

POLS 3317

Judicial Politics

Fall 2020

Department of Social Sciences
Texas A&M University- Corpus Christi

1 Instructor Information

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Office Hours: Mondays: 1:00pm-3:00pm
Wednesdays: 5:00pm-7:00pm
Thursdays: 11:00am-1:00pm
and by appointment
Class Location: Ferguson 101
Course Time: 9:30am to 10:45 TR

2 Course Description and Purpose

In our republican system of government the courts are the guardians of the Constitution. Clad in robes, judges project an aura of being above the fray of partisan politics. How then, do judges make their decisions? Sonia Sotomayor's 2009 confirmation hearing would suggest *who* a judge is shapes decision-making; her hearings focused in part on comments then Judge Sotomayor made where she asserted "...a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life." Is this to say she is choosing to pursue her policy preferences instead of turning into a "legal computer?" Can a judge ever truly turn off her preferences and experiences? Does the law play any role in judicial decisions? Ultimately, the answer to this question is deeply nuanced and this course explores those nuances through an exploration of the actors and institutional structures of the judiciary.

In this course, we will focus on the courts as both legal and political institutions, with an emphasis on the political nature of judicial decision-making, and how individual level factors interact with politics, law, and context to shape outcomes. While much of our time will be dedicated to the study of the U.S. Supreme Court, we will also address the role and function of lower courts at the federal, state, and international levels.

A key component of this class are your critical reading, writing, and organizational skills. Toward that end, we will read several scholarly articles over the course of the semester in addition to the more conventional textbook, to help build your critical thinking skills. I realize the scholarly literature can be daunting. To this end, we will step through each of these articles in class. Additionally, the emphasis in the exams is applying what we have covered in class to broader contexts. Since writing is a vital skill that is important regardless of your major or eventual career, you will produce a synthesis paper which explores an aspect of judicial behavior in greater depth. Feedback and direction will be provided on the synthesis paper throughout the semester.

Student Learning Outcomes

On completion of this course students will be able to:

1. Recall basic facts related to judicial behavior
2. Demonstrate understanding of key concepts relating to how institutional design shapes behavior in the judicial system.
3. Read and synthesize the scholarly literature on judicial behavior through an applied writing exercise.
4. Explain how institutional structure shapes judicial behavior.

3 Course Format

This course is heavily readings based, from both the text book and supplemental materials available on Blackboard. While the class is technically lecture based, I find class is more fun when we have a seminar discussion rather than me talking for 75 minutes. Please do the readings in advance. It is okay if you don't understand them fully, but please give it your best effort and come to class with any questions you have.

Depending on class size, we may have to split the class in half for lectures with half present in person and half attending via WebEx. Either way, lectures will be made available via WebEx livestream & in person throughout the semester. If you feel ill (no matter how minor) please participate via WebEx. All lectures will be recorded and posted to WebEx for those who wish to review the lectures after the fact.

4 Requirements

Text

There are two required books, which the majority of our readings will come from. Other readings are posted on Blackboard and are noted on the course schedule.

One of the books is an open textbook that is available for free download. The second book is available at the campus bookstore; although it is available at a *substantially* lower rate online. To this end, I provide the ISBN for the book below. To allow time for shipping, I will place the first week's readings on Blackboard. After the first week I expect you to have the book and bring it with you to class. Unfortunately, I will not be able to place the books on course reserve at the library.

1. Solberg, Rorie Spill, Jennifer Segal Diascro, and Eric Waltenburg 2020. *Open Judicial Politics*. Corvallis, OR: Oregon State University, <https://open.oregonstate.edu/open-judicial-politics/>
2. Miller, Mark C. 2015. *Judicial Politics in the United States*. Westview Press: Boulder, CO. ISBN: 978-0-8133-4679-3

Assessment

This course is worth 100 points which are broken up over several different items

- Exams: 40 points
 - Synthesis Paper: 40 points
 - Quizzes: 20 points
1. **Exams (40 points)**—There are two exams, each is worth 20 points. This is to say each exam is worth two letter grades. Exams will consist of short identification terms and essays. Both exams are take-home. One week before the due date for the exam, I will post to Blackboard two essay questions and five identification terms. You must write on one of the essay questions and three of the identification terms. The exams are open book and open note, but you must work individually. The first exam is due at 11:59pm on Friday October 9. The second exam is due by the end of the final exam time slot as assigned by the University. All exams are turned in simply by uploading them to Turnitin on Blackboard. Please use .doc or .docx format.
 2. **Synthesis Paper (40 points)**— Instead of a research paper, you will produce a synthesis paper that overviews the scholarly literature in one area of judicial behavior. For instance, you might be really interested in judicial elections or the role attorney gender plays in judicial-decision making. I encourage you to write on the topic you find most interesting (research is more fun when you enjoy what you're researching!). Since this is a big project, it will be broken up into several smaller assignments spaced roughly evenly over the course of the semester. I will provide you feedback at each step along the way, which will help guide you as you move forward. More details are provided in the Synthesis Paper Project handout on Blackboard. For now though, suffice to say that the Statement of Interest is due August 28, the Proposal is due September 18, the Rough Draft is October 16, and the Final Draft is due November 20.
 3. **Quizzes (20 points)**— Most weeks throughout the semester will have an associated Blackboard quiz. All quizzes are due Thursdays at 9:30am, which is to say just before class begins. The quiz will cover material from that week's readings and lectures (which includes the Thursday readings we haven't discussed in class just quite yet. All quiz questions are multiple choice and open note. Since the quizzes are timed at 10 minutes, it is a good idea to review your notes and readings before you begin the quiz. The quizzes are designed such that if you do the readings and pay close attention to the lectures, the quizzes should be easy. A full schedule of quiz dates is available on Blackboard.

Assessment Scale

A: 90-100	B: 80-89.9	C: 70-79.9	D: 60-69.9	F: <59.9
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5 COVID-19 & This Class

Safety Measures

To promote public safety and protect students, faculty, and staff during the coronavirus pandemic, Texas A&M University- Corpus Christi has adopted policies and practices for the Fall 2020 academic

term to limit virus transmission. Students must observe the following practices while participating in face-to-face courses and course-related activities (office hours, help sessions, transitioning to and between classes, study spaces, academic services, etc.):

- Self-monitoring- Students should follow CDC recommendations for self-monitoring. **Students who have a fever or exhibit symptoms of COVID-19 should participate in class remotely and should not participate in face-to-face instruction.**
- Face Coverings- Face coverings (cloth face covering, surgical mask, etc.) must be properly worn in all non-private spaces including classrooms, teaching laboratories, common spaces such as lobbies and hallways, public study spaces, libraries, academic resource, and support offices, and outdoor spaces where 6 feet of physical distancing is difficult to reliably maintain. Description of face coverings and additional guidance are provided in the Face Covering policy (https://academicaffairs.tamucc.edu/rules_procedures/assets/34.99.99.c0.02_use_of_face_coverings.pdf) and Frequently Asked Questions (FAQ) (<https://www.tamucc.edu/fall-2020/face-coverings-faq/>) available on the Fall 2020: Plans for Campus (<https://www.tamucc.edu/fall-2020/>) website.
- Physical Distancing- Physical distancing must be maintained between students, instructors, and others in the course and course-related activities.
- To attend a face-to-face class, students must wear a face covering (or a face shield if they have an exemption letter). If a student refuses to wear a face covering, the instructor should ask the student to leave and join the class remotely.

Attendance

While attendance is expected as outlined above, it is important for all of us to be mindful of the health and safety of everyone in our community, especially given the concerns about COVID-19. Please contact me if you are unable to attend class because you are ill or unable to attend class due to a related issue. It is important that you communicate with me prior to being absent so that I may make a decision about accommodating your request to be excused from class.

If you are experiencing cough, shortness of breath or difficulty breathing, fever, or any of the other possible symptoms of COVID-19, please seek medical attention from the Student Health Center (361) 825-2601 or your health care provider. If you have questions about what actions to take due to symptoms or potential exposure, contact If you have received positive test results, please report it to TAMU-CC COVID-19 Report Form (https://tamucc.co1.qualtrics.com/jfe/form/SV_80S6giUvJo863fD). While attendance is an important part of succeeding in this class, your own health (and those of others in the community) is more important.

Class Recordings

Synchronous (live) sessions in this course will be recorded for students to refer to throughout the semester. Class recordings are reserved for use only by students in this class for educational purposes. The recordings should not be shared outside of class or outside of Blackboard. Failing to follow this restriction is a violation of the TAMU-CC Student Code of Conduct and could lead to disciplinary action.

Sensitive Topics

Since politics is a reflection of the society in which we live, we will cover several topics which touch on topics which might be sensitive such as the role of sexual assault allegations in judicial confirmation hearings, gay rights, and litigation over the constitutionality of abortion. These topics are included because we cannot adequately study judicial politics without covering them. My personal policy is to remain neutral (I'm a political scientist, emphasis on the second word). I encourage disagreement, but it must be done in a respectful way. You have my assurance that I will do everything reasonably related to keeping these discussions civil and academic. I know aspects of this course may be emotionally difficult. You may personally connect with or be affected by some of the material covered in this course, so I urge you to identify a support system outside of this class. I am happy to meet with you to discuss any concerns or accommodation needs, but I also encourage you to seek out confidential or other resources.

6 Course Policies

Contacting the Instructor

I am happy to help you either via e-mail, or during office hours. If my office hours do not fit your schedule let me know and we can schedule a meeting at a time that is more convenient. If you come to office hours you should come prepared; bring your book, notes, and read the material in advance. If you contact me via e-mail, I will respond within 48 hours, though in most cases it will be less than six hours. Should you not hear from me after 48 hours, feel free to send a follow-up. However, in any e-mail you must identify yourself and use proper format which consists of an opening (As simple as the recipient's name), a closing (as simple as your name), and a descriptive subject line. If you do not follow that convention or if you use Internet shorthand (ie: "u" instead of "you,") I will not reply to the message.

Make-up Exams and Assignments

To qualify for a make-up test a student must notify me of the absence in advance via e-mail and provide documentation. Make-up exams will be a written research paper. The onus is on the student for a make-up exam. I will not seek you out to let you know you missed an exam.

Extra Credit

The only extra credit I offer is a one point increase for each of the writing assignments (remember, the course is only worth 100 points) for consulting with the writing center for your paper. Appointments are usually necessary. Just screenshot your confirmation and place it at the end of your paper.

Academic Honor Code

Students are expected to uphold the Academic Honor Code published in the University Student Handbook. The Academic Honor Code is based on the premise that each student has the responsibility (1) to uphold the highest standards of academic integrity in the student's own work, (2) to refuse to tolerate violations of academic integrity in the university community, and (3) to foster a

high sense of integrity and social responsibility on the part of the university community. Violations of the Academic Honor Code will not be tolerated.

Academic dishonesty, cheating, and plagiarism of any kind are unacceptable. There are no exceptions. Consequences for academic dishonesty, cheating, and plagiarism include, but are not limited to, a failing grade for an assignment or exam, a failing grade for the course, noncredit for an assignment or exam, additional work, and/or direct referral to university officials.

If academic dishonesty, cheating, or plagiarism is suspected on any assessment, the instructor reserves the right to impose restrictions and make changes on future assessments for an individual and/or the entire class as needed.

Please also note that the university requires that faculty members formally report all instances of academic misconduct. Here are the official procedures: http://judicialaffairs.tamucc.edu/assets/procedure_academicmisconductcases.pdf

Academic dishonesty includes, but is not limited to, the use of unauthorized information during a quiz or exam, plagiarism, submitting the same paper for multiple courses without permission, or depriving another student of the ability to perform his or her work. The term cheating includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments, plagiarism; or (3) the acquisition, without permission, of tests or other academic material belonging to a member of the university faculty or staff. The term plagiarism includes, but is not limited to, the use by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. Plagiarism also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling or distribution of term papers or other academic materials. If you have questions about the university's policy on academic dishonesty, please see the Student Code of Conduct at <http://judicialaffairs.tamucc.edu/StudentCofC.html>.

Please note "plagiarism" includes intentionally, knowingly, or carelessly presenting the work of another as one's own. Additionally, the procedure has been updated to reflect the Academic Integrity Committee as the body to consider grade appeals and academic misconduct cases, as well as identifies the selection process of committee members. Detailed information can be found on the University Handbook of Rules and Procedures website. Contact for interpretation or clarification is the Associate Vice President for Academic Affairs.

Students with Disabilities

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 for 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 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 Disability Services office for assistance at (361) 825-5816.

Student Caregivers: If you have caregiving responsibilities (e.g., parent of a child or care for elderly parents) and you anticipate scheduling difficulties, please discuss this with me the beginning of the semester to work out an appropriate strategy in advance.

Sexual Assault & Gender Based Discrimination

TAMUCC faculty is fully committed to supporting students and upholding an environment free of sexual violence and gender based discrimination. If a student chooses to confide in faculty (or other entities on campus) regarding an issues of sexual violence, dating violence, domestic violence and stalking it should be understood that faculty members are often obligated to report this information. Students can choose to disclose their experience confidentially to the following resources:

- University Counseling Center
- Student Health Center

Academic Advising (for students with a majors in the College of Liberal Arts)

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.

Dropping a Class

I hope that you never find it necessary to drop this or any other class. However, events can sometimes occur that make dropping a course necessary or wise. Please consult with your academic advisor, the Financial Aid Office, and me, before you decide to drop this course. Should dropping the course be the best course of action, you must initiate the process to drop the course by going to the Student Services Center and filling out a course drop form. Just stopping attendance and participation **WILL NOT** automatically result in your being dropped from the class. **November 5, 2020** is the last day to drop a class with an automatic grade of “W” this term.

Grade Appeals

As stated in University Procedure 13.02.99.C2.03, Student Grade Appeals, a student who believes that he or she has not been held to appropriate academic standards as outlined in the class syllabus, equitable evaluation procedures, or appropriate grading, may appeal the final grade given in the course. The burden of proof is upon 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 steps in the process, see University Procedure 13.02.99.C2.03, Student Grade Appeals. These documents are accessible online at: http://academicaffairs.tamucc.edu/rules_procedures/assets/13.02.99.C0.03_student_grade_appeals.pdf. For assistance and/or guidance in the grade appeal process,

students may contact the Associate Dean's office in the college in which the course is taught. For complete details on the process of submitting a formal grade appeal in CLA, please visit the College of Liberal Arts website, <http://cla.tamucc.edu/about/student-resources.html>.

Statement of Academic Continuity

In the event of an unforeseen adverse event, such as a major hurricane and classes could not be held on the campus of Texas A&M University Corpus Christi; 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 (i.e., emails, web sites, and Blackboard) 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.

Classroom Courtesy

Classroom courtesy is an essential component of creating an effective learning environment. All students have the right to learn without unnecessary distractions. These distractions include: cell phones, talking during lectures (unless recognized by the instructor), reading newspapers, falling asleep, etc. If you need a cell phone for emergency purposes, leave it on vibrate. Entering and leaving are also significant sources of distraction. It is your responsibility to be on time and to stay for the entire period. In circumstances where you need to leave early, tell the instructor beforehand. Repeated disruptions of class will lead to a reduction in your final grade.

Most importantly, the syllabus includes many sensitive topics which can lead to strong feelings and heated debate. Because this is a college classroom, all discussion must be respectful and scholarly. This is to say you must be respectful, in both content and tone, of diverse opinions and not make personal or partisan attacks.

Acceptable Comments

- are respectful of diverse opinions and open to follow up questions and/or disagreement
- are related to class and/or the course material
- focus on advancing the discussion about issues related to the course and/or course material rather than personal beliefs, and
- are delivered in normal tones and a non-aggressive manner.

Unacceptable Comments

- are personal in nature. This includes attacks on a person's appearance, demeanor, or political beliefs.
- include interrupting the instructor or other students. Raise your hand and wait to be recognized.
- often use the discussion to argue for political positions and/or beliefs. If political discussions arise, they must be discussed in a scholarly way (see above).

- may include using raised tones, yelling, engaging in arguments with other students and being threatening in any manner.
- include ignoring the instructor’s authority to maintain the integrity of the classroom environment.

Syllabus Change Policy

This syllabus is a guide for the course and is subject to change with advanced notice. These changes may come via e-mail. Make sure to check your university supplied email regularly. You are accountable for all such communications.

7 Tentative Course Schedule

A few notes about reading the course schedule:

- Please do the readings in the order listed on the syllabus
- “*Miller*” refers to the required Miller book
- “*SDW*” refers to the required Solberg, Diascro, & Waltenburg book
- “(B)” means that reading can be found on Blackboard

Course Introduction

Thursday August 20– Introduction to the Course

- *No readings*

Judicial Behavior Basics

Tuesday August 25– Judicial Behavior Basics

- Miller: Chapter 2
- Miller: Chapter 7

Models of Judicial Decision Making

Thursday August 27– The Legal & Attitudinal Models

- Miller: Chapter 8
- Baum, Lawrence. 1994. “What Judges Want: Judges’ Goals and Judicial Behavior.” *Political Research Quarterly*. 47: 749-768. (B)

Tuesday September 1– Library Research Tutorial

- Powner, Leanne. 2015. *Empirical Research and Writing: A Political Science Student’s Practical Guide*. Congressional Quarterly Press: Washington. (Chapter 3: “Doing Pre-Research”). (B)
- *Class meeting location TBA*

Thursday September 3– The Legal & Attitudinal Models (cont.)

- Segal, Jeffrey A. 1984. “Predicting Supreme Court Cases Probabilistically: The Search and Seizure Cases, 1962-1981.” *American Political Science Review*. 78(4): 891-900. **(B)**
- Epstein, Lee, Valerie Hoekstra, Jeffrey A. Segal, and Harold J. Spaeth. 1998. “Do Political Preferences Change? A Longitudinal Study of U.S. Supreme Court Justices.” *Journal of Politics*. 60: 801-818. **(B)**

Tuesday September 8– Beyond Attitudes

- Harris, Allison and Maya Sen. 2019. “Bias in Judging.” *Annual Review of Political Science*. 22:41-59. **(B)**
- Moyer, Laura P., John Szmer, Susan Haire, and Robert K. Christensen. 2020. “Diversity, Consensus, and Decision Making: Evidence from the U.S. Courts of Appeals.” *Politics, Groups, & Identities*. XX:1-12. **(B)**

Judicial Selection

Thursday September 10– Judicial Selection in the Federal Courts

- Epstein, Lee and Jeffrey A. Segal. 2005. *Advice and Consent: The Politics of Judicial Appointments*. Oxford University Press: New York. (selections) **(B)** (*skim this one*)
- Cameron, Charles M., Albert D. Cover, and Jeffrey A. Segal. 1990. “Senate Voting on Supreme Court Nominees: A Neoinstitutional Model.” *American Political Science Review*. 84(2): 525-534. **(B)**

Tuesday September 15– Judicial Selection (cont.)

- King, Jonathan M. and Ian Ostrander. 2020. “Prioritizing Judicial Nominations After Presidential Transitions.” *Presidential Studies Quarterly*. XX: 1-19. **(B)**
- Solberg, Rorie Spill and Jennifer Segal Diascro. 2018. “A Retrospective on Obama’s Judges: Diversity, Intersectionality, and Symbolic Representation.” *Politics, Groups, & Identities*. XX:1-17 **(B)**

Other Actors at the Court

Thursday September 17— Interest Groups

- Miller: Chapter 9 (*just pages 213-224*)
- Collins, Paul. 2018. “The Use of Amicus Briefs.” *Annual Review of Law & Social Sciences*. 14:219-237. **(B)**

Tuesday September 22– Attorneys

- McGuire, Kevin T. 1995. “Repeat Players in the Supreme Court: The Role of Experienced Lawyers in Litigation Success.” *Journal of Politics*. 57:187-196. **(B)**
- SDW: Chapter 1.1 Carsh, Austin. 2020. “Riddled with Exclusivity: The Homogeneity of the Supreme Court Bar in the Roberts Court.”

The Court & Executives

Thursday September 24– The President & The Court

- Miller: Chapter 11
- Wohlfarth, Patrick C. 2009. “The Tenth Justice? Consequences of Politicization in the Solicitor General’s Office.” *Journal of Politics*. 71(1):224-237.
- Nelson, Michael J. and James L. Gibson. 2019. “How Does Hyperpoliticized Rhetoric Affect the U.S. Supreme Court’s Legitimacy?” *Journal of Politics*. 81(4):1512-1516 (B)

Tuesday September 29– State Attorneys General

- Nolette, Paul. 2014. “State Litigation During the Obama Administration: Diverging Agendas in an Era of Polarized Politics.” *Publius: The Journal of Federalism*. 44(3): 451-474. (B)
- Provost, Colin. 2006. “The Politics of Consumer Protection: Explaining State Attorney General Participation in Multi-State Lawsuits.” *Political Research Quarterly*. 59(4):609-618. (B)

The Court, Congress, & the Bureaucracy

Thursday October 1– Congress & The Court

- Miller: Chapter 10
- Ringsmuth, Eve and Timothy R. Johnson. 2013. “Supreme Court Oral Arguments and Institutional Maintenance.” *American Politics Research*. 41:651-673. (B)

Tuesday October 6– The Court & The Bureaucracy

- Miller: Chapter 12
- Johnson, Gbemende. 2014. “Judicial Deference and Executive Control Over Administrative Agencies.” *State Politics & Policy Quarterly*. 14(2):142-164. (B)

From Petition to Decision

Thursday October 8– Getting to the Court

- SDW: Chapter 2.3: Lane Elizabeth, Jessica A. Schoenherr, Rachel A. Schutte, and Ryan C. Black. 2020. “Judicial Discretion and U.S. Supreme Court Agenda Setting.”
- Bryan, Amanda C. and Ryan J. Owens. 2017. “How Supreme Court Justices Super-vise Ideological Distant States.” *American Politics Research*. 45(3):435-456. (B)

Tuesday October 13– Oral Arguments

- Johnson, Timothy R. 2001. “Information, Oral Arguments, and Supreme Court Decision-Making.” *American Politics Research*. 29(4):331-351. **(B)**
- Ringsmuth, Eve, Amanda C. Bryan, and Timothy R. Johnson. 2013. “Voting Fluidity and Oral Arguments on the U.S. Supreme Court.” *Political Research Quarterly*. 66:429-440. **(B)**

Thursday October 15– New Directions in Oral Arguments

- Dietrich, Bryce J, Ryan D. Enos, and Maya Sen. 2018. “Emotional Arousal Predicts Voting on the U.S. Supreme Court.” *Political Analysis*. XX:1-7. **(B)**
- Patton, Dana and Joseph L. Smith. 2017. “Lawyer, Interrupted: Gender Bias in Oral Arguments at the U.S. Supreme Court.” *Journal of Law & Courts*. 5:337-361. **(B)**

Tuesday October 20– Opinion Writing

- Corley, Pamela C. 2017. “Opinion Writing.” In *Oxford Handbook of Judicial Behavior*. Lee Epstein and Stephanie Lindquist, eds. New York: Oxford University Press. **(B)**
- Spriggs, James F. and Paul J. Wahlbeck. 1997. “Amicus Curiae and the Role of Information at the Supreme Court.” *Political Research Quarterly*. 50:365-386. **(B)**

Thursday October 22– Opinion Writing (cont.)

- Wahlbeck, Paul J., James F. Spriggs, and Lee Sigelman. 2002. “Ghostwriters on the Court? A Stylistic Analysis of U.S. Supreme Court Opinion Drafts.” *American Politics Research*. 30(2):166-192. **(B)**
- Corley, Pamela C., Robert M. Howard, and David C. Nixon. 2005. “The Supreme Court and Opinion Content: The Use of the Federalist Papers.” *Political Research Quarterly*. 58:329-340. **(B)**

State Courts

Tuesday October 27– State Court Selection Mechanisms

- Fairbanks, Bailey R., Aidan Gonzalez, and Shane A. Gleason. 2021. “The (State) Supreme Court Follows the Election Returns: Election Proximity, Public Opinion, and Individual Justice Votes.” In *Open Judicial Politics*, 2nd edition. Rorie Spill Solberg, Jennifer Segal Diascro, and Eric Waltenburg, eds. Corvallis, OR: Oregon State University Press. **(B)**
- Curry, Todd A. and Michael K. Romano. 2018. “Ideological Congruity on State Supreme Courts.” *Justice System Journal*. 39(2):139-154. **(B)**

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Thursday October 29– State Supreme Court Decision Making

- Hall, Melinda Gann. 2014. “Representation in State Supreme Courts: Evidence from the Terminal Term.” *Political Research Quarterly*. 67:335-346. **(B)**
- Hinkle, Rachael K. and Michael J. Nelson. 2016. “The Transmission of Legal Precedent Among State Supreme Courts in the Twenty-First Century.” *State Politics & Policy Quarterly*. 16(4):391-410. **(B)**

The Lower Federal Courts & Comparative Courts

Tuesday November 3– The Federal Courts of Appeal

- Martinek, Wendy L. 2008. “Appellate Workhorses of the Federal Judiciary: The U.S. Courts of Appeals.” in *Exploring Judicial Politics*. Mark C. Miller ed. Oxford University Press: New York. **(B)**
- Tillman, Elizabeth A. and Rachael K. Hinkle. 2018. “Of Whites and Men: How Gender and Race Impact Authorship of Published and Unpublished Opinion in the U.S. Courts of Appeals.” *Research & Politics*. XX:1-7. **(B)**

Thursday November 5– The Federal District Courts

- Campbell, Tom and Nathaniel T. Wilcox. 2020. “Younger Federal District Court Judges Favor Presidential Power.” *Journal of Law, Economics, & Organization*. 63:181-202. **(B)**
- Boyd, Christina L. 2015. “Opinion Writing in the Federal District Courts.” *Justice System Journal*. 36(3):254-273. **(B)**

Tuesday November 10– Comparative Courts

- SDW: Chapter 3.1: Smithey, Shannon Ishiyama. 2020. “Strategic Activism: A Comparative View of Judges as Institution Builders.”
- Helmke, Gretchen. 2002. “The Logic of Strategic Defection: Court-Executive Relations in Argentina Under Dictatorship and Democracy.” *American Political Science Review*. 96(2):291-303. **(B)**

Gender & Courts

Thursday November 12– Gender & Judicial Decision-Making

- Haire, Susan B. and Laura P. Moyer. 2015. *Diversity Matters: Judicial Policy Making in the U.S. Courts of Appeals*. University of Virginia Press: Charlottesville, VA. Chapter 2 **(B)**
- SDW: Chapter 1.4: Kraybill, Jeanine E. 2020. “Women of SCOTUS: An Analysis of the Different Voice Debate.”

Tuesday November 17– Gender at Home & Abroad

- Kaheny, Erin B., John J. Szmer, and Tammy A. Sarver. 2011. “Women Lawyers Before the Supreme Court of Canada.” *Canadian Journal of Political Science*. 44(1):83-109. **(B)**
- Gleason, Shane A. 2019. “Beyond Mere Presence: Gender Norms in Oral Arguments at the U.S. Supreme Court.” *Political Research Quarterly*. XX:1-13. **(B)**

Thursday November 19– Gender in State Courts

- SDW: Chapter 1.5: Gleason, Shane A. Scott A. Comparato, and Christine M. Bailey. “Walking on Broken Glass: Justice Gender in State Supreme Court Citations.”
- Gill, Rebecca D. and Kate Eugenis. 2019. “Do Voters Prefer Women Judges? Deconstructing the Competitive Advantage in State Supreme Court Elections.” *State Politics and Policy Quarterly*. XX:1-25. **(B)**

The Supreme Court & the Public

Tuesday November 24– Public Opinion

- Miller: Chapter 9 (*just pages 203-213*)
- SDW: Chapter 5.1: Rice, Douglas. 2020. “The Language of Newspaper Coverage of the U.S. Supreme Court.”
- Caldeira, Gregory A. 1987. “Public Opinion and the U.S. Supreme Court: FDR’s Court-Packing Plan.” *American Political Science Review*. 81(4):1139-1153. **(B)**

Thursday November 26– **NO CLASS: THANKSGIVING**

- *Enjoy your day!*

Final Exam: Due by 10:30am on Tuesday December 3, via Blackboard