The federal judiciary is frequently involved in political disputes with the elected branches. Such events have long taken place, from the vigorous attacks on Justice Chase and the Marshall Court to recent episodes involving health care policy, gun rights, LGBT rights, etc. Several recent nominations of prospective Supreme Court justices have also caused political turmoil. How did the judiciary become such an object of political scrutiny? Is the current situation unique? This course examines the circumstances in which the Supreme Court of the United States and its justices are involved in politics – either as subject, participant, or arena for settlement.

Readings. The following textbook is required:

All readings below marked with an asterisk (*) will be available via ELC. Examinations. There will be a midterm examination and a final examination. No exceptions will be made for the scheduled examination times except in the case of a documented medical emergency. If you have additional needs or have permission from the Disability Resource Center for extra time on exams, please contact me privately and arrangements will be made.

Paper. An 8-10 page research paper is due **November 18**. Write a well-research paper about a single political conflict or series of related conflicts involving the Supreme Court. A list of possible paper topics will be distributed. Additional topics may be pursued if they are approved by the instructor. A proposal and tentative bibliography are due on **September 9**. All coursework will be turned in via the course ELC portal.

*Exams will be taken without notes or outside sources.*

Grading. Midterm examination 30%; paper 30%; final examination 40%

Grades will be assigned based on the following scale:

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<th>Score Range</th>
<th>Grade</th>
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<tr>
<td>100-94</td>
<td>A</td>
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<td>93-90</td>
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<td>89-86</td>
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<td>85-83</td>
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Academic Integrity. Neither plagiarism nor cheating will be tolerated. Appropriate citations are expected and encouraged. All students are expected to behave in accordance with the guidelines of the UGA Honor Code. If you are unsure whether certain actions are acceptable, consult your instructor.

Mental Health and Wellness Resources.

- If you or someone you know needs assistance, you are encouraged to contact Student Care and Outreach in the Division of Student Affairs at 706-542-7774 or visit https://sco.uga.edu. They will help you navigate any difficult circumstances you may be facing by connecting you with the appropriate resources or services.
- UGA has several resources for a student seeking mental health services (https://www.uhs.uga.edu/bewelluga/bewelluga) or crisis support (https://www.uhs.uga.edu/info/emergencies)
- If you need help managing stress anxiety, relationships, etc., please visit BeWellUGA (https://www.uhs.uga.edu/bewelluga/bewelluga) for a list of FREE workshops, classes, mentoring, and health coaching led by licensed clinicians and health educators in the University Health Center.
- Additional resources can be accessed through the UGA App.

Attendance. I will take roll irregularly in this course, but attendance will be considered in the event of borderline grades.

Coronavirus Information for Students

What do I do if I have Covid-19 symptoms?

Students showing symptoms should self-isolate and schedule an appointment with the University Health Center by calling 706-542-1162 (Monday-Friday, 8 a.m.-5 p.m.). Please DO NOT walk-in. For emergencies and after-hours care, see https://www.uhs.uga.edu/info/emergencies.

How do I get a test?

Students who are demonstrating symptoms of COVID-19 should call the University Health Center. UHC is offering testing by appointment for students; appointments may be booked by calling 706-542-1162.

UGA will also be recruiting asymptomatic students to participate in surveillance tests. Students living in residence halls, Greek housing and off-campus apartment complexes are encouraged to participate.

Classroom COVID-19 Information (per Baldwin Hall personnel)

Keeping it clean

Cleaning and disinfecting of public spaces are important to reduce the risk of exposure to COVID-19. Classrooms are only being cleaned once-per-day. There are sanitation wipes/buckets and stands in proximity to your classroom. Prior to heading in to class, you should take a wipe from the station and wipe down all high-touch surfaces associated with your seat. You should help further slow the spread of the virus by frequently washing your hands. Bathrooms will be cleaned frequently during the day. On
occasions that bathrooms are closed for cleaning, you may need to use those on other floors or in other buildings. Please be conscious of the density of traffic in bathrooms and practice social distancing.

Staying in touch

Office hours and academic advising are encouraged, but should be done by appointment. To ensure safe distancing, faculty and staff are more likely to meet with you online or by phone.

Your health

By coming to campus, you are acknowledging that you have checked, and do not have, symptoms of COVID-19. UGA is using a notification application to remind you daily to check for symptoms prior to coming to campus and self-report in the event you display COVID-19 symptoms. If you report symptoms, the University follows a confidential process for securely notifying health officials who can begin contact tracing and provide appropriate support services. If you have an underlying medical condition or, for any reason, believe that you are at a high risk of developing a serious case of COVID-19, you may request an accommodation through the Disability Resource Center (DRC) at drc@uga.edu or 706-542-8719. More information can be found at https://drc.uga.edu/content_page/student-accommodation-guidelines

Updates

Check your email regularly so you do not miss important information, and also check the University COVID-19 website for updates and resources, this web site includes links from student affairs with helpful, up-to-date messages for students and parents.
Week 1 (8/19): Discussion and course overview

Week 2 (8/24, 8/26)
The Federal Judiciary: Structure and Institutional Context

Week 3 (8/31, 9/2): Theories of Judicial Decision-making
Jeff Segal and Harold Spaeth, The Supreme Court and the Attitudinal Model Revisited (2002), p. 44-53, 86-114*

Week 4 (9/7, 9/9): The Politics of Supreme Court Nominations
Perspectives on the Confirmation Process Michael Comiskey, The Judging of Supreme Court Nominees, p. 1-84, 104-133

PAPER PROPOSALS DUE SEPTEMBER 9

Week 5 (9/14, 9/16): Interbranch Battles over the Bench
FDR’s Proposed Reorganization of the Supreme Court, 1937

Video: Confirmation hearings

Week 6 (9/21): Intracourt Battles
Phillip Cooper, Battles on the Bench, Ch. 1-2 (1995)*

Week 6 (cont., 9/23): The Supreme Court vs. Congress
Colton Campbell and John Stack, Ch. 1 in Congress Confronts the Court (2001)
Louis Fisher, “Congressional Checks on the Judiciary”, Ch. 2 in Congress Confronts the Court (2001)

Week 7 (9/28, 9/30): Judicial Impeachment
Mary Volcansek, “Separation of Powers and Judicial Impeachment,” Ch. 3 in Congress Confronts the Court, Campbell and Stack, eds. (2001)

Impeachment Case Study: Samuel Chase

Week 8 (10/5) Judicial Departures
Artemus Ward, Deciding to Leave, Ch. 1 (2003)*

Week 8 (cont., 10/7): The Court in Wartime
Reconstruction and the Civil War
Week 9 (10/12): The Court and Government Powers
Congress vs. the Court: Usurpation of Powers: INS v. Chadha

Week 9: Midterm Exam 10/14

Week 10 (10/19): Congress, Courts, and Judicial Administration

Week 10 (cont., 10/26). The Supreme Court vs. the President

Week 11 (10/26): The Supreme Court and Race
Barbara Perry, “Splitting the Difference: The Supreme Court’s Search for the Middle Ground in Racial Gerrymandering Cases,” Ch. 6 in C. Banks and J. Green, Superintending Democracy (2001)*

Week 11 (cont., 10/28): The Supreme Court and the Public/Press
Public Knowledge of the Courts

Rorie L. Spill and Zoe M. Oxley, "Philosopher Kings or Political Actors? How the Media Portray the Supreme Court," Judicature (2003)*

Week 12 (11/2): The Public and Supreme Court Decisions
Anke Grosskopf and Jeffrey Mondak, “Do Attitudes toward Specific Supreme Court Decisions Matter? The Impact of Webster and Texas v. Johnson on Public Confidence in the Supreme Court” Political Research Quarterly, 1998*

Bert Kritzer, “The American Public’s Assessment of the Rehnquist Court” Judicature, 2005*

Week 12 (cont., 11/4): Settling Political Conflicts
The Supreme Court as Arbiter: Privacy and Abortion

Week 13 (11/9, 11/11): The Supreme Court in Elections
The Centennial Crisis

Election 2000: Chaos, Courtrooms, and Counting Ballots

**Research paper due November 18**

**Week 14 (11/16, 11/18): Contemporary Issues**
The Death Penalty

Gun Rights

**Week 15 (11/23) Contemporary Issues (cont.)**
LGBT Rights

**Thanksgiving break**

**Week 16 (11/30) Contemporary Issues (cont.)**
The Affordable Care Act

**Week 16, cont. (12/2) The Future of the Courts**

Final Exam Review 12/7 (Zoom meeting)

Final exam 12/14 8:00-11:00 AM