**POS 330**  
**LAW COURTS AND POLITICS**

**Fall 2009**  
**Tuesday/Thursday:** 8:45 – 10:05am  
**Room:** CH 151  
**Instructor:** Kimberley Fletcher  
**Email:** kf814553@albany.edu  
**Office Hours:** 10:15-11:15am T/TH  
**Phone:** 442-3112

**OFFICE HOURS:**  
The best time to talk to me is after class during my office hours—10:15 – 11:15am Tuesdays and Thursdays. If that proves inconvenient, you can contact me at the email address listed above. We can either work out a time to meet or conduct questions and answers over email. I have always noted a phone number above; please use this in emergencies—leave a message including your name, my name and a reason for the call.

**COURSE DESCRIPTION:**  
This course examines the relationships between law, courts, and politics in the United States, with a focus on the role of lawyers and the operation of trial courts in civil and criminal cases. The course is designed to present a broad overview of the structure and processes of court systems in the United States. Since the course examines the legal system, the focus will not only be on judges and courtrooms, but also in placing courts in their political and operational context. In addition to the legal system, we will be discussing lawyers, police, litigants, and politicians. Besides what occurs within courtrooms, we will emphasize the equally important events that occur in lawyers’ offices, and in the hallways of the courthouse, City Hall and the local police station.

Courses dealing with the law and the legal system have an important place within the general liberal arts and political science curricula. The knowledge of how the law and courts operate is essential to understanding how the American political system functions. This course will focus on the law in operation and not the law on the books.

Course materials are drawn from a variety of sources, including court cases, social science research, and journalistic accounts of actual cases.

**READING REQUIREMENT:**  

***There will be additional readings given during the course of the semester. These may include cases not included in the text and/or related articles.

**STUDENTS WITH DISABILITIES:**  
If you have a documented disability and anticipate needing accommodations in this course, please make arrangements to meet with me as soon as possible. Most importantly, please request that Disabilities Resource Center send a letter verifying your disability.
COURSE REQUIREMENTS:

Participation (10%): Along with regular attendance, participation will be assessed on your ability to interact and participate in classroom discussion and activities. I am not looking for quantity, but quality. This portion of the grade will not be based on the number of times you speak, but on the reasoned opinions, responses, and arguments you make during class. I reserve the right to call upon students at random. Certain matters will be discussed in class that are not in the book, but may appear on the exams.

Exams (70%): There will be a total of three (3) exams, including the final. The exams will consist of True/False, multiple choice, short answer/identification and essay-type questions. All of the information in your book, plus anything discussed in class and any additional readings assigned will be fair game.

Makeup exams will only be allowed with an excuse from the Dean of Academic Affairs. If a student fails to take an exam and does not produce a valid excuse from the Dean’s Office in a timely manner, he or she will fail the course. No exceptions.

Weekly Reports (20%): There are 13 Tuesdays in the semester, excluding the first day of class. Each student is expected to submit nine (9) weekly reports. These will be graded on a 0-10 scale. I will not accept more than one (1) per week and I will ONLY accept them at the end of class on Tuesdays – NO exceptions. These reports should be typewritten and be at least one (1) but not more than two (2) pages long.

You are required to submit three (3) weekly reports before the first test, three (3) more before the second test and the final three (3) before the final.

They should address three (3) things: 1. A topic discussed in class or the chapter assigned for that week; 2. What you have learnt about that topic; and 3. What you think about that topic.

Grading: Any assignments turned in late must have an excuse from the Dean of Academic Affairs.

1. Participation: 10%
2. Exams – three (3), including final: 20% (first exam)
   20% (second exam)
   30% (final)
3. Weekly Reports – nine (9): 20%
   100%

READING SCHEDULE:

This is subject to change if we get through the information faster/slower than anticipated. However, it will be easier to learn and you will be better prepared for the tests if you read as outlined below. THE TESTS WILL INCLUDE EVERYTHING THAT HAS BEEN DISCUSSED IN CLASS PRIOR TO THE TEST DATE.

Week 1:

Part I – Institutions of law:
September 1: Chapter 1 – Introduction: Law, Courts, and Politics
September 3: Chapter 2 – Law and Legal Systems
Week 2:
September 8: Chapter 4 – State Courts
September 10: Chapter 4 – Continued

Week 3:
September 15: Chapter 3 – Federal Courts
September 17: Chapter 3 – Continued

Week 4:
Part II – Interpreters of the Law
September 22: Chapter 5 – Lawyers and Legal Representation.
September 24: Chapter 5 – Continued

Week 5:
*** Should have received at least two (2) weekly reports at this point. September 29 being the last day to turn in the last of the first three (3) reports***
September 29: Chapter 6 – Judges
October 1: Chapter 6 – Continued

Week 6: EXAM
October 6: EXAM
Part III – Consumers of Law:
October 8: Chapter 7 – Mobilizing the Law: Litigants, Interest Groups, Court Cases, and the Media

Week 7:
Part IV – Trial Courts:
October 13: Chapter 8 – Trial Courts: The Preliminary Stages of Criminal Cases
October 15: Chapter 8 – Continued

Week 8:
October 20: Chapter 9 – Trial Courts: How Criminal Cases End: Bargaining and Sentencing
October 22: Chapter 9 – Continued

Week 9:
October 27: Chapter 10 – Trial Courts: How Civil Cases Begin
October 29: Chapter 10 – Continued

Week 10:
November 3: Chapter 11 – Trial Courts: How Civil Cases End
November 5: Chapter 11 – Continued
Week 11:
*** Should have received at least two (2) of the second set of three weekly reports at this point. November 10 being the last day to turn in the last of the second set of three (3) reports***
November 10: Chapter 12 – Trials and Juries
November 12: Chapter 12 – Continued

Week 12: EXAM
November 17: Review
November 19: EXAM

Week 13:
Part V – Appellate Review:
November 24: Chapter 13 – The Appellate Process

Week 14:
*** Should have received at least two (2) of the last set of weekly reports at this point. December 1 being the last day to turn in the last of the third set of three (3) reports***
December 1: Chapter 14 – The Supreme Court: Deciding What to Decide.
December 3: Chapter 15 The Supreme Court: The Justices and Their Decisions

THE FINAL EXAM IS: DECEMBER 15, 2009 AT 10:30-12:30

***THE FINAL EXAM WILL NOT BE GIVEN EARLY, SO PLAN AHEAD***

STATEMENT REGARDING ACADEMIC DISHONESTY:
Cheating on an exam or a paper will result in a grade of zero for the exam and possibly a failing grade for the course. Plagiarizing will be treated the same. Those found in violation will be reported to the relevant University bodies. The following is from the Undergraduate Bulletin 2006-07 available at http://www.albany.edu/undergraduate_bulletin/regulations.html

“It is every student's responsibility to become familiar with the standards of academic integrity at the University. Claims of ignorance, of unintentional error, or of academic or personal pressures are not sufficient reasons for violations of academic integrity.”

No set of guidelines can, of course, define all possible types or degrees of academic dishonesty; thus, the following descriptions should be understood as examples of infractions rather than an exhaustive list. Individual faculty members and the judicial boards of the University will continue to judge each case according to its particular merit.

PLAGIARISM:
Presenting as one’s own works the work of another person (for example, the words, ideas, information, data, evidence, organizing principles, or style of presentation of someone else). Plagiarism includes paraphrasing or summarizing without acknowledgment, submission of another student’s work as one’s own, the purchase of prepared research or completed papers or projects, and
the unacknowledged use of research sources gathered by someone else. Failure to indicate accurately the extent and precise nature of one’s reliance on other sources is also a form of plagiarism. The student is responsible for understanding the legitimate use of sources, the appropriate ways of acknowledging academic, scholarly, or creative indebtedness, and the consequences for violating University regulations.

**EXAMPLES OF PLAGIARISM INCLUDE:**
Failure to acknowledge the source(s) of even a few phrases, sentences, or paragraphs; failure to acknowledge a quotation or paraphrase of paragraph-length sections of a paper; failure to acknowledge the source(s) of a major idea or the source(s) for an ordering principle central to the paper’s or project’s structure; failure to acknowledge the source (quoted, paraphrased, or summarized) of major sections or passages in the paper or project; the unacknowledged use of several major ideas or extensive reliance on another person’s data, evidence, or critical method; submitting as one’s own work, work borrowed, stolen, or purchased from someone else.

**Cheating on Examinations:**
Giving or receiving unauthorized help before, during, or after an examination. Examples of unauthorized help include collaboration of any sort during an examination (unless specifically approved by the instructor); collaboration before an examination (when such collaboration is specifically forbidden by the instructor); the use of notes, books, or other aids during an examination (unless permitted by the instructor); arranging for another person to take an examination in one's place; looking upon someone else's examination during the examination period; intentionally allowing another student to look upon one's exam; the unauthorized discussing of test items during the examination period; and the passing of any examination information to students who have not yet taken the examination. There can be no conversation while an examination is in progress unless specifically authorized by the instructor.

**Multiple Submissions:**
Submitting substantial portions of the same work for credit more than once, without the prior explicit consent of the instructor(s) to whom the material is being (or has in the past been) submitted.

**Unauthorized Collaboration:**
Collaborating on projects, papers, or other academic exercises, which is regarded as inappropriate by the instructor(s). Students who want to confer or collaborate with one another on work receiving academic credit should make certain of the instructor's expectations and standards.

**Falsification:**
Misrepresenting material or fabricating information in an academic exercise or assignment (for example, the false or misleading citation of sources, the falsification of experimental or computer data, etc.).

**PENALTIES AND PROCEDURES FOR VIOLATIONS OF ACADEMIC INTEGRITY:**
“When a faculty member has information that a student has violated academic integrity in a course or program for which he or she is responsible and determines that a violation has occurred, he or
she will inform the student and impose an appropriate sanction. A faculty member may make any one or a combination of the following responses to the infractions cited above:

Warning without further penalty; requiring rewriting of a paper containing plagiarized material; lowering of a paper or project grade by one full grade or more; giving a failing grade on a paper containing plagiarized material; giving a failing grade on any examination in which cheating occurred; withholding permission to withdraw from the course after a penalty has been imposed; lowering a course grade by one full grade or more; giving a failing grade in a course; imposing a penalty uniquely designed for the particular infraction.

If a faculty member announces a failing grade in the course as a possible result of academic dishonesty, the student receiving such a penalty will not be permitted to withdraw from the course unless the grievance or judicial system rules in favor of the student.

Any faculty member encountering matters of academic dishonesty in an academic program or class for which he or she has responsibility may, in addition to, or in lieu of, the actions cited above, refer a case to the University Judicial System. After considering the case under the procedures provided by the University, the appropriate University judicial body will recommend the disposition of the case that can include disciplinary probation, suspension, or expulsion from the University.”