

PLSC 382G

# American Judicial Process

Class Meeting: T-TH 1:15-2:40 p.m.

Meeting Location: Classroom Wing Room 202

Instructor: Dr. Wendy Martinek

E-mail Address: [martinek@binghamton.edu](mailto:martinek@binghamton.edu)

The American judicial process encompasses a wide range of actors, institutions, processes, and procedures. Most Americans know (or think they know) a good deal about them, if not from first-hand experiences, then from movies, television shows, and the like. The purpose of this course is to acquaint students with the reality of each of these elements of the American judicial process and, more importantly, to help students think critically and analytically about them.

This course:

- Helps fulfill the requirement of 40 political science credits for political science majors;
- Fulfills the requirement of at least one course in American politics for political science majors;
- Helps fulfill the requirement of six upper-level courses for political science majors;
- Fulfills the N general education requirement.



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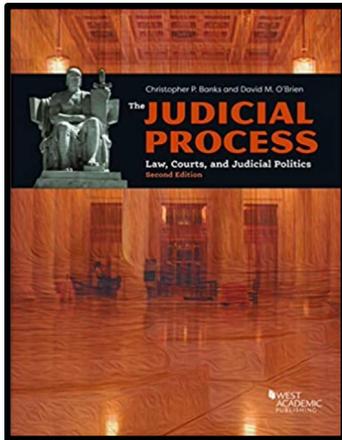
## Specific Course Goals

To learn about:

- The nature of legal education and the legal profession;
- How judges are selected and how courts are organized;
- The basic outlines of civil and criminal law;
- The processes, procedures, and outcomes of trial and appellate courts;
- Policy making by judges and courts.

To apply a social science lens to analyze various aspects of the American judicial process.

Required Text



*The Judicial Process:  
Law, Courts, and Judicial  
Politics*

*2<sup>nd</sup> Edition*

Christopher P. Banks & David M. O'Brien  
CQ Press (2021)



**Additional required readings will be available (at least one week in advance) on Brightspace.**

This is a **4-credit course**.

~1.5 hours of class Tuesday  
~1.5 hour of class Thursday

Students should anticipate spending this many hours (on average) each week for this class.

What does that mean?

+ ~9.5 hours of course-related work outside of class  
12.5 hours per week

Basis of Grade Calculation

ITEM	DATE	% OF FINAL GRADE
Academic Integrity & Syllabus Exercise	2/9	5
Exam #1	3/1	15
Simulation	3/29	20
Exam #2	4/14	20
Paper	5/13	20
Exam #3	TBD	20

Grading	Scale
A	94-100
A-	90-93
B+	87-89
B	83-86
B-	80-82
C+	77-79
C	73-76
C-	70-72
D	65-69
F	<65



# Academic Integrity & Syllabus Exercise

- There is one academic integrity and syllabus exercise for this class.
- The exercise is open book and open note.
- The exercise consists of standard multiple choice, true/false, and short answer questions.

Distribution Date	Due Date	% of Final Grade
2/2 at noon	2/9 at noon	5



# Exams

- There are three exams for this class.
- The exams are closed book and closed note.
- The exams consist of multiple choice “plus” questions.

Exam	Date	% of Final Grade	Cumulative?
#1	3/1	15	No
#2	4/14	20	No
#3	TBD	20	Yes



Note: Exams from prior semesters are available on Brightspace to familiarize students with the multiple choice “plus” format and for use as practice exams.



# Simulation

- There is one simulation for this class.
- The actual simulation takes place in class.
- The simulation also requires:
  - A pre-simulation strategy paper (2-3 pages)
  - A post-simulation debriefing paper (2-3 pages).

Pre-Simulation Strategy Paper Due Date	In-Class Simulation	Post-Simulation Debriefing Paper Due Date	% of Final Grade
3/28 at noon	3/29	4/6 at noon	20



# Paper

- There is one paper for this class.
- There are two check points for the paper:
  - Topic selection (1 page)
  - Progress report (2 pages)

Topic Selection Due Date	Progress Report Due Date	Final Draft Due Date	% of Final Grade
3/11 at noon	4/22 at noon	5/13 at noon	20

Note: Neither the topic selection paper nor the progress report paper are graded. However, there is a five-percentage-point deduction on the final paper grade for failing to turn in the topic selection paper on time and a five-percentage-point deduction on the final paper grade for failing to turn in the progress report paper on time.

# Academic Integrity



We all (students and faculty alike) have a responsibility to abide by and promote the highest standards of academic integrity.



Students should review the Student Academic Honesty Code, which can be found on-line in the 2021-22 University Bulletin.



Have questions? Ask me!!



Violations will receive a grade of 0.00 (F) for the class and possible proceedings before the Academic Honesty Committee.

# Attendance:

IS NOT an explicit component of the class grade.

IS mandatory for the exams and the in-class simulation.

In the event of an **unavoidable** absence:



But, as you know, regular attendance in any class improves performance.

1

Notify Prof. Martinek **in advance**.

2

Contact **two colleagues** in the class who are willing to share their notes.

3

Review those notes and prepare a list of **specific questions** you have about those notes.

4

See Prof. Martinek in office hours or a special appointment with those **specific questions**.

# Students with Special Circumstances

**Students who have a disability** requiring accommodation (as documented by Services for Students with Disabilities) should be sure to contact me in the first week or so of classes so that we can discuss the logistics of providing any accommodation(s) to which they are entitled.



**Student athletes** and **students who are in the military** should also be sure to contact me in the first week or so of classes so that we can develop a plan (if necessary) to help students simultaneously meet their academic obligations for this class and their athletic or military responsibilities.

I am also happy to discuss **any other special circumstances** (family illness, childcare) that students are experiencing so that we can plan accordingly to permit students to navigate both their academic and other obligations.



# Life can be tough.

This is especially true during a pandemic! But we often forget that and are really hard on ourselves. Hard on ourselves in a way that **is not productive**. This is a friendly reminder that what you are doing may be tough and challenging but that you are more than capable of doing it. By the way, if you send me a picture of your favorite wild animal by midnight on February 6, I will add one point of extra credit to your first exam.

Remember that you do have agency when it comes to navigating the semester:

- **Organize** your work and obligations (for this class, for other classes, for extracurriculars) now. Write things down on paper, review frequently, and adjust as needed.
- **Plan** for the unexpected. Build in extra time for tasks so you are not caught off guard if an illness, family emergency, or other surprise comes up.
- **Take stock** of yourself. Think about your habits and tendencies and take action to reinforce the helpful ones and to redirect the unhelpful ones.
- **Be attentive** to your physical and mental health. Know the resources that are available to you and take advantage of them as needed.



# Stress & Mental Health

If you are experiencing undue personal or academic stress at any time during the semester or need to talk with someone about a personal problem or situation, I encourage you to seek support as soon as possible. [I am available to talk with you about stresses related to your work in my class.](#)

Also, I can assist you in reaching out to relevant campus resources, including:

- Dean of Students Office: 607.777.2804
- Decker Student Health Services Center: 607.777.2221
- University Counseling Center: 607.777.2772
- Interpersonal Violence Prevention: 607.777.3062
- Harpur Academic Advising: 607.777.6305
- Office of International Student & Scholar Services: 607.777.2510
- Ombudsman: 607.777.2388 (main campus) or 607.777.2388 (UDC)
- Services for Students with Disabilities: 607.777.2686 (Voice, TTY)



In the event that you choose to write or speak about experiencing or surviving sexual violence, including sexual harassment, dating and domestic violence, sexual assault, stalking, and rape, please keep in mind that federal and state laws require that I (as your instructor) notify the Title IX Coordinator, Andrew Baker. He will contact you to provide you with on- and off-campus resources and discuss your options with you.

If you would like to disclose your experience confidentially, you can contact the University Counseling Center, Decker Student Health Services, Harpur's Ferry, the Ombudsman, or Campus Ministry. For more information, please navigate to:

<https://www.binghamton.edu/ivp/> OR <https://www.binghamton.edu/rmac/title-ix/>

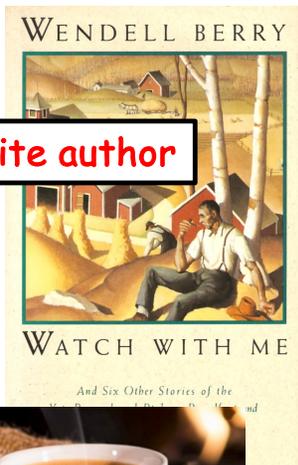
# ABOUT THE INSTRUCTOR

NAME: Dr. Wendy L. Martinek

JOINED BU: 2000

HOMETOWN: Milwaukee, WI • CURRENT RESIDENCE: Endicott, NY

EDUCATION: Lawrence Univ. (BA 1990) • Univ. of WI-Milwaukee (MA 1995) • MI State Univ. (PHD 2000)



favorite author



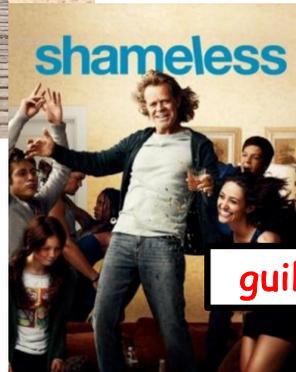
happy place



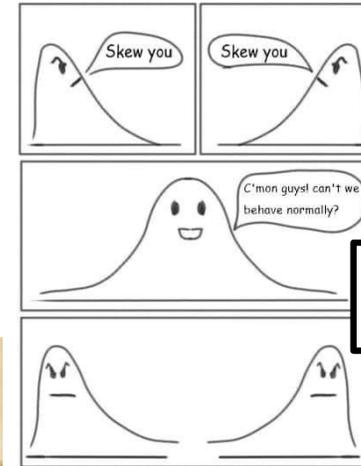
elixir of life



favorite podcast



guilty pleasure



a favorite stats joke



beloved pets

# SCHEDULE

DATE	TOPIC	READINGS & REMINDERS
Tuesday January 25	Types & Sources of Law	Banks & O'Brien Chapter 1
Thursday January 27	Organization of Courts	Banks & O'Brien Chapter 3
Tuesday February 1	Organization of Courts	
Thursday February 3	Organization of Courts	
Tuesday February 8	Judicial Selection	Banks & O'Brien Chapter 4
Thursday February 10	Judicial Selection	
Tuesday February 15	Judicial Selection	
Thursday February 17	Legal Education & Lawyers	Banks & O'Brien Chapter 5
Tuesday February 22	Legal Education & Lawyers	
Thursday February 24	Legal Education & Lawyers	
Tuesday March 1	Exam #1	

Academic  
Integrity &  
Syllabus Exercise  
Due 2/9



# SCHEDULE

DATE	TOPIC	READINGS & REMINDERS
Thursday March 3	Trial Courts & Crim Law	Banks & O'Brien Chapter 7
Tuesday March 8	Trial Courts & Crim Law	
Thursday March 10	Trial Courts & Crim Law	
Tuesday March 15	No PLSC 382G Class Mtg.	Spring Break
Thursday March 17	No PLSC 382G Class Mtg.	Spring Break
Tuesday March 22	Trial Courts & Crim Law	
Thursday March 24	Trial Courts & Crim Law	
Tuesday March 29	In-Class Simulation	
Thursday March 31	Trial Courts & Civil Law	Banks & O'Brien Chapter 8
Tuesday April 5	Trial Courts & Civil Law	
Thursday April 7	Trial Courts & Civil Law	

Topic Selection  
Paper Due 3/11



Pre-Simulation  
Strategy Paper  
Due 3/28



Post-Simulation  
Debriefing Paper  
Due 4/6



# SCHEDULE

DATE	TOPIC	READINGS & REMINDERS
Thursday April 7	Trial Courts & Civil Law	
Tuesday April 12	Trial Courts & Civil Law	
Thursday April 14	Exam #2	
Tuesday April 19	No PLSC 382G Class Mtg.	Monday Classes Meet
Thursday April 21	Appellate Courts	Banks & O'Brien Chapter 9
Tuesday April 26	Appellate Courts	Banks & O'Brien Chapter 9
Thursday April 28	Appellate Courts	
Tuesday May 3	Appellate Courts	
Thursday May 5	Appellate Courts	
Tuesday May 10	Wrap Up	

Progress Report  
Paper Due 4/22



**\*\*Final Paper Due 5/13\*\***

**\*\*Final Exam TBD by BU\*\***