

SYLLABUS JUDICIAL PROCESS POLITICAL SCIENCE 390 FALL 2023

Section: 001 (10:00am-10:50am, MWF, PH3406)
Instructor: Tim Kalinowski
Office: PH 0416
Office Hours: Noon-1:00pm, M&F;
1:45-2:15pm, T&Th;
4:00-5:00pm, W - via Zoom (link posted in Blackboard)
or by appointment
Office Phone: 650-3865 or 650-3572
Email: tkalino@siue.edu (put POLS390 in your subject line)
Website: www.timski.com\POLS390

Communicating with the instructor

The primary mode of communication outside of class should be via the email address above or online office hours.

Course description

Development, organization, and operation of Federal and state court systems. Roles, powers, limits of judges and courts, and other institutions with which they interact.

Course goals and objectives

- 1) To introduce you to the major elements of the U.S. court systems (i.e. their development, organization, and operation), and to increase your understanding of them.
- 2) To increase your understanding of the roles and powers of courts, judges, juries, and attorneys.
- 3) To increase your understanding of the types of cases litigated in our civil court system (i.e. contracts, torts, property, family, and administrative law).
- 4) To increase your interest in and awareness of the impact of courts in American politics.
- 5) To increase your writing skills.
- 6) To increase your oral presentation skills.

Course textbooks

Calvi & Coleman, American Law and Legal Systems, Eighth Edition (New York: Routledge, 2017)
Carter & Burke: Reason in Law, Ninth Edition (Chicago: The University of Chicago Press, 2016)
Murphy, Pritchett, Epstein & Knight: Courts, Judges, & Politics – An Introduction to the Judicial Process, Sixth Edition (New York: McGraw-Hill, 2006) (*excerpts posted in blackboard*)

Other course materials

See course materials in Blackboard and at www.timski.com

Subject to Change Notice

All material, assignments, and deadlines are subject to change. You are responsible for staying in touch with your instructor, reviewing the course site regularly, or communicating with other students, to adjust as needed if assignments or due dates change. On the first day, we will confirm the page numbers of Schedule that's highlighted in blue.

Examinations and Papers

Exam – There will be a “mid-term” exam and a final exam. The mid-term exam will make up 30% of your grade and cover all course material (including presentations) assigned prior to the date of the exam. There will be an exam during finals week that will make up 20% of your grade and cover all course material (including presentations) assigned after the mid-term exam. The exams will generally require students to write one page essays to the questions posed.

The final exam will be given **according to the registrar’s schedule** as stated in the Academic Calendar.

Papers/Presentations – A research paper must be written in this class. Students will randomly be assigned a topic specific to issues involving the judiciary. This paper will be worth 30% of your grade. Details for expectations and form regarding these papers are in Blackboard and on the course website. As listed below in the course schedule, students will be expected to present the topics of their papers. Students simply cannot miss the day of their presentations – the material will be covered that day and there is no room in the schedule for a makeup. Details for expectations and form regarding these presentations are on the course website.

Grading

The course grade will be determined as follows:

- 30% - Mid-term Exam
- 20% - Final Exam
- 30% - Paper
- 10% - Presentation
- 10% - Participation in classroom discussions

Grading scale

Your final grade will be determined on a percentage basis roughly as follows:

- 90-100% = A
- 80-89% = B
- 70-79% = C
- 60-69% = D
- below 60% = F

Submitting Work

Your paper should be emailed to the instructor at the email address stated above. The name of each file attached should include the student's last name and an indication of the assignment. For example, if the instructor were turning in the paper, the file would be named KalinowskiPaper390.doc

Blackboard

The use of Blackboard in this course will be limited to providing documents to students and making announcements to the class. Grades will not be posted to Blackboard. Keeping up with your grades to gauge your progress in this course is your responsibility. Blackboard will not be used to turn in your research paper. Follow the provided instructions regarding the research paper.

Late or Missed Assignments

Although points will be deducted, you should turn something in late rather than not in all.

No Pass Policy

Irrespective of the grading rubric, I reserve the authority to issue a grade of zero for the research paper if the research paper is not of the quality I expect from a university student. This determination is solely mine and is somewhat subjective based upon the content of the paper and the effective communication of that content. While the grading rubric for the paper provides that points will be deducted for lack of content, poor form, poor grammar, improper citation, etc., I have received research papers that were of such poor quality that I was embarrassed that the student was allowed to pass the class. If such a situation occurs in this class, the student will be given one week after the papers are returned to adequately improve the paper. *The grade based upon the rubric for the assignment will not increase. A failure to adequately improve the paper will almost certainly result in a grade of F for the class because the research paper is 30% of the course grade.*

CLASSROOM EXPECTATIONS:

The usual restrictions and/or regulations in university classes will apply in this course:

- 1) Cheating (including plagiarism) will not be tolerated; those who are caught cheating will fail the course.
- 2) Subject to other university policy, attendance is required, and students may be penalized for missing class.
- 3) Tests are to be taken when scheduled. Make-up exams will be given only for compelling reasons.
- 4) This class involves the improvisational discussion of controversial material with much of it presented by students. Based upon more than 15 years of teaching this type of material, the instructor has found that many students will not discuss such controversial material when they are being recorded. This hinders the delivery of the curriculum and results in a situation where all students are limited in observing how to critically analyze the material being discussed. **During this class, no photographing, recording, or otherwise capturing the image or voice of students or faculty is allowed without the instructor's permission. Any such act will be considered a Classroom Disruption under Student Code of Conduct – 3C1 and subject to the punitive outcomes outlined under that policy.**
- 5) Because this class involves the improvisational discussion of controversial material, sometimes a position is inelegantly stated. Each person in the class deserves the benefit of a good faith interpretation of what was stated.
- 6) **Masks.** Unless and until otherwise specified, the decision to wear a mask in this class is left to the individual. Moral opprobrium should not be extended to anyone for their decision to mask or not to mask. Health reasons may exist for either decision.
- 7) In various courses, you may see different instructions prohibiting the use of Artificial Intelligence (AI) on graded assignments. Each person's understanding of the meaning of AI may be different even within categories such as assistive, generative, and

self-learning. Depending on the person, AI may include advanced search engines, statistics and graphing packages, grammar checkers, plagiarism checkers, translation tools, code generators, natural language generators, etc. In this class, you are expected to use AI tools such as search engines, grammar checkers, and if relevant, statistics and graphing packages. However, you should construct the sentences and paragraphs in your paper. Quite simply, you must be the author of all coursework. If you do not, you should cite the source of the quotation. Every citation is a representation that you have reviewed that source, that you accurately conveyed the content of that source, and that you presented the material in the proper context. If you used statistical modeling or graphic representations, I expect that you used appropriate tools such as Excel and that you did not do the calculations or draw the graphs yourself. Some instructors may insist that you cite the versions of the tools you used. That is not necessary in this class. A failure to comply with these instructions related to AI will be treated as plagiarism under the University's plagiarism policy. <https://www.siue.edu/policies/li6>

STUDENT CONDUCT IN CLASS (borrowed from Dr. DeGarmo but with minor edits) :

Political Science is a field of debate and disagreement - that is what is so exciting about this field. But given that Political Science can be a contentious subject, some simple rules of behavior will be required. First, no behavior that manifests a lack of respect for others or their learning objectives will be tolerated. Should you engage in disrespectful, hostile, or disruptive behavior, you will be removed from class immediately. Everyone must feel comfortable stating and defending his or her own views.

You may use a laptop in class to access online coursework or to type your own notes. **You may not use your laptop to surf the internet or check your email. You are expected to close your computer when we are involved in class discussion. Additionally, please turn your cell phones off and stow them in a backpack for the duration of the class. If you fail to follow these few simple rules, all student electronic devices will be banned from the classroom and the entire class may be penalized up to one-letter grade in their final course grade.**

ACADEMIC HONESTY AND INTEGRITY:

Academic honesty and integrity are the keystones of education. Genuine learning can only occur in an atmosphere of honesty and integrity. Honesty and integrity also provide the foundation to good citizenship. You should consult the SIUE policy on honesty and integrity before taking this class. In regard to academic dishonesty: No kind or degree of academic dishonesty (i.e. cheating or plagiarism) will be tolerated. Any such behavior on any assignment will result in failing the course and additional measures taken through official channels. There are no exceptions to this rule – you plagiarize and you fail the course. Please review: <https://www.siue.edu/policies/3c2.shtml>

Feel free to ask me questions you may have about academic honesty. The core principle behind the student academic code is one in which students represent original work. When you plagiarize or cheat, you violate the expectation of honesty and trust between teacher and student and student and student. Students who work hard to complete assignments are being violated by those who take shortcuts to complete the same assignment; plus cheaters and plagiarizers cheat themselves of the opportunity to learn. Therefore, I expect that not only will you use appropriate citation, but that the work for the course is your own and it is original.

Course Schedule

(See Subject to Change statement above)

Date	Activity
<i>All indicated chapters are in the Calvi & Coleman textbook</i>	
<i>M-#. # refers to excerpts from the Murphy textbook</i>	
<i>RIL-pgs refers to the Reason in Law textbook</i>	
Aug 21	Intro - RIL-Cardozo quotation at front. RIL-Appendix A
Aug 23	Ch 1 pgs 1-17
Aug 25	Ch 2 pgs 22-43
Aug 28	Read – <i>Can Lawyers Be Happy?</i>
	Discussion about the role of attorneys
Aug 30	Ch 3 pgs 47-60
Sep 1	Find & skim 18 Cardozo L. Rev. 1253: Dursht - JUDICIAL PLAGIARISM: IT MAY BE FAIR USE BUT IS IT ETHICAL?; topic assigned/described
Sep 4	Holiday
Sep 6	Ch 4 pgs 83-102
Sep 8	RIL pgs 26-31 (Prochnow)
Sep 11	Ch 4 pgs 107-121
Sep 13	Ch 11 pgs 285-302
Sep 15	Ch 11 pgs 302-305
Sep 18	no class - research/write paper
Sep 20	Ch 12 pgs 308-319
Sep 22	Ch 12 pgs 319-334
Sep 25	Ch 10 pgs 266-273
Sep 27	Ch 10 pgs 273-279
Sep 29	Ch 10 pgs 279-282
Oct 2	Ch 13 pgs 338-347
Oct 4	Ch 13 pgs 347-353
Oct 6	Ch 13 pgs 353-363
Oct 9	no class – Read – <i>When Not to Bypass Passive Voice</i>
Oct 11	Ch 8 pgs 224-240
Oct 13	No class – finish your papers
Oct 16	no class – review ISBA Writing Checklist
Oct 18	PAPERS DUE – no class, turn in electronically
Oct 20	Discuss expectations of presentations to follow
Oct 23	<i>M-9.7; Topics 12, 13</i>
Oct 25	Topics 16, 17
Oct 27	Topics 14, 15
Oct 30	Topics 18, 19
Nov 1	Ch 3 pgs 60-72
	Topics 5, 6, 7
Nov 3	Topics 8, 9, 10, 11
Nov 6	Ch 3 pgs 73-79; Topics 33, 34
Nov 8	Topics 35, 36
Nov 10	Review

Nov 13	Exam 1 – Part 1 (covering all material to date) in class - Bluebooks
Nov 15	Exam 2 – Part 2 (covering all material to date) in class - Bluebooks
Nov 17	<i>M-2.2</i> ; Ch 6 pgs 142-150
	Topics 1, 2
Nov 20, 22, 24	Thanksgiving Break
Nov 27	Ch 5 pgs 121-136
	Topics 3, 4
Nov 29	no class – prep for next class
Dec 1***	Ch 6 150-155; <i>RIL104-140; 166-181</i>
	Topics 22, 23, 24
Dec 4***	<i>M11.2, M12.2, M12.4, M12.7</i> ;
	Topics 25, 26, 27, 28
Dec 6	<i>Brown v. Board</i> – link on course website
	Topics 20, 21
Dec 8	Topics 29, 30, 31, 32

Finals Week Final (covering material 11/17-12/8 plus all terminology)

*** This is a lot of reading. Plan accordingly.

REFERENCE TO UNIVERSITY POLICIES:

SPECIAL ACCOMMODATIONS:

Students needing accommodations because of medical diagnosis or major life impairment will need to register with Accessible Campus Community & Equitable Student Support (ACCESS) and complete an intake process before accommodations will be given. Students who believe they have a diagnosis, but do not have documentation, should contact ACCESS for assistance and/or appropriate referral. The ACCESS office is located in the Student Success Center, Room 1203. You can also reach the office by emailing us at myaccess@siue.edu or by calling [618-650-3726](tel:618-650-3726).

Academic Integrity

Students are reminded that the expectations and academic standards outlined in the Student Academic Code (3C2) apply to all courses, field experiences and educational experiences at the University, regardless of modality or location. The full text of the policy can be found here: <https://www.siue.edu/policies/3c2.shtml>.

Recordings of Class Content

Faculty recordings of lectures and/or other course materials are meant to facilitate student learning and to help facilitate a student catching up who has missed class due to illness or quarantine. As such, students are reminded that the recording, as well as replicating or sharing of any course content and/or course materials without the express permission of the instructor of record, is not permitted, and may be considered a violation of the University's Student Conduct Code (3C1), linked here: <https://www.siue.edu/policies/3c1.shtml>.

Student Success Coaches

[Student success coaches](#) work across campus to serve the SIUE student population with the tools and resources to adjust to and meet the demands of the college experience. Success coaches provide direct services such as time management support and referrals to campus resources. If you find yourself in need of academic or personal support, or in a situation that is preventing you from being successful in the classroom, please utilize [Starfish](#) to connect with a coach as soon as possible. The sooner you engage, the sooner you can access the information or tools you need that may help you get back on track.

Pregnancy and Newly Parenting Policy

This policy and procedure are established to ensure the protection and equal treatment of pregnant students, students with pregnancy-related medical conditions including as a result of the termination of pregnancy, and students who become new parents including parents adopting or fostering to adopt for the first 12 weeks a child is in the home, in accordance with Federal and State guidelines and regulations. "New Parents" refers to a parent who has recently welcomed a newborn or adopted a child or is fostering to adopt a child and needs support to mitigate the disruption in academic progress within the first 12 weeks of parenting or a parent that needs support due to medical necessity attributed to pregnancy or delivery of a child; care of newborn; or lactation within the first year of child's life or legal adoption/fostering. Visit [Policies & Procedures - Student Rights and Conduct - Newly Parenting Policy - 3C15](#) to view the full policy and learn how to request accommodations through the Office of Equal Opportunity, Access, and Title IX Coordination (EOA).