

POL2260 - ONLINE
AMERICAN JUDICIAL PROCESS
WINTER SESSION 2013

Professor Michael Luis Principe
Political Science Department
Office: Raubinger Hall 408
principem@wpunj.edu

Course Description:

The purpose of this course is to examine the role of the courts in the American political system. In addition to comparing various judicial systems (including comparative constitutional systems, U.S. state and federal court systems, and aspects of the U.S. criminal justice system), the course will also briefly review Jurisprudence (judicial activism and restraint, the interpretive and noninterpretive theories of constitutional analysis) and Major Legal Concepts (jurisdiction, standing, mootness, etc.), before examining the history of Judicial Power & Judicial Decision-Making in the U.S. Supreme Court.

Requirements:

Students are responsible for knowing how to access Blackboard and properly complete and/or participate in the course assignments, Chat Sessions, *Discussion Boards*, and Exams. Any computer questions should be directed to the **WPU Computer Helpdesk**. Students are required to read the assigned chapters each week, review any *Outlines* or *Discussion Board* questions I've posted on Blackboard, and turn in the assignments on time. Assessment will include two (2) ONLINE Examinations and two (2) randomly assigned Discussion Papers. Discussion Papers are NOT research papers. Instead, they are 3 page, typed papers critically and creatively examining an assigned topic from the student's perspective but based upon the concepts, history, processes, and philosophy discussed in the readings, posted *Outlines/Discussion Boards*, and/or Chat Sessions. Exams will feature 2 essay questions. The exams are mandatory, therefore it is the Student's responsibility to arrange their schedule to take the exams if there is any conflict with the dates/times. The exams & papers will be graded on their Content, Creativity, Critical Thinking, Grammar, and Organization. The exams are worth 100 points each, while the papers are worth 50 points each.

Required Texts:

Banks & O'Brien, *Courts and Judicial Policymaking* (Pearson/Prentice-Hall, 2009)
Principe, *American Government, Policy, and Law, 3rd ed.* (Kendall/Hunt, 2012)

Course Objectives:

1. To provide a critical understanding of the historical role of the judiciary in shaping constitutional law within the American political system by interpreting legislation.
2. To provide a critical understanding of the differences between various comparative constitutional systems, the U.S. state and federal court systems, and the U.S. criminal justice system.
3. To provide students with the research tools and methodologies that will enable them to critically analyze judicial decisions, theories, trends, processes, and history.
4. To provide a critical understanding of some of the essential concepts and theories in American Jurisprudence.

Student Learning Outcomes:

1. Through the use of caselaw analysis, reviews of current and historical judicial policy making, and models of judicial decision making, students will be equipped with many of the skills necessary for success in law school, including critical thinking (the ability to comprehend and critically analyze complex judicial issues); creative thinking (the ability to manipulate constitutional doctrine to support jurisprudential arguments); and effective decision making (the ability to prioritize, develop evaluative criteria, choose among criteria, and apply theory to practice and assess judicial outcomes).
2. Students will demonstrate the ability to analyze, comprehend, and relate comparative constitutional systems, U. S. Supreme Court history, decision-making, and power, as well as various aspects of jurisprudence.
3. Students will demonstrate an understanding of leading U.S. Supreme Court decisions, with special attention given to such issues as powers of the executive, legislative, and judicial branches of government.

Reading Assignments:

Dec. 26 – Jan. 2

Banks/O'Brien (Ch. 1-7) & Outlines (#1-6)

Midterm Exam – Thursday, Jan. 2

Jan. 3 – Jan. 11

Banks/O'Brien (Ch. 8-10) & Principe (Ch. 3, 5, & 6)
& Outlines (#7-10)

Final Exam – Saturday, Jan. 11