptive subject line. If you do not follow that convention or if you use Internet shorthand (ie: "u" instead of "you,") I will not reply to the message.

Make-up Exams and Assignments

To qualify for a make-up test a student must notify me of the absence in advance via e-mail and provide documentation. Make-up exams will be a written research paper. The onus is on the student for a make-up exam. I will not seek you out to let you know you missed an exam.

Extra Credit

The only extra credit I offer is a one point increase for the discussion paper (remember, the course is only worth 100 points) for consulting with the writing center for your paper. Appointments are usually necessary. Just screenshot your confirmation and place it at the end of your paper.

Academic Honor Code

Students are expected to uphold the Academic Honor Code published in the University Student Handbook. The Academic Honor Code is based on the premise that each student has the responsibility (1) to uphold the highest standards of academic integrity in the student's own work, (2) to refuse to tolerate violations of academic integrity in the university community, and (3) to foster a high sense of integrity and social responsibility on the part of the university community. Violations of the Academic Honor Code will not be tolerated.

Academic dishonesty, cheating, and plagiarism of any kind are unacceptable. There are no exceptions. Consequences for academic dishonesty, cheating, and plagiarism include, but are not limited

to, a failing grade for an assignment or exam, a failing grade for the course, noncredit for an assignment or exam, additional work, and/or direct referral to university officials.

If academic dishonesty, cheating, or plagiarism is suspected on any assessment, the instructor reserves the right to impose restrictions and make changes on future assessments for an individual and/or the entire class as needed.

Please also note that the university requires that faculty members formally report all instances of academic misconduct. Here are the official procedures: http://judicialaffairs.tamucc.edu/assets/procedure_academicmisconductcases.pdf

Academic dishonesty includes, but is not limited to, the use of unauthorized information during a quiz or exam, plagiarism, submitting the same paper for multiple courses without permission, or depriving another student of the ability to perform his or her work. The term cheating includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments, plagiarism; or (3) the acquisition, without permission, of tests or other academic material belonging to a member of the university faculty or staff. The term plagiarism includes, but is not limited to, the use by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. Plagiarism also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling or distribution of term papers or other academic materials. If you have questions about the university's policy on academic dishonesty, please see the Student Code of Conduct at <http://judicialaffairs.tamucc.edu/StudentCofC.html>.

Please note "plagiarism" includes intentionally, knowingly, or carelessly presenting the work of another as one's own. Additionally, the procedure has been updated to reflect the Academic Integrity Committee as the body to consider grade appeals and academic misconduct cases, as well as identifies the selection process of committee members. Detailed information can be found on the University Handbook of Rules and Procedures website. Contact for interpretation or clarification is the Associate Vice President for Academic Affairs.

Disability Accommodations

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you believe you have a disability requiring an accommodation, please call or visit Disability Services at (361) 825-5816 in Corpus Christi Hall 116. If you are a returning veteran and are experiencing cognitive and/or physical access issues in the classroom or on campus, please contact the Disability Services office for assistance at (361) 825-5816.

Student Caregivers: If you have caregiving responsibilities (e.g., parent of a child or care for elderly parents) and you anticipate scheduling difficulties, please discuss this with me the beginning of the semester to work out an appropriate strategy in advance.

Sexual Assault & Gender Based Discrimination

TAMUCC faculty is fully committed to supporting students and upholding an environment free of sexual violence and gender based discrimination. If a student chooses to confide in faculty (or other entities on campus) regarding an issues of sexual violence, dating violence, domestic violence and stalking it should be understood that faculty members are often obligated to report this information. Students can choose to disclose their experience confidentially to the following resources:

- University Counseling Center
- Student Health Center

Academic Advising (for students with a majors in the College of Liberal Arts)

The College of Liberal Arts requires that students meet with an Academic Advisor as soon as they are ready to declare a major. Degree plans are prepared in the CLA Academic Advising Center. The University uses an online Degree Audit system. Any amendment must be approved by the Department Chair and the Office of the Dean. All courses and requirements specified in the final degree plan audit must be completed before a degree will be granted. The CLA Academic Advising Office is located in Driftwood #203. For more information please call 361-825-3466.

Dropping a Class

I hope that you never find it necessary to drop this or any other class. However, events can sometimes occur that make dropping a course necessary or wise. Please consult with your academic advisor, the Financial Aid Office, and me, before you decide to drop this course. Should dropping the course be the best course of action, you must initiate the process to drop the course by going to the Student Services Center and filling out a course drop form. Just stopping attendance and participation **WILL NOT** automatically result in your being dropped from the class. **November 5, 2021** is the last day to drop a class with an automatic grade of “W” this term.

Student Grade Appeals

As stated in University Procedure 13.02.99.C0.03, Student Grade Appeal Procedures, a student who believes that he or she has not been held to appropriate academic standards as outlined in the class syllabus, equitable evaluation procedures, or appropriate grading, may appeal the final grade given in the course. The burden of proof is upon the student to demonstrate the appropriateness of the appeal. A student with a complaint about a grade is encouraged to first discuss the matter with the instructor. For complete details, including the responsibilities of the parties involved in the process and the number of days allowed for completing the steps in the process, see University Procedure 13.02.99.C0.03, Student Grade Appeal Procedures. These documents are accessible through the University Rules Web site at https://academicaffairs.tamucc.edu/rules_procedures/index.html. For assistance and/or guidance in the grade appeal process, students may contact the Dean's office in the college in which the course is taught or the Office of the Provost.

Statement of Academic Continuity

In the event of an unforeseen adverse event, such as a major hurricane and classes could not be held on the campus of Texas A&M University Corpus Christi; this course would continue through the use

of Blackboard and/or email. In addition, the syllabus and class activities may be modified to allow continuation of the course. Ideally, University facilities (i.e., emails, web sites, and Blackboard) will be operational within two days of the closing of the physical campus. However, students need to make certain that the course instructor has a primary and a secondary means of contacting each student.

Classroom Courtesy

Classroom courtesy is an essential component of creating an effective learning environment. All students have the right to learn without unnecessary distractions. These distractions include: cell phones, talking during lectures (unless recognized by the instructor), reading newspapers, falling asleep, etc. If you need a cell phone for emergency purposes, leave it on vibrate. Entering and leaving are also significant sources of distraction. It is your responsibility to be on time and to stay for the entire period. In circumstances where you need to leave early, tell the instructor beforehand. Repeated disruptions of class will lead to a reduction in your final grade.

Most importantly, the syllabus includes many sensitive topics which can lead to strong feelings and heated debate. Because this is a college classroom, all discussion must be respectful and scholarly. This is to say you must be respectful, in both content and tone, of diverse opinions and not make personal or partisan attacks.

Acceptable Comments

- are respectful of diverse opinions and open to follow up questions and/or disagreement
- are related to class and/or the course material
- focus on advancing the discussion about issues related to the course and/or course material rather than personal beliefs, and
- are delivered in normal tones and a non-aggressive manner.

Unacceptable Comments

- are personal in nature. This includes attacks on a person's appearance, demeanor, or political beliefs.
- include interrupting the instructor or other students. Raise your hand and wait to be recognized.
- often use the discussion to argue for political positions and/or beliefs. If political discussions arise, they must be discussed in a scholarly way (see above).
- may include using raised tones, yelling, engaging in arguments with other students and being threatening in any manner.
- include ignoring the instructor's authority to maintain the integrity of the classroom environment.

Civil Rights Reporting

Texas A&M University-Corpus Christi is committed to fostering a culture of caring and respect that is free from discrimination, relationship violence and sexual misconduct, and ensuring that all affected students have access to services. For information on reporting Civil Rights complaints, options and support resources (including pregnancy support accommodations) or university policies and procedures, please contact the University Title IX Coordinator, Sam Ramirez at Samuel.ramirez@tamucc.edu or Deputy Title IX Coordinator, Rosie Ruiz at Rosie.Ruiz@tamucc.edu ext. 5826, or visit website at Title IX/Sexual Assault/Pregnancy.

Limits to confidentiality. Essays, journals, and other materials submitted for this class are generally considered confidential pursuant to the University's student record policies. However, students should be aware that University employees, including instructors, are not able to maintain confidentiality when it conflicts with their responsibility to report alleged or suspected civil rights discrimination that is observed by or made known to an employee in the course and scope of their employment. As the instructor, I must report allegations of civil rights discrimination, including sexual assault, relationship violence, stalking, or sexual harassment to the Title IX Coordinator if you share it with me. These reports will trigger contact with you from the Civil Rights/Title IX Compliance office who will inform you of your options and resources regarding the incident that you have shared. If you would like to talk about these incidents in a confidential setting, you are encouraged to make an appointment with counselors in the University Counseling Center.

Campus Emergencies

At TAMU-CC, your safety is a top concern. We actively prepare for natural disasters or human-caused incidents with the ultimate goal of maintaining a safe and secure campus.

- For any emergency, dial the University Police Department (UPD) at 361-825-4444 or dial 911. It's a good idea to have the UPD emergency number (and non-emergency number 361-825-4242) saved in your cell phone.
- There are nearly 200 classroom telephones throughout campus. If you feel threatened or need help and don't have a cell phone, dial 4444 (emergency) or 4242 (non-emergency) to be connected to UPD.
- If we hear a fire alarm, we will immediately evacuate the building and proceed to (location).
 - Proceed to the nearest building exit or evacuation stairway. Do not use the elevator. Persons who need help navigating stairs should proceed to a marked Area of Rescue Assistance, if possible.
 - Persons with disabilities should speak with their faculty about how to best assist them in case of an emergency.
 - Review the evacuation route (see specific Building Emergency Plan).
- TAMU-CC employs the Code Blue Emergency Notification System, an alert system which connects the campus community during emergency situations.
 - The notifications include emails, text and pre-recorded messages, as appropriate.

- Code Blue emergencies may include severe weather warnings, threats, school closures, delays, evacuations and other incidents which disrupt regular campus activities.
- Students can update personal contact information anytime at <https://emergency.tamucc.edu/contactform/>
- Shelter in Place via Code Blue.
- “Shelter-in-place” means to take immediate shelter where you are and may be implemented for severe weather, hazardous material spills, active shooters or other dangerous situations.
- If there is a shelter in place for a tornado warning, our preferred location is the bottom floor of this building, away from windows and doors.
- Active Threat Protocol. There are three things you could do that make a difference if there is an active threat: Run, Hide, and/or Fight. For more information about the Run, Hide, Fight protocol, including what to do when law enforcement arrives, visit <http://safety.tamucc.edu/ems/activethreat.html>
- For the Quick Campus Guide to Campus Emergencies (including a list of Areas of Rescue Assistance and additional protocols on assisting persons with physical disabilities, hurricanes, bomb threats, animal bites, crime reporting, elevator entrapment, etc.), visit <https://safety.tamucc.edu/uploads/Site/finalbooklet.pdf>

COVID-19 Campus Safety Measures

To promote public safety and protect students, faculty, and staff during the coronavirus pandemic, Texas A&M University has adopted policies and practices starting in the Fall 2020 academic term to limit virus transmission. Students must observe the following practices while participating in face-to-face courses and course-related activities (office hours, help sessions, transitioning to and between classes, study spaces, academic services, etc.):

- It is recommended to continue practicing healthy habits including practicing physical distancing where possible, wearing a face covering over your nose and mouth if you are not vaccinated, and staying home when sick.
- If you are exhibiting symptoms of COVID-19 you should **NOT** report to campus. If you have not been vaccinated and have come into close contact with someone who has COVID-19, you should **NOT** report to campus. COVID-19 testing remains available on campus. Contact tracing and quarantining protocols for those who have not received vaccinations remain in effect.

Syllabus Change Policy

This syllabus is a guide for the course and is subject to change with advanced notice. These changes may come via e-mail. Make sure to check your university supplied email regularly. You are accountable for all such communications.

6 *Tentative Course Schedule*

A few notes about reading the course schedule:

- Please do the readings in the order listed on the syllabus

- “SDW” refers to the required Solberg, Diascro, & Waltenburg book
- “(B)” means that reading can be found on Blackboard

Course Introduction

Tuesday August 24– Introduction to the Course

- *No readings*

Judicial Behavior Basics

Thursday August 26– Judicial Behavior Basics

- Miller, Mark. 2015. *Judicial Politics*. “Structure of Courts in the United States” & “The Appellate Court Process.” (B)

Models of Judicial Decision Making

Tuesday August 31– The Legal & Attitudinal Models

- Baum, Lawrence. 1994. “What Judges Want: Judges’ Goals and Judicial Behavior.” *Political Research Quarterly*. 47: 749-768. (B)

Thursday September 2– Library Research Tutorial

- Powner, Leanne. 2015. *Empirical Research and Writing: A Political Science Student’s Practical Guide*. Congressional Quarterly Press: Washington. (Chapter 3: “Doing Pre-Research”). (B)
- *Class location TBA*

Tuesday September 7– The Legal & Attitudinal Models (cont.)

- Segal, Jeffrey A. 1984. “Predicting Supreme Court Cases Probabilistically: The Search and Seizure Cases, 1962-1981.” *American Political Science Review*. 78(4): 891-900. (B)
- Epstein, Lee, Valerie Hoekstra, Jeffrey A. Segal, and Harold J. Spaeth. 1998. “Do Political Preferences Change? A Longitudinal Study of U.S. Supreme Court Justices.” *Journal of Politics*. 60: 801-818. (B)

Thursday September 9– Beyond Attitudes

- Harris, Allison and Maya Sen. 2019. “Bias in Judging.” *Annual Review of Political Science*. 22:41-59. (B)
- Moyer, Laura P., John Szmer, Susan Haire, and Robert K. Christensen. 2020. “Diversity, Consensus, and Decision Making: Evidence from the U.S. Courts of Appeals.” *Politics, Groups, & Identities*. XX:1-12. (B)

Judicial Selection

Tuesday September 14– Judicial Selection in the Federal Courts

- SDW: Chapter 9: Jeknic, Petar, Rorie Spill Solberg, Eric Waltenburg, and Christopher Stout. 2021. “Trump’s Judges & Diversity.”
- Cameron, Charles M., Albert D. Cover, and Jeffrey A. Segal. 1990. “Senate Voting on Supreme Court Nominees: A Neoinstitutional Model.” *American Political Science Review*. 84(2): 525-534. **(B)**

Other Actors at the Court

Thursday September 16— Interest Groups

- Collins, Paul. 2018. “The Use of Amicus Briefs.” *Annual Review of Law & Social Sciences*. 14:219-237. **(B)**
- SDW Chapter 13: Moyer, Laura P., Alyson Hendricks-Benton, and Megan Balcom. “How Amicus Briefs Use Policy Frames in Abortion Litigation.”

Tuesday September 21– Attorneys

- SDW Chapter 2: Hofer, Scott and Susan Achury. “Examining Diversity, Inclusion, and Equity in the Legal Profession: An Analysis of Career Tracks and Representation.”
- McGuire, Kevin T. 1995. “Repeat Players in the Supreme Court: The Role of Experienced Lawyers in Litigation Success.” *Journal of Politics*. 57:187-196. **(B)**

The Court & Executives

Thursday September 23– The President & The Court

- Pacelle, Richard L. “Amicus Curiae or Amicus Praesidentis? Reexamining the Role of the Solicitor General in Filing Amici Briefs.” *Judicature*. 89: 317-325. **(B)**
- Nelson, Michael J. and James L. Gibson. 2019. “How Does Hyperpoliticized Rhetoric Affect the U.S. Supreme Court’s Legitimacy?” *Journal of Politics*. 81(4):1512-1516 **(B)**

Tuesday September 28– State Attorneys General

- Nolette, Paul. 2014. “State Litigation During the Obama Administration: Diverging Agendas in an Era of Polarized Politics.” *Publius: The Journal of Federalism*. 44(3): 451-474. **(B)**
- Provost, Colin. 2006. “The Politics of Consumer Protection: Explaining State Attorney General Participation in Multi-State Lawsuits.” *Political Research Quarterly*. 59(4):609-618. **(B)**

Thursday September 30– **NO CLASS**

- *Work on your synthesis project*

The Court, Congress, & the Bureaucracy

Tuesday October 5– Congress & The Court

- SDW Chapter 12: Stone, Molly, Carol Moreno, Lauren Sluss, Rorie Spill Solberg, and Eric Waltenburg. “Senatorial Speeches from Thomas to Kavanaugh.”
- Ringsmuth, Eve and Timothy R. Johnson. 2013. “Supreme Court Oral Arguments and Institutional Maintenance.” *American Politics Research*. 41:651-673. **(B)**

Thursday October 7– The Court & The Bureaucracy

- Stobb, Maureen. 2019. “Power of the Pen or the Gavel? Determining Asylum Standards on the Courts of Appeals.” *Justice System Journal*. 40(3): 196-220 **(B)**

From Petition to Decision

Tuesday October 12– Getting to the Court

- SDW: Chapter 17: Lane Elizabeth, Jessica A. Schoenherr, Rachel A. Schutte, and Ryan C. Black. 2020. “Judicial Discretion and U.S. Supreme Court Agenda Setting.”
- Bryan, Amanda C. and Ryan J. Owens. 2017. “How Supreme Court Justices Super-vise Ideological Distant States.” *American Politics Research*. 45(3):435-456. **(B)**

Thursday October 14– Oral Arguments

- Johnson, Timothy R. 2001. “Information, Oral Arguments, and Supreme Court Decision-Making.” *American Politics Research*. 29(4):331-351. **(B)**
- SDW Chapter 32: Bolton, Joseph P. and Christopher D. Kromphardt. “Black Robes in the Limelight: News Values and Requests to Televisе Oral Arguments in the Ninth Circuit Court of Appeals, 1991-2005.

Tuesday October 19– New Directions in Oral Arguments

- Dietrich, Bryce J, Ryan D. Enos, and Maya Sen. 2018. “Emotional Arousal Predicts Voting on the U.S. Supreme Court.” *Political Analysis*. XX:1-7. **(B)**
- Patton, Dana and Joseph L. Smith. 2017. “Lawyer, Interrupted: Gender Bias in Oral Arguments at the U.S. Supreme Court.” *Journal of Law & Courts*. 5:337-361. **(B)**

Thursday October 21– Opinion Writing

- Maltzman, Forrest, and Paul J. Wahlbeck. 2004. “A Conditional Model of Opinion Assignment on the Supreme Court.” *Political Research Quarterly*. 57:551-563. **(B)**
- Corley, Pamela C. 2008. “The Supreme Court and Opinion Content.” *Political Research Quarterly*. 61:468-478. **(B)**

Tuesday October 26– Opinion Writing (cont.)

- Wahlbeck, Paul J., James F. Spriggs, and Lee Sigelman. 2002. “Ghostwriters on the Court? A Stylistic Analysis of U.S. Supreme Court Opinion Drafts.” *American Politics Research*. 30(2):166-192. **(B)**
- Spriggs, James F. and Paul J. Wahlbeck. 1997. “Amicus Curiae and the Role of Information at the Supreme Court.” *Political Research Quarterly*. 50:365-386. **(B)**

State Courts

Thursday October 28– State Court Selection Mechanisms & Structure

- Arrington, Nancy B. 2020. “Judicial Merit Selection: Beliefs About Fairness and the Undermining of Gender Diversity on the Bench.” *Political Research Quarterly*. XX:1-16. **(B)**
- SDW Chapter 18: McLauchlan, William P. “An Empirical Examining of the Business of the Montana Supreme Court.”

Tuesday November 2– State Supreme Court Decision Making

- Hall, Melinda Gann. 2014. “Representation in State Supreme Courts: Evidence from the Terminal Term.” *Political Research Quarterly*. 67:335-346. **(B)**
- SDW Chapter 24: González, Aidan, Bailey R. Fairbanks, and Shane A. Gleason. “At the Intersection of Law and Identity: Immutable Characteristics, Voter Preferences, and Strategic Voting on State Supreme Courts.”

The Lower Federal Courts & Comparative Courts

Thursday November 4– The Federal Courts of Appeal

- Martinek, Wendy L. 2008. “Appellate Workhorses of the Federal Judiciary: The U.S. Courts of Appeals.” in *Exploring Judicial Politics*. Mark C. Miller ed. Oxford University Press: New York. **(B)**
- Tillman, Elizabeth A. and Rachael K. Hinkle. 2018. “Of Whites and Men: How Gender and Race Impact Authorship of Published and Unpublished Opinion in the U.S. Courts of Appeals.” *Research & Politics*. XX:1-7. **(B)**

Tuesday November 9– The Federal District Courts

- SDW: Chapter 25: Johnson, Susan W., Ronald Stidham, Kenneth L. Manning, and Robert A. Carp. 2021. “To Publish or Not Publish: Exploring Federal District Judges’ Published Decisions.”
- King, Jonathan M. and Ian Ostrander. 2020. “Prioritizing Judicial Nominations After Presidential Transitions.” *Presidential Studies Quarterly*. XX: 1-19. **(B)**

Thursday November 11– Comparative Courts

- SDW: Chapter 21: Smithey, Shannon Ishiyama. 2020. “Strategic Activism: A Comparative View of Judges as Institution Builders.”
- Helmke, Gretchen. 2002. “The Logic of Strategic Defection: Court-Executive Relations in Argentina Under Dictatorship and Democracy.” *American Political Science Review*. 96(2):291-303. (B)

Gender & Courts

Tuesday November 16– Gender & Judicial Decision-Making

- Haire, Susan B. and Laura P. Moyer. 2015. *Diversity Matters: Judicial Policy Making in the U.S. Courts of Appeals*. University of Virginia Press: Charlottesville, VA. Chapter 2 (B)
- SDW: Chapter 7: Gleason, Shane A., Scott A. Comparato, and Christine M. Bailey. “Walking on Broken Glass: Justice Gender in State Supreme Court Citations.”

Thursday November 18– Gender at Home & Abroad

- Kaheny, Erin B., John J. Szmer, and Tammy A. Sarver. 2011. “Women Lawyers Before the Supreme Court of Canada.” *Canadian Journal of Political Science*. 44(1):83-109. (B)
- Gleason, Shane A. 2020. “Beyond Mere Presence: Gender Norms in Oral Arguments at the U.S. Supreme Court.” *Political Research Quarterly*. XX:1-13. (B)

Tuesday November 23– Gender in State Courts

- Gill, Rebecca D. and Kate Eugenis. 2019. “Do Voters Prefer Women Judges? Deconstructing the Competitive Advantage in State Supreme Court Elections.” *State Politics and Policy Quarterly*. XX:1-25. (B)

Thursday November 25– **NO CLASS: THANKSGIVING**

- *Enjoy your day!*

The Supreme Court & the Public

Tuesday November 30– Public Opinion

- SDW: Chapter 31: Rice, Douglas. 2020. “The Language of Newspaper Coverage of the U.S. Supreme Court.”
- Caldeira, Gregory A. 1987. “Public Opinion and the U.S. Supreme Court: FDR’s Court-Packing Plan.” *American Political Science Review*. 81(4):1139-1153. (B)

Final Exam: Due by 10:30am on Thursday December 9, via Blackboard

7 Due Dates & Assignments

- **Week One**
 - Friday August 27: *Synthesis: Statement of Interest*
- **Week Two**
 - *Nothing!*
- **Week Three**
 - Thursday September 9: *Quiz 1*
- **Week Four**
 - Tuesday September 14: *Discussion 1*
 - Thursday September 16: *Discussion 2, Quiz 2*
 - Friday September 17: *Synthesis: Outline*
- **Week Five**
 - Tuesday September 21: *Discussion 3*
 - Thursday September 23: *Quiz 3*
- **Week Six**
 - Thursday September 30: *Quiz 4*
- **Week Seven**
 - Tuesday October 5: *Discussion 4*
 - Thursday October 7: *Quiz 5*
 - Friday October 8: *Exam 1*
- **Week Eight**
 - Tuesday October 12: *Discussion 5*
 - Thursday October 14: *Discussion 6, Quiz 6*
 - Friday October 15: *Synthesis: Rough Draft*
- **Week Nine**
 - Thursday October 21: *Quiz 7*
- **Week Ten**
 - Thursday October 28 : *Discussion 7, Quiz 8*
- **Week Eleven**
 - Tuesday November 2: *Discussion 8*
 - Thursday November 4: *Quiz 9*

- **Week Twelve**
 - Tuesday November 9: *Discussion 9*
 - Thursday November 11: *Discussion 10, Quiz 10*
- **Week Thirteen**
 - Thursday November 18: *Quiz 11*
 - Friday November 19: *Synthesis: Final Draft*
- **Week Fourteen**
 - *Nothing!*
- **Week Fifteen**
 - Tuesday November 30: *Discussion 11*
- **Final Exam Period**
 - Thursday December 9: *Final Exam Upload*