This is the syllabus from Spring 2016 but will give you an idea of what will be covered and expected in Spring 2017. There will, however, be changes and an updated syllabus will be available in early January 2017.

GOVT 301
Public Law and the Judicial Process

Dr. Priscilla M. Regan
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703-993-1419
Spring 2016

Course Description: This course is designed to provide an understanding of the nature, role, function, and processes of law and courts in American society. The first part of the course will examine the American judicial system including: the philosophical importance of law in America; the structure and organization of the American judicial system; and, the major actors in the judicial process. The second part will concentrate on the processes, dynamics, and issues in both the civil and criminal courts. The third part will explore the courts as political and policy institutions, focusing on the appellate court process and the decision-making of justices on the Supreme Court their interactions with other political actors. The fourth part will focus on the framing of difficult policy issues from the perspective of “rights.” Throughout the course, a number of current controversial will be discussed to illustrate the concepts and processes of the courts and judicial system.

Class Sessions: In general, classes will follow a lecture and discussion format. You are expected to attend and to participate. All required reading should be completed before the dates on which they will be discussed in class. Exams will cover both reading and lecture/discussion material.

Technology Policy: Class sessions are for active class involvement—listening, discussing, taking notes, thinking great thoughts, etc. Computers and tablets may be used in class only to access course readings or to take notes. Cell phones should not be used for any purpose during class.

Course Requirements and Evaluation: There will be two in-class exams (Feb. 25th and March 31st), as well as a cumulative final exam (May 10th). Students will also be responsible for presentation of a controversial issue and a 4-5 page paper on that issue (due April 21st). The final grade for the course will be calculated as follows:

- Two in-class exams (20% each)
- Presentation of issue (10%)
- Issue Paper (15%)
- Final Exam (35%)

Class participation will be factored into the final grade. There will be no extra credit work.

There will be no make-up exams unless you have received permission for a make-up before the scheduled exam. Permission will be granted only if a medical condition or family responsibility makes it absolutely impossible for you to take the exam when
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scheduled. Make-up exams may not follow the same format as the scheduled in-class exam.

Papers that are turned in after the due date will be graded down one letter grade for each day late, unless arrangements have been made prior to the due date.

**Issue Presentation and Paper** – As Alexis de Tocqueville stated in *Democracy in America* (1835), “There is hardly a political question in the United States which doesn't sooner or later turn into a judicial one.” This continues to be true today and is the premise for the issue presentation and paper. Each student will have an opportunity to select his/her preference for one of the controversial issues listed on the syllabus. For each issue, a group of 4-6 students will be responsible for organizing and leading the class discussion on that issue. Additionally each student will write a 4-5 page (individual) paper on the issue on which he/she presented. The paper may be either:

- a persuasive essay – taking a position on the question posed for that issue;
- an analytical essay – discussing whether the courts are the best institution for resolving that issue; or
- a comparative/historical essay – examining how and why the issue has changed over time.

In addition to the course materials, students should refer to 3 other sources in their paper.

**Grading System/Scale**

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<th>Grade</th>
<th>Points</th>
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**Academic Integrity**: Student members of the George Mason University community pledge not to cheat, plagiarize, steal, or lie in matters related to academic work. In practice, this entails:
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1. Quizzes, tests and examinations. No help may be given or received by students when taking quizzes, tests, or examinations, whatever the type or wherever taken, unless the professor specifically permits deviation from this standard.

2. Course Requirements: All work submitted to fulfill course requirements is to be solely the product of the individual(s) whose name(s) appears on it. Except with permission of the professor, no recourse is to be had to projects, papers, lab reports or any other written work previously prepared by another student, and except with permission of the professor no paper or work of any type submitted in partial fulfillment of the requirements of another course may be used a second time to satisfy a requirement of any other course. No assistance is to be obtained from commercial organizations, which sell or lease research help or written papers. With respect to all written work as appropriate, proper footnotes and attribution are required.

For further information on Academic Integrity at George Mason University, including the process for Honor Code violations see: http://oai.gmu.edu/

Students with Disabilities: If you are a student with a disability and you need academic accommodations, please see me and contact the Disability Resource Center (DRC) at 703.993.2474. All academic accommodations must be arranged through that office.

Enrollment Responsibilities:
1. Students are responsible for verifying their enrollment in this class.
2. Schedule adjustments should be made by the deadlines published in the Schedule of Classes: see: http://registrar.gmu.edu/calendars/spring-2016/
3. Last Day to Add is January 26
4. Last Day to Drop with 33% tuition penalty is February 2
5. Final Drop Deadline with 67% tuition penalty is February 19

Course Materials: There is one required book, which is available at the Campus Bookstore as well as through various online bookstores:


Additional course readings in the CQ Researcher and are available through the George Mason University Library: http://pc6bf4sj5m.search.serialssolutions.com/?S=T_W_A&V=1.0&N=75&L=PC6BF4SJ5M&C=CQ+Researcher

COURSE SCHEDULE

PART I – The American Judicial System and Process
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**Jan. 19-26**
I. The American Legal and Judicial Tradition  
   Carp, Stidham & Manning, Chapter 1

**Jan. 28-Feb. 2**
II. Dual Court System – Federal and State Courts  
   Carp, Stidham & Manning, Chapters 2-4

**Feb. 4**

**Feb. 9-11**
III. Judges  
   Carp, Stidham & Manning, Chapters 5-6

**Feb. 16-18**
IV. Lawyers, Legal Profession, and Litigants  
   Carp, Stidham & Manning, Chapter 8

**Feb. 23**

First Exam  
Thursday  
February 25
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**PART II – Criminal and Civil Courts in Action**

**March 1-3**

I. Civil Courts – Actors, Process, Disputes

Carp, Stidham & Manning, Chapter 11

**March 3**

**Issue #3** – *Big Data and Privacy: Should the use of personal information be restricted?* (CQ Researcher, October 25, 2013)

**Issue #4** – *Air Pollution and Climate Change: Are tougher regulations necessary?* (CQ Researcher, November 13, 2015)

**Spring Break**

March 8-10

**March 15-29**

II. Criminal Courts – Actors, Process, Cases

Carp, Stidham, and Manning, Chapter 9-10

**March 22**

**Issue #5** – *Should teens who murder be treated as adults?* (CQ Researcher, September 11, 2015)

**March 29**

**Issue #6** – *Death Penalty Debates: Is the capital punishment system working?* (CQ Researcher, November 19, 2010)

**Second Exam**

Thursday

March 31
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PART III – Courts as Political and Policy Institutions

April 5
I. Courts as Part of the Political System

Carp, Stidham, & Manning, Chapter 7 and 14

April 7-12
II. Judicial Decision-making

Carp, Stidham, & Manning, Chapters 12, 13, and 15

PART IV – “Rights Talk” – Framing Difficult Issues

April 14-21
I. Free Speech

Issue #7: Free Speech on Campus: Where should colleges draw the line? (CQ Researcher May 8, 2015) – discussed in class on April 19

Issue Paper Due
Thursday
April 21

April 26
II. Assisted Suicide

Issue #8: Assisted Suicide: Should doctors be allowed to help terminally ill patients die? (CQ Researcher, May 17, 2013)

April 28
III. Transgender Rights


Final Exam
Tuesday
May 10, 2016
10:30 – 1:15