In the early years of the American republic, a French citizen named Alexander deToqueville came to visit. He was much more than simply a tourist; he was first and foremost an observer of America and Americans. Many things about this country amused him. Substantially more things bemused him. One of the items that both amused and bemused deToqueville was the American system of courts and the uses to which they were put. He found that among the peoples of the world Americans were uniquely reliant on their courts to solve all of their problems and controversies. As deToqueville put it, in America every political issue eventually became a legal issue. This early relationship between Americans and their judicial system has become even more intense in the ensuing centuries so that today it might be more appropriate to consider changing the national motto from “In God We Trust” to “Let’s Everyone Litigate.”

The objectives of this course are three-fold: first, to familiarize the student with the structures of the court systems operating in the United States; second, to explore the behavior of the participants in these systems; and, third, to explore the political nature of the judicial process. We will spend the semester explaining both how courts work and the work they do as well as discussing controversial issues associated with courts and judicial policymaking.

Required Text


Course Requirements

Grades in this class will be based on a series of exams as well as class participation. There will be three exams including the final. The first “early warning exam” will be worth 50 points and will be an approximation of the mid-term and final. The mid-term and final will each be worth 100 points. The exams will include both short essay questions and term identification. If students miss exams for excused reasons, they must see me immediately upon returning to class to schedule make up exams.
Students may earn up to 100 points for class participation. The participation component will consist of two parts. The first will be based on attendance and vocal participation. If you attend regularly and speak up at least occasionally, you will earn 40 points toward your final grade. Of course, if you are not present in class, you cannot add to the academic dialogue I am hoping to foster. Therefore, any student with more than three unexcused absences (as defined by the university) will automatically forfeit those 40 points.

The second participation component will consist of in-class writing assignments. The purpose of this requirement is to apply the course material to current events/cases going through the judicial system. There are a total of 60 points that can be earned through these writing assignments. Each assignment will be worth 20 points and there will be four days set aside for in-class writing. I will set aside the lowest of the writing grades and count the other three. There are no make-ups on the writing assignments.

**Grading Scale**

Grades will be assigned on the basis of points accumulated.

<table>
<thead>
<tr>
<th>Points</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>360-315</td>
<td>A</td>
</tr>
<tr>
<td>314-279</td>
<td>B</td>
</tr>
<tr>
<td>278-243</td>
<td>C</td>
</tr>
<tr>
<td>242-207</td>
<td>D</td>
</tr>
<tr>
<td>206-0</td>
<td>F</td>
</tr>
</tbody>
</table>

There is no extra credit in this class. Students should take the tests and participation grades very seriously.

**Notice to Students with Disabilities.** Texas A&M University-Corpus Christi complies with the Americans with Disabilities Act in making reasonable accommodations for qualified students with disabilities. If you suspect that you may have a disability (physical impairment, learning disability, psychiatric disability, etc) please contact the Services for Students with Disabilities Office, located in Driftwood 101, at 825-5816. If you need disability accommodations in this class, please see me as soon as possible.

**Academic Advising.** The College of Liberal Arts requires that students meet with an Academic Advisor as soon as they are ready to declare a major. The Academic Advisor will set up a degree plan, which must be signed by the student, a faculty mentor, and the department chair. The College’s Academic Advising Center is located in Driftwood 203E and can be reached at 825-3466.
**Grade Appeal Process.** As stated in University Rule 13.02.99.C2, Student Grade Appeals, a student who believes that he or she has not been held to appropriate academic standards as outlined on the class syllabus, equitable evaluation procedures, or appropriate grading, may appeal the final grade given in the course. The burden of proof is on 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 process, see University Rule 13.02.99.C2, Student Grade Appeals Procedures. These documents are accessible through the University Rules web site at [http://www.tamucc.edu/provost/universityrules/index.html](http://www.tamucc.edu/provost/universityrules/index.html). For assistance or guidance in the grade appeal process, students may contact the Office of Student Affairs.

**Course Outline** (Dates subject to change with notice)

*January 22,* Syllabus review and course overview

*January 24, 27, 29,* Foundations of Law in the U.S. Carp, ch. 1


*February 7, 10, 12.* State Courts. Carp, ch. 3

*February 14.* **Writing Assignment 1.**

*February 17, 19.* Judicial Limitations. Carp, ch. 4.

*February 21.* **Early Warning Exam.**

*February 24, 26.* State Judges. Carp, Ch. 5.

*February 28, March 3, March 5, March 7.* Federal Judges. Carp, Ch. 6.

*March 17,* **Writing Assignment 2.**

*March 19, 21.* Policy Links. Carp, Ch. 7

*March 24,* **Mid Term Exam.**

*March 26, 28.* Groups in the Judicial Process. Carp, Ch. 8.

*March 31, April 2, 4, 7, 9.* Criminal Trials. Carp, Ch. 9 and 10.

*April 11,* **Writing Assignment 3.**

*April 14, 16.* Civil Law Process. Carp, Ch. 11.

*April 18, 21, 23.* Judicial Decisionmaking. Carp, Ch. 12 and 13.

*April 25.* **Writing Assignment 4.**

April 2, 5. Policymaking. Carp, Ch. 15.

Final TBA