POLS 8430: Judicial Politics  
Spring 2019  
Baldwin Hall Rm 104; Tuesdays 3:30pm-6:15pm

Professor Christina Boyd  
Email: cLboyd@uga.edu 
Office: Baldwin Hall, 380E  
Office Hours: Tuesdays 2:00-3:00pm and by appointment

Course Description:  
This course examines courts and judges in the American political system, the selection of judges, the flow of decisions through trial and appellate courts, the participation of non-judicial actors, the considerations of judicial decision making, and the relations between courts and other government institutions.

Grading:  
20% Participation  
20% 2 Critical Paper Reviews  
35% Research Paper (and Proposal)  
5% Research Paper Presentation  
15% Midterm Exam  
5% Syllabus Creation Assignment

Your participation will be evaluated on a number of components, including your regular attendance, your thoughtful and prepared participation during seminars, and your performance as a discussion leader. Most substantive classes will have one or more assigned discussion leaders. Your jobs in this role will be to carefully read the assigned readings, prepare discussion questions, think critically about how the work fits together (or doesn’t), discuss the question(s) that are being tackled by the research, crystallize what is learned from the research (either through summary or through questions), critique the authors’ theory, research design, evidence, methodology and/or conclusions, and propose remaining questions or new avenues for research in the area. Every class will proceed differently, so be flexible and always be prepared (whether you are the discussion leader or not). Unless otherwise noted in class, discussion leaders are not responsible for readings marked “skim” or “recommended background.”

The two critical paper reviews will require you to read and write a critical yet constructive peer review on a judicial politics-related manuscript being submitted to a peer-review journal. Further instructions and examples will be provided with the first assignment.

Each student is required to write an original research paper that empirically, formally, or otherwise systematically analyzes a topic (loosely) connected to this course. To do this, you need to develop a testable research question, find or collect data relevant to that topic, analyze those data, and write up and present those findings to the class. The level of required data collection and analysis can vary based on your field of study and level in the program. Paper proposals are due in class, after which we’ll talk more in person about your project and ideas for successfully moving forward. At the end of the semester, you will present your research project and any findings to the class in a conference-style presentation.
Students will take an open book, open note (no collaboration), essay-style midterm comprehensive exam derived from the body of material in the course up until the exam. Further details will be distributed later in the semester.

Students will also be tasked with designing their own syllabus for an undergraduate judicial politics course. This fun and practical task will require thoughtfulness in organizing appropriate course material, planning class activities and assessment, and selecting a textbook and/or external readings. More details on this assignment will be provided during the semester.

At the end of this course, students should be equipped to:

- Identify the key legal institutions and actors in the United States.
- Evaluate how political and strategic factors affect presidential and senatorial decisions in the nomination and confirmation of federal judges.
- Assess how different judicial selection systems in U.S. states affect which judges serve and what decisions those judges make on the bench.
- Describe, assess, and critique the primary legal and political theories used to examine and explain judicial behavior and votes.
- Identify how judges and justices account for hierarchical, public opinion, and legitimacy considerations when making decisions.
- Comprehend how foreign and international courts and judicial decision making considerations differ from those in the U.S.
- Access, interpret, and critically analyze U.S. Supreme Court data from 1791 to the present, U.S. state supreme court data from 1995-2010, and other important judicial data sources.

Required books [order online; not in campus bookstore]:

Other course readings are available online (via J-STOR, google scholar, HeinOnline, etc) or eLC.

Schedule: Schedule is approximate; assignments may be adjusted during the course of the semester depending on our pace in class. Special Note: All assigned reading is to be conducted prior to the class for which it is listed.

**1/15– Course Introduction: Introduction to the Judiciary and Judicial Politics**
- No reading

**1/22 – Accessing Courts**


Discussion leaders:____________________________________________________________

1/29 - Judicial Selection and Departures


Discussion leaders:____________________________________________________________

2/5 – Judicial Decision Making I

• Segal, Jeffrey A. and Harold J. Spaeth. 2002. *The Supreme Court and the Attitudinal Model Revisited*. Cambridge University Press. [Chapters 2, 3, 7, 8]


  Political Research Quarterly 47 (September): 749-768.
  Unpacking Law and Policy Preferences on the U.S. Supreme Court.” American Political  
  Court Decision Making.”  American Political Science Review 96 (June): 305-320.
  o Skim these articles to understand the debate following the Richards and Kritzer  
  article
    • Lax, Jeffrey R., and Kelly R. Rader.  2010.  “Legal Constraints on  
    Supreme Court Decision Making: Do Jurisprudential Regimes Exist?”  
    Jurisprudential Regimes Seriously: A Response to Lax and Rader.”  
    a Jurisprudential Regimes Test: A Response to Kritzer and Richards.”  
    Journal of Politics 72:289-91

Discussion leaders:____________________________________________________________

2/12 Judicial Decision Making II

  Press. [Read all, emphasis on chapter 1]
• Dahl, Robert A. 1957. "Decision Making in a Democracy: The Supreme Court as a  
• Epstein, Lee, Jack Knight, and Andrew D. Martin. 2001. "The Supreme Court as a  
  and Courts.” American Political Science Review 91: 28-44. (and correction at 92:923-
  926).
• Kuklinski, James H. and John E. Stanga. 1979. "Political Participation and Government  
  Responsiveness: The Behavior of the California Superior Courts." American Political  
  Science Review 73: 1090.
• Nelson, Michael J. 2014. “Responsive Justice? Retention Elections, Prosecutors, and  
  Public Opinion.” Journal of Law and Courts [skim]
  Supreme Court and the US Presidential Election of 2000: Wounds, Self-Inflicted or  

2/19 – Measures and Data Sources

• Segal, Jeffrey A. and Albert D. Cover. 1989. “Ideological Values and the Votes of U.S.  
  Supreme Court Justices.” American Political Science Review 83:557-565.
• USSC Database Handout on eLC (no discussion required)

Discussion leaders:

[Manuscript Review due at the beginning of class on 2/19]

2/26 – Eclectic Judicial Behavior


2-3 additional readings TBA

Discussion leaders:

[1-2 paragraph research paper proposal due in class (printed) on 2/26; we’ll discuss feasibility and plans in class]

3/5 – In Class Midterm

3/12 – No Class (Spring Break)
3/19-Trial Courts


3/26 – Hierarchy and Implementation


Discussion leaders:____________________________________________________________

4/2 – Lawyers and Amicus

• Review:

Discussion leaders:____________________________________________________________

[Manuscript Review due on 4/2 at start of class]

4/9 - Collegial Judging

• Review:
4/16 -- Comparative and International Courts, Part I


Discussion leaders:____________________________________________________________

4/23 – Comparative and International Courts, Part II


Discussion leaders:____________________________________________________________

4/30 – Research Presentations in Class

5/6 – 10:00 a.m. final paper due (submit via eLC)