Public Law and Judicial Process  
Govt 301 003 CRN 74538  
George Mason University Fall 2017  
Schar School of Policy & Government  
Lecture Hall Room 3 Tuesdays 4:30 to 7:00 p.m.

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Office Hours – M 11-11:30, 7:20-7:45 p.m.  
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Course Description: In this course, students will study the interconnected components of the legal system of the United States. Course materials will facilitate examination of (i) an overview of criminal justice processes, (ii) current debates on constitutional principles, (iii) competing principles of judicial review, and (iv) the organizational structure of our judicial system. The course materials and assignments will guide students in the development of a broad base of legal knowledge as well as the ability to critically examine the judiciary's role in legal interpretations, the resolution of disputes, and the establishment of public policies.

Textbook:  
U.S. Constitution (Internet or pamphlet)  
Additional outside readings and resources – Available via Internet or Blackboard postings

<table>
<thead>
<tr>
<th>Course work</th>
<th>Semester Grade</th>
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| Quizzes – random dates | 25%  
94% and above: A  
90-93.99%: A-  
86-89.99%: B+  
82-85.99%: B  
77-81.99%: C+  
72-76.99%: C  
65-71.99%: D  
64.99 and below: F |
| Midterm           | 20%  
| Papers            | 30%  
| Final Exam        | 25%  

Emails: When sending an email, designate “Govt 301” in the subject heading. If I do not respond to your email within 36 hours, please resend the email.

Writing Assignments and Testing Policies: All work must be completed at the designated time. In case of an extreme personal emergency, verified by complete written documentation, and at the sole discretion of the instructor, some work may be rescheduled, but any make-up work may be more difficult than the original and may be in a different format.
Submission of Assignments and Grading Penalty
The writing assignments must be submitted both to Blackboard and in hardcopy paper format in class on the due date, by the designated time. A late dual submission of a paper without legitimate excuse, written documentation and instructor approval of the delay, can result in a reduction of fifteen grading points for each day either format submission is late. The day-late-penalty will be assessed in full immediately after the designated submission time and the penalty will reoccur and accumulate each subsequent day at the same designated time.

A Blackboard submitted paper is required but does not substitute for the hardcopy format, which must be submitted in class. If a student has a genuine emergency that makes on-time delivery of the hardcopy version impossible, the student should (1) submit to Blackboard as already required AND also email the paper by deadline, (2) assure that the emailed paper was received, (3) submit the paper version within 5 days, (4) attach documentation of the emergency to the hardcopy and (5) attach a copy of the email related to the original submission of the paper. Following all these steps may result in a waiver or diminution of the late penalty, otherwise the date of the late hardcopy submission will determine the extent of the penalty despite an on time online submission.

A paper submitted subsequent to deadline in both online and hardcopy formats should follow the same steps. In some cases the date/time of the electronic late submission to Blackboard can qualify as the cut off for the accrual of penalties if the remaining steps listed above are followed.

Work in progress should be saved in multiple formats on a regular basis well in advance of the actual due date. Last minute problems do not usually qualify as valid reasons for a late paper.

*Use of notes during quizzes, midterm and final exam.
Students are encouraged to bring handwritten, personally prepared notes to the Midterm Exam (one side of standard sheet of paper) and the Final Exam (two sides of sheet of paper). Students are also encouraged to bring one page of notes to each class. These notes on the daily reading assignment may be used if there is an unannounced quiz.

Notes can be prepared subsequent to a group study session but notes not written by the individual student cannot be used. Notes must be in paper format; computers cannot be accessed during a test. Using notes prepared by another student, whether from this semester or a prior semester, is a violation of the honor code.

*Make up Work or Delayed Assessments
Quizzes:
A written explanation/documentation in hard copy must be submitted within two class periods of a missed quiz. Emailed explanations do not fulfill the requirement for documentation but the applicable email may be printed, signed and submitted as the written explanation. A request for a make-up quiz or participation activity must be based on a personal, unavoidable problem that made attendance exceedingly difficult. A substitute quiz will be more difficult than the original and may be in a different format. Make up quizzes are given on the day of the final exam and can be based on the reading for any day of the semester and will not coincide with the day the student was absent from class. Make up participation activities will
also be given on the day of the final exam. Unless there are severe extenuating circumstances,\textsuperscript{1} students may only make up one missed quiz and/or one participation.

**Writing Assignments, Midterm and Final:**
Contact the professor as soon as possible if you have an emergency that causes you (or will cause you) to miss a writing assignment deadline or the midterm or final exam. A request for an extension of time for a writing assignment, or another date for a midterm or final is rarely granted; however any such request will be considered if the request is timely and the genuine, severe emergency is well documented.

**Class Attendance, Participation, and In-Class Technology:** Students are expected to attend classes on a regular basis and to be fully prepared to discuss that day’s reading assignment. Students should arrive on time and stay until class dismissal. Students will be called on randomly to discuss the day’s reading. Students who routinely arrive late, leave early, or leave temporarily in the middle of class will be asked to provide documentation for their reoccurring need.

To maintain a classroom environment that minimizes distractions, encourages classroom discussion, and maximizes learning, phones may not be out and may not be used during class time. The only exceptions are for students who notify the professor at the beginning of the class period that they have a potential emergency requiring their attention on that day. Disturbances to the learning environment are taken seriously. Thus, each violation of the no phone rule will result in a 1 point deduction from the student’s final semester numerical tally.

Students who wish to use computers for note taking during class time may do so. Because Internet use during class time jeopardizes the learning environment in the same way that cell phone use does, computers cannot be used to access anything other than course related material during each class period. Students who make the commitment to only use their computers for class work may sit anywhere they choose in the classroom. Students unwilling to make this commitment must sit in an assigned seat in the back of the room. When a student’s computer use causes any disruption to the classroom learning environment, as determined by the professor, each infraction will have the same consequence as listed above for phone use.

**Summary of Course Work:**
1. **Quizzes --random, unannounced dates -- (25% of final grade):** On four random dates students will be given a quiz on that day’s assigned reading and recent class lecture material. The top three quizzes will be averaged for the grade in this category. Students may use one page of handwritten notes (one side of sheet of paper) for any quiz. Students who are late may not be able to take the quiz.

2. **Midterm Exam -- October 24-- (20% of final grade):**
The midterm will cover the readings and the lectures from the beginning of the term. At the teacher’s discretion, students who arrive more than 10 minutes late may not be able to take the test. Students may use one page (one side) of handwritten notes for this test. Scantron 882-E needed.

3. **Dual Argument Papers -- Due on October 3, October 31, & November 21**
Each student will submit no more than two -- students choose two from the three options
Submit by 10:30 to Blackboard and by 10:40 in the classroom
(Average of two grades = 30% of final grade)

\textsuperscript{1} Extenuating circumstances consist of an extreme, unforeseen problem that made it impossible for the student to attend several class sessions.
4. Final Exam – December 19 – (25% of final grade):
The final exam will take place on Tuesday December 19 beginning at 4:30 and ending at 6:00 p.m. The test will be cumulative and will require Scantron form 882-E. Students may bring two pages of handwritten notes to this test (two sides of paper).

Other course information:

Class Syllabus and GMU Email Accounts: The instructor may modify the attached class schedule and any such change will be announced in class and/or sent by email or posted to Blackboard at the earliest opportunity. Students must activate their GMU email and Blackboard accounts and check for class notices on a regular basis.

Class Enrollment: Each student should verify enrollment in this class with the registrar's office no later than September 5. This is also the last day to drop this class without any tuition penalty. September 29 is the last day to drop this class--with a severe tuition penalty. After this date, withdrawing requires approval from a dean and must be based on non-academic reasons. However, undergraduate students may qualify for a selective withdrawal. See the Schedule of Classes for selective withdrawal procedures and the deadline for this option. Students with nonacademic special hardships may also qualify for an Incomplete per university procedures.

Academic Integrity: The GMU Honor Code requires the highest standards of academic honesty and integrity. Cheating, plagiarism, lying and stealing are prohibited. All violations of the Honor Code will be reported. See honorcode.gmu.edu for more information.

If any student’s academic work or communication related to this course contains an honor code violation the student’s work product may receive a grade of zero. In most instances, a violation of the honor code results in a failing grade for the entire semester and other penalties may be applicable. Students may freely discuss this course's assignments with others, may form study groups, and may seek feedback and guidance from others. However, all work products, as well as the notes used for quizzes and tests, must be the sole work of the individual student. Students may not use a shared outline for the essay.

Academic and/or Physical Accommodations: Students must notify the instructor as soon as possible regarding any special needs. Most requests for academic accommodations should initially be processed through the Office of Disability Resources. This office can be reached at 993-2474.
Syllabus

On all meeting dates, students should complete the designated reading prior to class.

**Week # 1  August 29**
**Introduction**
Chapter 1 -- Foundation of Law p. 1-21
United States v. Alvarez (Blackboard/Internet)

**Week # 2  September 5**
Marbury v. Madison (Blackboard/Internet)
Podcast: [http://www.wnyc.org/shows/radiolabmoreperfect](http://www.wnyc.org/shows/radiolabmoreperfect) Object Anyway (48 minutes)

**Week # 3  September 12**
**Federal Courts**
Chapter 2 -- Federal Judicial System p. 25 – 42

**Week # 4  September 19**
**State Courts**
Chapter 3 – State Judicial Systems p. 52 -68

**Week # 5  September 26**
**Boundaries**
Chapter 4 – Jurisdiction and Policymaking Boundaries p. 75 -97
Elk Grove United School District v. Newdow (Blackboard/Internet)

**Week # 6  October 3**
**State Judges & Paper Due**
Chapter 5 – State Judges p. 101 -113
Caperton v. Massey Coal Co. (Blackboard/Internet)
**Paper # 1 Due – Topic TBD**

**No Class on October 10**

**Week # 7  October 17**
**Federal Judges**
Chapter 6 – Federal Judges p. 117 – 125 skip charts; 127 - 146
Herrara v. Collins (Blackboard/Internet)
Review for Midterm

**Week # 8  October 24**
**Midterm**
Midterm first half of class
Second half of class: Chapter 7 & Constitutional Interpretation and Statutory Interpretation
No assigned reading this week

**Week # 9  October 31**
**Participants & Paper Due**
Chapter 8 – Lawyers, Litigants, and Interest Groups p. 181 - 202
Palmer v. Thompson (Blackboard/Internet)
Cooper v. Aaron (Blackboard/Internet)
**Paper # 2 Due – Topic TBD**
Week # 10  November 7  Criminal Procedures & Paper Due
Chapter 9 – Crime and Procedures Prior to Trial  p. 206 – 236 (Skim read)
Manson v. Brathwaite (Blackboard/Internet)

Week # 11  November 14  Criminal Trials
Chapter 10 – Criminal Trials  p. 241 – 266
Gideon v. Wainwright (Blackboard/Internet) (Film on Gideon and Selective Incorporation)
District Attorney v. Osborne (Blackboard/Internet)

Week # 12  November 21  Civil Procedures & Paper Due
Chapter 11 – Civil Court Process  p. 271 – 290
Trinity Lutheran Church of Columbia v. Pauley (Blackboard/Internet)
Murr v. Wisconsin (Blackboard/Internet)
Paper # 3 Due – Topic TBD

Week # 13  November 28  Appellate Court Decision Making
United States v. Nixon (Blackboard/Internet)
Film on Jury Deliberation

Week # 14  December 5  Impact of Judicial Branch
Chapter 14 – Implementation and Impact of Judicial Policies  p. 380 - 399
Heart of Atlanta Motel v. United States (Blackboard/Internet)
Review for Final Exam

Tuesday December 19  Final Exam
4:30 – 6:00 p.m.
Exam –
Two pages of notes allowed – two sides of one sheet of standard size paper
Make up quizzes will be given to those who qualify—
Only notes prepared in advance of lectures may be used for a make up quiz