

## POLI4023: Judicial Politics

Fall 2021

TTH 1:30-2:50 p.m., 201 Williams Hall

Dr. Anna Gunderson

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Office: 208-B Stubbs Hall

Office Hours: TTH, 3:00-4:00 p.m. on Zoom or by appointment

(<https://calendly.com/agunderson/30min>)

### Course Description

Are judges affected by institutions around them and if so, how much? This class acts as an introduction to judicial politics and behavior in all types of courts: from the Supreme Court to other appellate courts, civil courts, trial courts, and state courts. To what degree are judges constrained by other institutions, like the legislature or executive branch, or the public? Additionally, how do these institutional constraints interact with personal characteristics of judges to produce variation in judicial outcomes?

This class engages directly with theoretical and empirical material to answer the questions, meaning that we will often read academic articles and books. This material can be difficult to get through, but it will provide a thorough analysis of how the judiciary is shaped and shapes a variety of other institutions. I expect you to thoroughly read and engage with that week's readings and you will need to do so in order to succeed in this course.

### Required Materials

The assigned book in this class is *Judicial Decision Making: A Coursebook* (abbreviated JDM below) by Barry Friedman, Andrew Martin, Margaret Lemos, Tom Clark, Alison Larson, and Anna Harvey.

### Grading Policy

Weekly Quizzes	20% (80 points)
Paper Reflections	25% (100 points)
Midterm Exam	25% (100 points)
Final Exam	30% (120 points)
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Total: 100% (400 points)	

20% of your grade is determined by completion and success on weekly quizzes. Throughout the semester we will have a quiz about once a week (see dates on syllabus below). These quizzes will each be worth 10 points and will be available either in-class (dates noted) or on Moodle, open from the end of the previous class period to the next class period. Once you begin, you have 10 minutes to complete the quiz. You will automatically receive 5 points (50%) if you

complete the quiz. In total, there will be 10 quizzes and I will drop the two lowest grades. There are no make-ups.

25% of your grade is determined from two graded paper reflections over the course of the

A+	97-100%
A	93-96.99%
A-	90-92.99%
B+	87-89.99%
B	83-86.99%
B-	80-82.99%
C+	77-79.99%
C	73-76.99%
C-	70-72.99%
D+	67-69.99%
D	63-66.99%
D-	60-62.99%
F	0-59.99%

## Mental Health and Other Services

We are all living through a traumatic, stressful, and isolating time. For many of us, the pandemic has created a wide range of mental health challenges or has worsened existing challenges. Sometimes it is difficult to even understand or fully realize when we are struggling with mental health challenges that are negatively impacting our lives. Please know that we are here to support you and I care about your well-being. If you need support, I highly encourage you to contact Mental Health Services (MHS) at LSU (<https://www.lsu.edu/shc/mentalhealth/mhshome.php>)

course notes. No phones are permitted. Thank you for reading the syllabus! If you see this note before the start of class on August 24, please send me an email with your favorite .gif (appropriate ones only, please) for two extra credit points. Note that your .gif may be shared in the first class.

American politics centers on topics and issues about which people hold strong opinions. Opinions are more than ideas; they are deeply rooted in a person's values, beliefs, life experiences, and interests. We'll work together and hold each other accountable in respecting perspectives that differ from our own. I will be here to support you as you challenge your pre-existing opinions and beliefs about the world. It is critical that we maintain a socially, emotionally, and psychologically safe environment. While classroom debates will be something we fully embrace, disrespectful behavior and ~~advers~~ personal attacks cannot be tolerated.

### Time Requirements

Please keep in mind the university's definition of work required for each credit hour: "At least one hour (50 minutes) of lecture/classroom or direct faculty instruction and a minimum of two hours out-of-class student work across 15 weeks for one semester." Given that this is a 3-hour course, this means that students are expected to devote a total of 9 hours of work each week: 3 hours in the classroom and an additional 6 hours of ~~related~~ work outside the classroom.

### Graduate Credit or Honors Credit

For students taking this course for graduate credit or for those who wish to receive special Honors credit, it is the student's responsibility to contact me during the first weeks of class to make appropriate arrangements.

### Filming and Recording

You may not film or record this class without permission.

### Policies on Incomplete Grades and Late Assignments

You will be penalized for late assignments or missed exams unless the absence is excused (whether due to illness, serious family emergency, participation in university events, religious holidays, etc., but must be cleared with me). The penalty for unexcused late assignments is ten percentage points per day. ~~BYT~~ I am flexible if you talk to me ahead of time. For example, if the quality of your work earned you a 95 on an assignment but you turned the assignment in two days late, you would receive a 75 for the assignment. Extensions may be made on a case-by-case basis to accommodate expected difficulties.

### Academic Integrity and Honesty

Plagiarism is not tolerated and will result in disciplinary action. The LSU Code of Student conduct defines plagiarism as the unacknowledged inclusion, in work submitted for credit, of

someone else's words, ideas, or data." Please review the University's guidelines on plagiarism here:

<p>Thursday, September 2, 2021</p>	<p>The Limits of Law I - JDM Chapter 2, pages <del>50</del>  Quiz 1 on Moodle until next class period</p>
<p>Tuesday, September 7, 2021</p>	<p>The Limits of Law II - JDM, Chapter 2, pages <del>73</del></p>
<p>Thursday, September 9, 2021</p>	<p>The Identity of the Judge and Testing the Attitudinal Model - JDM, Chapter 3, pages <del>93</del>  Quiz 2 on Moodle until next class period</p>

Tuesday,  
September 14,  
2021

Modeling and Measuring Judicial Preferences  
- JDM, Chapter 3, pages ~~136~~

<p>Tuesday, September 28, 2021</p>	<p>Setting the Judicial Agenda: Legislative and Judicial Control          - JDM, Chapter 4, pages 283-291</p> <p>Journal Article II: Baird, Vanessa A. "The Effect of Politically Salient Decisions on the U.S. Supreme Court's Agenda." <i>The Journal of Politics</i> 66, no. 3 (2004): 755-72.</p>
<p>Thursday, September 30, 2021</p>	<p>No Class – Dr. Gunderson in Seattle</p>
<p>Tuesday, October 5, 2021</p>	<p>Institutional and Structural Constraints on Judging I          - JDM, Chapter 5, pages 326-364</p>
<p>Thursday, October 7, 2021</p>	<p>Institutional and Structural Constraints on Judging II          - JDM, chapter 5, pages 40-24</p> <p>Quiz 5 on Moodle until next class period</p>
<p>Tuesday, October 12, 2021</p>	<p>Midterm Exam Review</p>
<p>Thursday, October 14, 2021</p>	<p>MIDTERM EXAM</p> <p>Note: You must have completed paper reflection by this point.</p>
<p>Tuesday, October 19, 2021</p>	<p>Judicial Hierarchies I: How Should We Organize a System?          - JDM, Chapter 6, pages 424-47</p>
<p>Thursday, October 21, 2021</p>	<p>No Class! Fall Holiday</p>

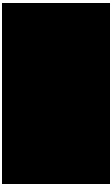


<p>Tuesday, October 26, 2021</p>	<p>Judicial Hierarchies I - JDM, Chapter 6, pages 452-3</p>
<p>Thursday, October 28, 2021</p>	<p>Judicial Hierarchies II (continued) - JDM, Chapter 6, pages 452-3</p> <p>Journal Article III: Haire, Susan B., Stefanie A. Lindquist, and Donald R. Songer. "Appellate Court Supervision in the Federal Judiciary: A Hierarchical Perspective." <i>Law &amp; Society Review</i> 37, no. 1 (2003): 143-168.</p> <p>Quiz 6 on Moodle until next class period</p>
<p>Tuesday, November 2, 2021</p>	<p>Judging on a Collegial Court I - JDM, Chapter 7, pages 526-1</p>
<p>Thursday, November 4, 2021</p>	<p>Judging on a Collegial Court I - JDM, Chapter 7, pages 568-4</p> <p>Quiz 7 on Moodle until next class period</p>

Tuesday,  
November 9,  
2021

Judging on a Collegial Court I  
- JDM, Chapter 7, pages 561-18

Journal Article IV: Carrubba, Cliff, Barry Friedman, Andrew D. Martin, and Georg Vanberg. "Who Controls the Content of Supreme Sup rpi-4 (bi-4 (



<p>Tuesday, November 16, 2021</p>	<p>Judging in a System of Separated Powers I - JDM, Chapter 8, pages 659-67</p>
<p>Thursday, November 18, 2021</p>	<p>Judging in a System of Separated Powers II - JDM, Chapter 8, pages 673-83  Quiz 9 on Moodle until next class period</p>
<p>Tuesday, November 23, 2021</p>	<p>State Courts and Elections - Skim Chapter 9 - A. Huber, Gregory, and Sanford C. Gordon. Accountability and Coercion: Is Justice Blind when It Runs for Office? <i>American Journal of Political Science</i> 48, no. 2 (2004): 242-63.  Journal Article V: Caldarone, Richard P., Brandice Canes-Wrone, and Tom S. Clark. "Partisan Labels and Democratic Accountability: An Analysis of State Supreme Court Abortion Decisions." <i>The Journal of Politics</i> 71, no. 2 (2009): 566-73.  Note: You must have completed the second paper reflection by this point.</p>
<p>Thursday, November 25, 2021</p>	<p>No Class! Gobble gobble</p>
<p>Tuesday, November 30, 2021</p>	<p>Viewing of Justice for Sale  Quiz 10 (in-class assignment)</p>
<p>Thursday, December 2, 2021</p>	<p>Final Exam Review</p>

Your final exam will be from 12:30-2:30 p.m. on Saturday, December 11!