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.”

Student Learning Outcomes

- Demonstrate Advanced Knowledge in One Major Area
- Understanding of Definitions, Concepts, and Theories

The outcomes 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>350-315</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.

**Disability services.** 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 a 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, Room 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 Disabilities Services Office for assistance at 361-825-5816.

**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. 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.

**Grade Appeal Process.** Students who feel that they have not been held to appropriate academic standards, as outlined in the course syllabus, equitable evaluation procedures, or appropriate grading, may appeal the final grade given in the course. A student with a complaint about a grade is encouraged to first discuss the matter with the instructor. For complete details on the process of submitting a formal grade appeal, please visit the College of Liberal Arts website, cla.tamucc.edu/studentsinfo.html. For assistance and/or guidance in the grade appeal process, students may contact the Associate Dean.

**Statement of academic continuity.** In the event of an unforeseen adverse effect, such as a major hurricane where classes could not be held on campus, 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 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.

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

*January 20,* Syllabus review and course overview

*January 22, 25,* Law, Courts and Politics, Ch. 1

*January 27, 29, February 1,* Law and Legal Systems, Ch. 2

*February 3, 5, 8,* Federal Courts. Ch. 3

*February 10.* **Writing Assignment 1.**

*February 12, 15,* Judicial Limitations. Carp, ch. 4.

*February 17.* **Early Warning Exam.**

*February 19, 22,* State Courts. Ch. 4.

*February 24, 26, 29,* Lawyers and legal representation. Ch. 5.

*March 2, 4,* Judges, Ch. 6

*March 7,* Interest groups in court, Ch. 7

*March 9,* **Mid term exam.**

*March 11,* **Writing Assignment 2.**

*March 14-18,* **Spring break**
March 21, 23, How criminal cases begin, Ch. 8

March 25, 28, 30. How criminal cases end, Ch. 9

April 1, 4, 6. Civil litigation, Ch. 10, 11.

April 8, 11, Juries, Ch. 12.

April 13, Writing Assignment 3.

April 15, 18, The appellate process, Ch. 13.

April 20, 22. The Supreme Court: Deciding what to decide, Ch 14

April 25. Writing Assignment 4.

April 27, 29, May 1. The Supreme Court and decisionmaking. Ch. 15.

Final exam, Monday, May 9, 8 a.m.