POS335 – The American Supreme Court

Syllabus - Fall 2009

Class meets TuTh 11:45-1:05, CH 151

Instructor: Professor Udi Sommer
Email: esommer@albany.com
Office Hours: T 10:45-11:45 (Humanities B16); T 5-7 (Milne 111) and by appointment

Course Description
This course will examine the U.S. Supreme Court through both text and cases. The topics include – the evolution of the judiciary and its effects on the other branches of government, the influence of the Court on the incorporation of civil liberties, internal institutions of the Court and models of judicial decision-making, and issues around judicial appointments. The course goals are to improve students understanding of how the Court functions, and to develop critical analytical skills concerning prevalent claims about the Supreme Court.

Attendance, Reading and Participation
Class attendance is very important. Students are not only expected to attend class, but to have read all assigned readings for that day. Quality participation also will contribute positively to your grade. If you miss class you are responsible for getting the material covered.

Exams
1. This course will have two mid-term exams on Thursday, October 8, and on Thursday, November 5.
2. There will be 3 to 4 online assignments
3. There will be a final examination. Place and time TBA. This will be a cumulative examination covering all the material in the course.
4. We will have about 6 unannounced quizzes during the semester.
5. Opportunities to earn extra credit by participating in political science research projects might be available during the semester.

Access to Blackboard
You can access class information on Blackboard through your MyUAlbany account. Class syllabus and calendar are available on the course site. In addition, some of the assignments and exams will also be made available there. Log on to use helpful Internet links and other useful information online.

Assistance
If you are having any difficulties with the course material or assignments, I encourage you to come and talk to me. I will be available during office hours (see above) and by appointment. Also, if you are not facing any problems but would like to talk about the course, please feel free to come talk to me.
Grade Formula
Quizzes (total): 16%
Midterms (total): 28%
Final: 25%
Online assignments (total): 20%
Class Presentation: 7%
Class Participation/Attendance: 4%

Required Texts
(available from campus bookstore located at 215 Western Avenue (465.2238), from University at Albany Bookstore, Barnes and Noble (442.5698) or online):


Additional reading materials will include Supreme Court cases and journal articles. All are available online.

Useful websites
Jstor - http://www.jstor.org/
Findlaw - http://findlaw.com/
The Supreme Court Official Website - http://www.supremecourtus.gov/
SCOTUS blog - http://www.scotusblog.com/movabletype/
http://jurist.law.pitt.edu/currentawareness/ussupremes.php
The Oyez Project - http://www.oyez.org/
Legal Information Institute, Cornell Law School - http://www.law.cornell.edu/supct/index.html
On the Docket, Northwestern University - http://docket.medill.northwestern.edu/
COURSE OUTLINE
(Note: Supplementary readings are listed in the required textbooks. You should take a look at these lists and pick books to read on topics that might interest you.)

Week 1 (August 31-September 4): Syllabus distribution, Introduction, and Assignments
September 3 - No Class – APSA Annual Meeting

Week 2 (September 7-11): The Founding and Judicial Review
Readings: Marbury v. Madison; Ex Parte McCardle; Federalist Paper #78; The US Constitution (Articles I & III); McCloskey Chapter 1

Week 3 (September 14-18): Founding and Judicial Review; Court's History – Presentations and Discussion
Readings: same as Week 2 and Baum, Ch. 1; McCloskey Ch. 2-4, 7, 8

Week 4 (September 21-25): Court's History – Presentations and Discussion
Readings: Baum, Ch. 1; McCloskey Ch. 2-4, 7, 8
1st ONLINE ASSIGNMENT – September 24 (Biographies of sitting Justices)
Discussion in Groups

Week 5 (Sep. 28-Oct. 2): Internal Institutions of the Court; Judicial Decision Making Models
Readings: Baum Chapter 4; SCAMR Chapters 2, 3, 7, 8 & pp. 97-110

Week 6 (October 5-9): Internal Institutions of the Court; Judicial Decision Making Models
1st MIDTERM EXAM – tentatively set for October 8

Week 7 (October 12-16): Judicial Decision Making Models

Week 8 (October 19-23): Judicial Appointments
Readings: Baum Chapter 2

Week 9 (October 26-30): Judicial Appointments; The Legislature and the Executive
Readings: Baum Chapter 2; McCulloch v. Maryland; Bush v. Gore; In re Neagle; US v. Nixon; US v. Curtis-Wright Export
2nd ONLINE ASSIGNMENT – October 29 (The shift from Watkins to Barenblatt)
Discussion in Groups

Week 10 (November 2-6): The Legislature and the Executive; Incorporating the Bill of Rights
Readings: Barron v. Baltimore; Hurtado v. CA; Palko v. Connecticut; Duncan v. LA
2nd MIDTERM EXAM – tentatively set for November 5

Week 11 (November 9-13): Incorporating the Bill of Rights; Freedom of the Press – Class Simulation
3rd ONLINE ASSIGNMENT – November 12 (Qualifications Clauses)

Week 12 (November 16-20): 1st Amendment – Religion Establishment and Exercise
Readings: Cantwell v. CT; Sherbert v. Verner; WI v. Yoder; Lemon v. Kurtzman; Agostini v. Felton; Employment Division, Department of Human Resources of Oregon v. Smith; City of Boerne v. Flores
November 19 - No Class – Northeastern Political Science Association Annual Meeting
Discussion in Groups

Week 13 (November 23-27): 1st Amendment – Religion Establishment and Exercise
November 26 - No Class – Thanksgiving

Week 14 (Nov. 30-Dec. 4): Protection of the criminally accused; Conclusions
Readings: Mapp v. Ohio; Wolf v. Colorado; US v. Leon; Escobedo v. Illinois; Miranda v. Arizona