

SIGNATURE ROUTING LOG

General Information:

Proposal Type: Course Program Other



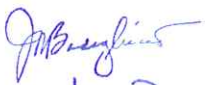

Proposal Name¹ (course prefix & number, pgm major & degree, etc.): PS 360 Politics of Law and Courts (change; add DL)

Proposal Contact Person Name: Ellen Riggle Phone: 7-7036 Email: e.riggle@uky.edu

INSTRUCTIONS:

Identify the groups or individuals reviewing the proposal; note the date of approval; offer a contact person for each entry; and obtain signature of person authorized to report approval.

Internal College Approvals and Course Cross-listing Approvals:

Reviewing Group	Date Approved	Contact Person (name/phone/email)	Signature
Political Science, Ernie Yanarella (DUS)	10/27/10	Ernie Yanarella / 7-2989 / ejyana@uky.edu	
Political Science, Don Gross (Chair)	10/24/10	Don Gross / 7-1772 / pol146@pop.uky.edu	
		/ /	
		/ /	
A&S Ed. Policy Cmte.	11/29/10	Joanna Badagliacco, Soc. Sci. / 7-4335 / jmb@uky.edu	
A&S Dean	11/29/10	Anna Bosch, Associate Dean / 7-6689 / bosch@uky.edu	

12/17/10
WGC

External-to-College Approvals:

Council	Date Approved	Signature	Approval of Revision ²
Undergraduate Council	2/1/2011		
Graduate Council			
Health Care Colleges Council			
Senate Council Approval		University Senate Approval	

Comments:

¹ Proposal name used here must match name entered on corresponding course or program form.

² Councils use this space to indicate approval of revisions made subsequent to that council's approval, if deemed necessary by the revising council.

APPLICATION FOR COURSE CHANGE (MAJOR AND MINOR)

Complete 1a – 1f & 2a – 2c. Fill out the remainder of the form as applicable for items being changed.

1. General Information.

- a. Submitted by the College of: Arts & Sciences Today's Date: 10/21/2010
- b. Department/Division: Political Science
- c. Is there a change in "ownership" of the course? YES NO
 If YES, what college/department will offer the course instead? _____
- d. What type of change is being proposed? Major Minor¹ (place cursor here for minor change [OSC1] definition)
- e. Contact Person Name: Ernest Yanarella Email: ejyana@email.uky.edu Phone: 7-1771
- f. Requested Effective Date: Semester Following Approval OR Specific Term²: Summer 2011

2. Designation and Description of Proposed Course.

- a. Current Prefix and Number: PS360 Proposed Prefix & Number: _____
- b. Full Title: Politics of Law and Courts Proposed Title: _____
- c. Current Transcript Title (if full title is more than 40 characters): _____
 Proposed Transcript Title (if full title is more than 40 characters): _____
- d. Current Cross-listing: N/A OR Currently³ Cross-listed with (Prefix & Number): _____
 Proposed – ADD³ Cross-listing (Prefix & Number): _____
 Proposed – REMOVE^{3,4} Cross-listing (Prefix & Number): _____
- e. Courses must be described by at least one of the meeting patterns below. Include number of actual contact hours⁵ for each meeting pattern type.
- Current: 3 Lecture _____ Laboratory⁵ _____ Recitation _____ Discussion _____ Indep. Study _____
 _____ Clinical _____ Colloquium _____ Practicum _____ Research _____ Residency _____
 _____ Seminar _____ Studio _____ Other – Please explain: _____
- Proposed: _____ Lecture _____ Laboratory _____ Recitation _____ Discussion _____ Indep. Study _____
 _____ Clinical _____ Colloquium _____ Practicum _____ Research _____ Residency _____
 _____ Seminar _____ Studio 3 Other – Please explain: Online
- f. Current Grading System: Letter (A, B, C, etc.) Pass/Fail
 Proposed Grading System: Letter (A, B, C, etc.) Pass/Fail
- g. Current number of credit hours: 3 Proposed number of credit hours: _____

¹ See comment description regarding minor course change. *Minor changes are sent directly from dean's office to Senate Council Chair.* If Chair deems the change as "not minor," the form will be sent to appropriate academic Council for normal processing and contact person is informed.
² Courses are typically made effective for the semester following approval. No course will be made effective until all approvals are received.
³ Signature of the chair of the cross-listing department is required on the Signature Routing Log.
⁴ Removing a cross-listing does not drop the other course – it merely unlinks the two courses.
⁵ Generally, undergrad courses are developed such that one semester hr of credit represents 1 hr of classroom meeting per wk for a semester, exclusive of any lab meeting. Lab meeting generally represents at least two hrs per wk for a semester for 1 credit hour. (See SR 5.2.1.)

APPLICATION FOR COURSE CHANGE (MAJOR AND MINOR)

- h. Currently, is this course repeatable for additional credit? YES NO
- Proposed to be repeatable for additional credit? YES NO

If YES: Maximum number of credit hours: _____

- If YES: Will this course allow multiple registrations during the same semester? YES NO

- i. Current Course Description for Bulletin: no change

Proposed Course Description for Bulletin: _____

- j. Current Prerequisites, if any: UN2 status

Proposed Prerequisites, if any: _____

- k. Current Distance Learning(DL) Status: N/A Already approved for DL* Please Add⁶ Please Drop

*If already approved for DL, the Distance Learning Form must also be submitted unless the department affirms (by checking this box) that the proposed changes do not affect DL delivery.

- l. Current Supplementary Teaching Component, if any: Community-Based Experience Service Learning Both

Proposed Supplementary Teaching Component: Community-Based Experience Service Learning Both

3. Currently, is this course taught off campus? YES NO

Proposed to be taught off campus? YES NO

4. Are significant changes in content/teaching objectives of the course being proposed? YES NO

If YES, explain and offer brief rationale:

5. Course Relationship to Program(s).

- a. Are there other depts and/or pgms that could be affected by the proposed change? YES NO

If YES, identify the depts. and/or pgms: _____

- b. Will modifying this course result in a new requirement⁷ for ANY program? YES NO

If YES⁷, list the program(s) here: _____

6. Information to be Placed on Syllabus.

- a. Check box if changed to 400G or 500. If changed to 400G- or 500-level course you must send in a syllabus and you must include the *differentiation* between undergraduate and graduate students by: (i) requiring additional assignments by the graduate students; and/or (ii) establishing different grading criteria in the course for graduate students. (See SR 3.1.4.)

⁶ You must *also* submit the Distance Learning Form in order for the course to be considered for DL delivery.

⁷ In order to change a program, a program change form must also be submitted.

Distance Learning Form

This form must accompany every submission of a new/change course form that requests distance learning delivery. This form may be required when changing a course already approved for DL delivery. **All fields are required!**

Introduction/Definition: For the purposes of the Commission on Colleges Southern Association of Colleges and Schools accreditation review, *distance learning* is defined as a formal educational process in which the majority of the instruction (interaction between students and instructors and among students) in a course occurs when students and instructors are not in the same place. Instruction may be synchronous or asynchronous. A distance learning (DL) course may employ correspondence study, or audio, video, or computer technologies.

A number of specific requirements are listed for DL courses. **The *department* proposing the change in delivery method is responsible for ensuring that the requirements below are satisfied at the individual course level.** It is the responsibility of the instructor to have read and understood the university-level assurances regarding an equivalent experience for students utilizing DL (available at <http://www.uky.edu/USC/New/forms.htm>).

Course Number and Prefix: PS360	Date: 10/21/2010
Instructor Name: Ellen Riggle	Instructor Email: e.riggle@uky.edu
Check the method below that best reflects how the majority of course of the course content will be delivered.	
Internet/Web-based <input checked="" type="checkbox"/>	Interactive Video <input type="checkbox"/>
Hybrid <input type="checkbox"/>	

Curriculum and Instruction	
1.	<p>How does this course provide for timely and appropriate interaction between students and faculty and among students? Does the course syllabus conform to University Senate Syllabus Guidelines, specifically the Distance Learning Considerations?</p> <p>This course conforms to University Senate Syllabus Guidelines and Distance Learning Considerations. Interaction with students will be multi-faceted. Students will be able to contact the instructor via email with a 24 hour response time M-F and a 48 hour response time Sat-Sun. The instructor will also be available to chat via instant messenger protocol by appointment.</p>
2.	<p>How do you ensure that the experience for a DL student is comparable to that of a classroom-based student's experience? Aspects to explore: textbooks, course goals, assessment of student learning outcomes, etc.</p> <p>The textbook, course goals, syllabus, and assessment of student learning outcomes will be the same or substantially similar to the classroom version of the course. No significant variation in the materials presented will be present. Lectures will be presented as online videos available via Blackboard. Feedback on written work will be available via blackboard.</p>
3.	<p>How is the integrity of student work ensured? Please speak to aspects such as password-protected course portals, proctors for exams at interactive video sites; academic offense policy; etc.</p> <p>Quizzes and exams will be given via Blackboard, which allows for random ordering of questions and answers. This helps assure that the students taking quizzes/exams first will not easily pass answers on to other students. Quizzes/exams will be open book/notes to assure that everyone has the same opportunities to do well. Written work will be read closely for evidence of plagiarism and appropriate tools will be used to check for plagiarism where available and appropriate.</p>
4.	<p>Will offering this course via DL result in at least 25% or at least 50%* (based on total credit hours required for completion) of a degree program being offered via any form of DL, as defined above?</p> <p>No</p>


Distance Learning Form

This form must accompany every submission of a new/change course form that requests distance learning delivery. This form may be required when changing a course already approved for DL delivery. **All fields are required!**

	<p>If yes, which percentage, and which program(s)?</p> <p><i>*As a general rule, if approval of a course for DL delivery results in 50% or more of a program being delivered through DL, the effective date of the course's DL delivery will be six months from the date of approval.</i></p>
5.	<p>How are students taking the course via DL assured of equivalent access to student services, similar to that of a student taking the class in a traditional classroom setting?</p> <p>Students enrolled in this course will be UK students, which means that they will have access to the university libraries and facilities (e.g., the writing center). The availability of the instructor will be scheduled the same as for the regular classroom based course.</p>
<i>Library and Learning Resources</i>	
6.	<p>How do course requirements ensure that students make appropriate use of learning resources?</p> <p>This course is designed for students to use appropriate learning resources in order to pass the course. Students will be answering questions, essay and quiz format, as part of their grade. I will also strongly urge students to take advantage of resources (e.g., the writing center, the library).</p>
7.	<p>Please explain specifically how access is provided to laboratories, facilities, and equipment appropriate to the course or program.</p> <p>Students must have an internet connection, which will allow them to read/view all course material and will allow them access to the library.</p>
<i>Student Services</i>	
8.	<p>How are students informed of procedures for resolving technical complaints? Does the syllabus list the entities available to offer technical help with the delivery and/or receipt of the course, such as the Teaching and Academic Support Center (http://www.uky.edu/TASC/index.php) and the Information Technology Customer Service Center (http://www.uky.edu/UKIT/)?</p> <p>The students will have all technical information given in the syllabus.</p>
9.	<p>Will the course be delivered via services available through the Teaching and Academic Support Center?</p> <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If no, explain how students enrolled in DL courses are able to use the technology employed, as well as how students will be provided with assistance in using said technology.</p>

Distance Learning Form

This form must accompany every submission of a new/change course form that requests distance learning delivery. This form may be required when changing a course already approved for DL delivery. **All fields are required!**

9.	<p>Will the course be delivered via services available through the Teaching and Academic Support Center?</p> <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If no, explain how students enrolled in DL courses are able to use the technology employed, as well as how students will be provided with assistance in using said technology.</p>
10.	<p>Does the syllabus contain all the required components, below? <input checked="" type="checkbox"/> Yes</p> <ul style="list-style-type: none"><input type="checkbox"/> Instructor's <i>virtual</i> office hours, if any.<input type="checkbox"/> The technological requirements for the course.<input type="checkbox"/> Contact information for TASC (http://www.uky.edu/TASC/; 859-257-8272) and Information Technology Customer Service Center (http://www.uky.edu/UKIT/; 859-257-1300).<input type="checkbox"/> Procedure for resolving technical complaints.<input type="checkbox"/> Preferred method for reaching instructor, e.g. email, phone, text message.<input type="checkbox"/> Maximum timeframe for responding to student communications.<input type="checkbox"/> Language pertaining academic accommodations:<ul style="list-style-type: none">o "If you have a documented disability that requires academic accommodations in this course, please make your request to the University Disability Resource Center. The Center will require current disability documentation. When accommodations are approved, the Center will provide me with a Letter of Accommodation which details the recommended accommodations. Contact the Disability Resource Center, Jake Karnes, Director at 859-257-2754 or jkarnes@email.uky.edu."<input type="checkbox"/> Information on Distance Learning Library Services (http://www.uky.edu/Libraries/DLLS)<ul style="list-style-type: none">o Carla Cantagallo, DL Librariano Local phone number: 859 257-0500, ext. 2171; long-distance phone number: (800) 828-0439 (option #6)o Email: dllservice@email.uky.eduo DL Interlibrary Loan Service: http://www.uky.edu/Libraries/libpage.php?lweb_id=253&llib_id=16
11.	<p>I, the instructor of record, have read and understood all of the university-level statements regarding DL</p> <p>Instructor Name: Ellen Riggle</p> <p>Instructor Signature: </p>

University Senate Syllabi Guidelines

General Course Information

- Full and accurate title of the course.
- Departmental and college prefix.
- Course prefix, number and section number.
- Scheduled meeting day(s), time and place.

Instructor Contact Information (if specific details are unknown, "TBA" is acceptable for one or more fields)

- Instructor name.
- Contact information for teaching/graduate assistant, etc.
- Preferred method for reaching instructor.
- Office phone number.
- Office address.
- UK email address.
- Times of regularly scheduled office hours and if prior appointment is required.

Course Description

- Reasonably detailed overview of the course.
- Student learning outcomes.
- Course goals/objectives.
- Required materials (textbook, lab materials, etc.).
- Outline of the content, which must conform to the Bulletin description.
- Summary description of the components that contribute to the determination of course grade.
- Tentative course schedule that clarifies topics, specifies assignment due dates, examination date(s).
- Final examination information: date, time, duration and location.
- For 100-, 200-, 300-, 400-, 400G- and 500-level courses, numerical grading scale and relationship to letter grades for *undergraduate* students.
- For 400G-, 500-, 600- and 700-level courses, numerical grading scale and relationship to letter grades for *graduate* students. (Graduate students cannot receive a "D" grade.)
- Relative value given to each activity in the calculation of course grades (Midterm=30%; Term Project=20%, etc.).
- Note that undergraduate students will be provided with a Midterm Evaluation (by the midterm date) of course performance based on criteria in syllabus.
- Policy on academic accommodations due to disability. Standard language is below:
If you have a documented disability that requires academic accommodations, please see me as soon as possible during scheduled office hours. In order to receive accommodations in this course, you must provide me with a Letter of Accommodation from the Disability Resource Center (Room 2, Alumni Gym, 257-2754, email address jkarnes@email.uky.edu) for coordination of campus disability services available to students with disabilities.

Course Policies

- Attendance.
- Excused absences.
- Make-up opportunities.
- Verification of absences.
- Submission of assignments.
- Academic integrity, cheating & plagiarism.
- Classroom behavior, decorum and civility.
- Professional preparations.
- Group work & student collaboration.

*Doxy Jones,
Senate Rules committee said it's policy OK*

Syllabus: PS360 Politics of Law and Courts

Summer 2011

Section ? : Online course format

Instructor: Professor Riggle

Office hours: Tues, Wed., Thurs., 4:30 - 5:30 p.m. for online chats (Skype without video); otherwise by appointment (email for an appointment e.riggle@uky.edu)

Office phone: 859.257.7036

Office address: 1635 Patterson Office Tower, Lexington, KY 40506-0027

Email: e.riggle@uky.edu

Website for syllabus: www.uky.edu/~pol164/ps360.html

The materials will be posted on Blackboard. The Blackboard website address here.

Course Overview: A survey of the actors in American government and society who shape the meaning of the law, focusing especially on the judiciary. This course will outline the structure of the judicial system including both state and federal courts as well as the judicial process followed within that system. This course will prepare students for advanced study in public law and judicial politics. Students will be asked to examine how the federal and state courts are organized, how judges are selected, who the important actors are in these processes, how criminal and civil courts function and differ, and how the U.S. Supreme Court functions. Students will practice the skill of briefing court case decisions.

Course Objectives: The objective of this course is to provide students with the framework from which they can understand law and the courts, particularly in the United States, and serves as an introduction to more complex topics concerning judicial decision making, policy making and impact.

Objective 1: Students will know the organization of federal and state courts, the processes for selecting judges and other actors in the systems, the procedures followed in civil and criminal cases, and how decision are made.

Objective 2: Students will be able to understand and interpret court case decisions within the framework of case briefing.

Learning Outcomes: Students who complete PS360 will be exposed to the functions and structure of the U.S. court systems, actors in the judicial system, areas of law, and how to brief court cases.

Learning outcome 1: Students will be able to recall and identify the organization of federal and state courts, describe the processes for selecting judges and other actors in the system, define the stages of procedures in civil and criminal cases and apply these definitions to specific cases, and explain models of judicial decisionmaking.

Learning outcome 2: Students will demonstrate the ability to summarize important case points, analyze the judicial reasoning and provide critique of the decision.

Reading Materials: The following book is required for the course:

Required: (NM) David Neubauer and Stephen Meinhold, *Judicial Process: Law, Courts, and Politics in the United States*, 5th ed., 2009

Study materials for this book are available on the publisher's website: http://www.wadsworth.com/cgi-wadsworth/course_products_wp.pl?fid=M20b&product_isbn_issn=9780495569336&discipline_number=20&token=

Students are also strongly urged to read about the judicial process in a daily newspaper, a weekly news magazine, from television news, or National Public Radio (WUKY, 91.3 FM). Current events, such as confirmation hearings, court decisions, prosecutions, civil suits or police actions, will help in understanding class materials and participating in online class discussions.

Technology requirements for the course: Students must have reliable access to the internet and be knowledgeable about using internet platforms (e.g., browsers, plugins for course formats). High speed access is preferable.

Assistance is available for students accessing Blackboard from TASC (<http://www.uky.edu/TASC/>; 859-257-8272) and Information Technology Customer Service Center (<http://www.uky.edu/UKIT/>; 859-257-1300). Students must use these resources to solve technical complaints in a timely manner. Students are responsible for technical issues that they experience on

their platform. It is not the responsibility of the professor to solve technical issues with the student's equipment or platform.

Information on Distance Learning Library Services is available at <http://www.uky.edu/Libraries/DLLS>. Carla Cantagallo, DL Librarian, Local phone number: 859 257-0500, ext. 2171; long-distance phone number: (800) 828-0439 (option #6), Email: dllservice@email.uky.edu,

DL Interlibrary Loan Service: http://www.uky.edu/Libraries/libpage.php?lweb_id=253&llib_id=16

Grading:

The **grade distribution** for the class is:

Exam 135%
Exam 2.....35%
Written Assignments (15) / Quizzes (7)30%

Your grade on Exam 1 will serve as an estimation of your midterm grade for the course. If you have any questions about your mid-term grade, please make an appointment.

The following scale is used for final grades:

90 - 100% = A
80 - <90.0% = B
70 - < 80.0% = C
60 - < 70.0% = D
< 60.0% = E

Course Policy on Academic Accommodations due to disability: "If you have a documented disability that requires academic accommodations in this course, please make your request to the University Disability Resource Center. The Center will require current disability documentation. When accommodations are approved, the Center will provide me with a Letter of Accommodation which details the recommended accommodations. Contact the Disability Resource Center, Jake Karnes, Director at 859-257-2754 or jkarnes@email.uky.edu."

Student Responsibilities and Course Requirements:

1. There is no course attendance taken since this is an online class that does not meet at a regular time. All course requirements must be completed by the due date and the final examination no later than the last day of the summer session in which you are enrolled.

Students are responsible for viewing all online lectures, reading all materials online in the lessons, and completing all reading assignments in the text. Students are responsible for completing all quizzes and written web assignments by the due date given. Students are responsible for completing the 2 exams no later than the due date given.

2. Writing Assignments: The writing activities for this course are designed with the intent of reinforcing the readings and classroom lectures and discussions. Writing helps to slow you down, reflect on the material, and develop a more comprehensive understanding of the material. There will be several short graded assignments throughout the semester. There are also several quizzes. All assignments are due by the date posted. Assignments must be submitted via Blackboard or as directed by that website. Assignments posted late will not be graded and will receive a grade of zero. Late assignments are not accepted and receive a grade of zero except for documented university excused absences. A broken printer, forgotten assignment, and such excuses will not be accepted. It is the responsibility of the student to check graded assignments.

On written assignments, students shall not plagiarize or cheat. Students shall use professional, non-discriminatory language in written assignments. **CHEATING AND PLAGIARISM:** Cheating and plagiarism continue to be significant problems on campus (and nationally), and honest students are becoming more vocal about the degree to which they perceive academic infractions occurring on campus. In most cases, students who cheat are either unaware of the potential consequences, or they choose to ignore them and take their chances. You are reminded that **the minimum penalty** for either of these offenses is an "E" in the course, with suspension and dismissal also possibilities. Plagiarism or cheating on any assignment or exam will result in an "E" for the course. The following is from the Ombud office: Instances of student plagiarism have increased in recent years. A link to a paper "Plagiarism: What is it?" may be found at the Ombud web site <http://www.uky.edu/Ombud/Plagiarism.pdf>. The Ombud web site also includes a link to a Prentice Hall Companion Website "Understanding Plagiarism" http://wps.prenhall.com/hss_understand_plagiarism_1/0,6622,427064-,00.html. This site includes brief quizzes on related topics. Students are responsible for reading the documents explaining plagiarism on the University Ombud's website: <http://www.uky.edu/Ombud/>: What is Plagiarism? and How to Avoid Plagiarism. Students who turn in assignments with

significant portions of their answers in "quotes" will be considered to be "cheating" by using the words and works of others to answer the assignment questions. Ignorance will not be a defense to this charge.

ABSOLUTELY NO make-up exams will be given except for documented excused university absences under excused absences 1, 2, 3, and 4 (excuses under 5 will not be accepted for exams). Students missing an exam will receive a grade of zero on the exam. NO EXCEPTIONS.

There are NO EXTENSIONS for due dates.

Online Behavior, Decorum and Civility: In addition to cheating and plagiarism, student demeanor is an increasingly significant problem on campuses. The university (and college/department) are committed to the respect and dignity of all and to value differences among members of our academic community. Discussion and debate in academia is valuable to discovery and students have the right to respectfully disagree from time-to-time. Students have the right to take **reasoned** exception and to voice opinions contrary to those offered by the instructor and/or other students (S.R. 6.1.2). Equally, a faculty member has the right -- and the responsibility -- to ensure that all academic discourse occurs in a context characterized by respect and civility. Obviously, the accepted level of civility would not include attacks of a personal nature or statements denigrating another on the basis of race, sex, religion, sexual orientation, age, national/regional origin or other such irrelevant factors. Any disruption of the class with unreasonable or denigrating remarks or actions will result in a grade of E for the course and the request to have the student removed from the class.

4. Grievance Procedure: Any student feeling that a dispute exists after the grading of any assignment or exam may submit a written grievance. This grievance should identify the item in dispute and the arguments supporting the student's position. Grievances should be submitted along with the item in dispute within 48 hours following the return of the assignment.

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Course topics and schedule

Lesson 1: Course Introduction: History, Courts and the Law

Readings: Neubauer/Meinhold Chapter 1

Study Questions: Note: you do not have to hand in answers to these questions.

1. What is the difference between common law and statutes?
2. Define: litigation, action, tort, negligence, liable, writ, equity, doctrine of stare decisis, and precedent. What distinguishes common law from equity?
3. What were the main contributions of the early royal courts to the development of the common law?
4. What is the inner ring of the American legal system? What is its function? What is the middle ring? What is its function? What is the outer ring? What is its function? How do these three rings interact within the larger social and political context? How are courts political actors like the other branches of government? How are courts different from the other branches of government?
5. Explain how court decisions involve discretion? What types of discretion?
6. What are the 3 factors which distinguish public from private dispute arbitrators?
7. What are the major functions of law and the judiciary (as interpreter of law)?
8. There are 5 limitations or constraints on judicial policy making. Name and explain how each is a constraint.
9. What is the power of judicial review?

Web Assignment 1:

A. Find the case Baker v. Carr, 369 U.S. 186 (1962).

Complete the first 5 parts of a case brief: 1. Name or Title of Case

2. Legal Citation
3. Brief Statement of Facts
4. Brief Statement of Legal Issues
5. Decision and Action of Court
6. Finally, summarize the legal doctrine of political questions as set forth by Justice Brennan in the majority decision.

B. Find the case Marbury v Madison, 5 US 137 (1803).

Complete the first 5 parts of a case brief: 1. Name or Title of Case

2. Legal Citation
3. Brief Statement of Facts
4. Brief Statement of Legal Issues
5. Decision and Action of Court

6. Finally, summarize the legal doctrine of judicial review as set forth by Justice Marshall in the decision.

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Lesson 2: Law, Jurisdiction and Legal Systems

Readings: Neubauer/Meinhold Chapter 2

Study Questions:

1. Define "law," including its 4 essential features. What are the 2 components of criminal laws (as discussed in class).
2. What are the four major types of legal systems in the world? Distinguish each from the other.
3. What are the three key characteristics of common law? Distinguish common law from civil law by how they establish facts in a case.
4. What is an adversary system? What are the two key elements of the adversary system?
5. What is the structure or what are the major components of U.S./American law as defined by Nuebauer (referred to as the 8 layers in the old editions)? What are the multiple sources of federal, state and local law? What is federalism in the judiciary? What is substantive, procedural, administrative, statutory, constitutional, criminal, civil, common, tort, private, and public law?
6. Define "concurrent jurisdiction." What are the major consequences of concurrent jurisdiction for the US dual court system?
7. What is the doctrine of access that controls the flow of cases in the judiciary?
8. Define "jurisdiction" and the 4 general bases of jurisdiction (lecture).
9. Define justiciability. What are the four aspects of justiciability? What is the constitutional basis for federal court justiciability?
10. Define judicial review, original and appellate jurisdiction, appeal as of right, statute of limitations, mandatory and discretionary jurisdiction, exclusive and concurrent jurisdiction, limited and general jurisdiction, trail de novo, court of record, and appeal de novo. What is direct review? Collateral review? What is a case of first impression?

Web Assignment 2:

A. In interpreting the law, judges as well as other legal actors are called upon to understand and apply laws to "facts" in a case. This means that they must interpret the words of the law as well as the actions and intentions of the parties in the case. Criminal law is an excellent example of where this interpretation is important. Find KRS 507.000 (Kentucky Revised Statues Chapter 507.000), the statute governing criminal homicide. There are four types of criminal homicide. Name each charge and distinguish the laws by their features. What makes them different and how does that change the proof required for each charge?

B. Courts must interpret laws from several sources and function to uphold those laws. Neubauer/Meinhold discusses the sources of laws and the major components of U.S. laws. Go to the Official Supreme Court website. Go to the Slip Opinions or Court Opinions for the most recent term. Find a case among those listed and click on the case (you must choose a case with a full opinion - not a summary or per curiam opinion).

- Complete the first 5 parts of a case brief: 1. Name or Title of Case
2. Legal Citation
 3. Brief Statement of Facts
 4. Brief Statement of Legal Issues
 5. Decision and Action of Court
 6. What is the source(s) of law being used in the case? Name the source(s) and give an example from the decision.

QUIZ 1 online

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Lesson 3 Federal Courts

Readings: Neubauer/Meinhold Chapter 3

Study Questions:

- 1.. What are the 3 specific bases of Federal District Court jurisdiction? (not the general bases of jurisdiction)
2. What is a case of first impression?
3. What are the 3 levels of the hierarchy of Federal Courts. Name and define each in terms of its structure and jurisdiction. What is the role of each within the judicial system?
4. What are the 2 important functions of the Court of Appeals?
5. What is a three judge district court (federal court)? What is their jurisdiction?
6. What is the difference between a "constitutional court" and a "legislative court"?
7. What is the job of: US Magistrate Judges? The Administrative Office of the US Courts? the Federal Judicial Center? The judicial councils? The Judicial Conference of the U.S.? The U.S. Sentencing Commission?

Web Assignment 3:

A. Go to the website for the U.S. Courts www.uscourts.gov.

1. What are the rules for filing a civil case in federal court?
2. What are the rules for filing a criminal case in federal court?
3. Criminal cases must begin within what time frame and under what law?
4. Civil cases must begin within what time frame?

B. Go to the Official Supreme Court website. Go to the Slip Opinions or Court Opinions for the most recent term. Find a case among those listed and click on the case (you must choose a case with a full opinion - not a summary or per curiam opinion).

- Complete the first 5 parts of a case brief: 1. Name or Title of Case
2. Legal Citation
 3. Brief Statement of Facts
 4. Brief Statement of Legal Issues
 5. Decision and Action of Court
 6. On what jurisdictional basis did this case come to federal court? Explain.

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Lesson 4 U.S. Supreme Court

Readings: Neubauer/Meinhold Chapter 14 and Chapter 15 (pages 485-490)

Study Questions:

1. Name and define the five major types of jurisdiction of the U.S. Supreme Court.
2. What are the three different dockets of the U.S. Supreme Court? What is the Rule of Four? What is Rule 10?
4. What is the Doctrine of Access for the U.S. Supreme Court?
5. What are the two screening stages the U.S. Supreme Court uses to decide which cases to hear? What are the criteria used in these screenings?
6. What is a brief in opposition?
7. What are the components of a petition for certiorari?
8. What is an opinion of the Court? a plurality opinion? a per curiam opinion? a dissenting opinion? a concurring opinion?
9. What are the steps in a case from petition to disposition before the U.S. Supreme Court?
10. What are the options for case disposition?

Web Assignment:

A. Go to either <http://www.law.cornell.edu/rules/supct/overview.html> or <http://www.supremecourtus.gov/index.html>

Find the answers to the following questions:

1. There are five types of jurisdiction for the U.S. Supreme Court. Name and summarize those five. You may have to follow the links to find all of the answer.
2. What are "briefs on the merits?" Find a merit brief for a current case and summarize the jurisdictional argument.
3. What is an "amicus curiae" brief? Find an amicus brief for a current case and summarize its legal argument.

B. Go back to the U.S. Supreme Court website and pick a full opinion from the most recent term that you did not pick for Assignments 1-3.

Complete the first 5 parts of a case brief: 1. Name or Title of Case

2. Legal Citation
3. Brief Statement of Facts
4. Brief Statement of Legal Issues
5. Decision and Action of Court
6. Under what specific jurisdiction does the Supreme Court hear this case? Give a specific statement of this jurisdiction.

QUIZ 2 online

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Lesson 5: State Courts and Kentucky Commonwealth Courts

Readings: Neubauer/Meinhold chapter 4

Website of the Kentucky Court of Justice <http://courts.ky.gov/default.htm>

Study Questions:

1. What is the general structure of state court systems? What is the general, limited, original and appellate jurisdiction of the different levels?
2. What are the levels of the court hierarchy in the state of Kentucky? What is the specific jurisdiction of each?
3. What is the jurisdiction of juvenile courts? Municipal courts?
4. In re Gault established the rights of juveniles in court. What are these rights?
5. Court reformers advocate a "unified court system" to shift judicial administration from local to centralized management. What are the five general principles of a unified court system? Explain each.
6. What is the function of the Administrative Office of the Courts in Kentucky? How is it representative of a unified court system?
7. What is the design and purpose of drug courts?
8. What is trail de novo? court of record? appeal de novo?
9. What is the purpose of Pretrial Services in Kentucky? Judicial Ethics Committee? Judicial Nomination Commission?

Web Assignment:

Kentucky Courts and Jurisdiction

Go to the homepage for the Fayette County Courts

Find the Local Rules of Practice of the Fayette District Court. Answer the following questions:

1. What are the five sessions of the Fayette District Court?
2. What are the rules regarding pre-trial conferences for criminal cases?
3. What are the rules regarding pre-trial conferences for civil cases?

4. Find the Local Rules of Practice for Fayette County Circuit Court. What are the two sessions?

Go to <http://courts.ky.gov/> (the Administrative Office of the Courts)

5. Find and summarize the specific jurisdiction of District Courts in KY.
6. Find the jurisdiction of the Court of Appeals. Summarize the specific jurisdiction of the Court of Appeals.
7. Find the jurisdiction of the Kentucky State Supreme Court. Summarize the specific jurisdiction of the Supreme Court.
8. Fine the jurisdiction of Circuit Court and summarize.
9. What is the jurisdiction of Family Court?

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Lesson 6: Police, Policing and Law Enforcement

Readings: No assigned readings from book
Read the online module.

Study Questions:

1. What is the structure of police organizations in the United States?
2. How is their jurisdiction defined?
3. What 3 types of activities do police departments engage in?
4. Define "reactive" and "proactive" policing.
5. What types of controls are there over police actions?
6. What factors affect a police decision to arrest?
7. What types of discretion do police have in their activities?

Web Assignment

1. Go to the U.S. Department of Justice webpage for the National Criminal Justice Reference Service.

<http://www.ncjrs.gov/viewall.html>

This page includes studies of issues in criminal justice and law enforcement. Pick one of these full report documents. Read the document and then write a short summary report. Give a full citation for the document (including URL), summarize the problem being analyzed, summarize the actors involved and the solution proposed. How effective do you think the proposed solution will be and why?

2. Go to the webpage for the Lexington/Fayette County Division of Police <http://www.lexingtonpolice.lfucg.com/>

A. Go to the Special Operations link. Briefly explain the 3 sections and give at least 2 examples of the activities under each section.

B. Find information on the Training Academy. Briefly explain the 5 phases of Basic and Field training.

C. How does an individual file a complaint about police officer actions in Fayette County? Be specific.

3. What is the jurisdiction of the Fayette County Sheriff's office?

QUIZ 3 online

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Lesson 7: Lawyers

Readings: Neubauer/Meinhold Chapter 5

Study Questions:

1. What are the general functions of state bar associations?
2. What is an integrated bar? In what two ways are they integrated?
3. Name and define five general categories of lawyers' work?
4. What are the differences between lawyers in the corporate versus the personal client sectors versus the government sector?
5. What are the two major types of criminal defense services for indigent defendants? What are the pros and cons of each type?
6. What are the three major ways in which the poor may receive representation in civil cases? What are the pros and cons?
7. What two Supreme Court cases guaranteed defendants the right to counsel in criminal proceedings?
8. What is a contingent fee?
9. What are the duties of the US Attorney General? the US Solicitor General? State Attorneys General? What are the duties of the Commonwealth Attorney and the County Attorney in Kentucky?

Web Assignment:

1. The major association representing lawyers in the US is the American Bar Association. This association plays a role as advocate for the profession as well as setting guidelines for lawyers within the states (including licensing). However, there are many different types of bar associations. Visit the following bar association sites and answer these questions:
 - A. Go to <http://www.abanet.org/poladv/priorities/> This page has the legislative priorities of the American Bar Association. Summarize at least two major points on their priority list.
 - B. Go to <http://www.nationalbar.org/> This is the website for the National Bar Association. Read the brief history provided in The Association link. When was the NBA formed and who was the NBA created to serve? Briefly summarize at least two of their accomplishments.
 - C. Go to <http://www.hnba.com/> This is the website for the Hispanic National Bar Association. Click on About HNBA in the left frame. When was the HNBA founded and how many members does it represent? Briefly summarize the primary objectives and two achievements of the HNBA?
 - D. Go to <http://www.kybar.org/> This is the Kentucky Bar Association website. Find the Rules for Admission to the Bar. Briefly describe the four methods for admission to the Bar. Now find the rules for Continuing Legal Education. What are the requirements for continuing legal education in Kentucky?
2. Go to the website for the Kentucky Attorney General. Give examples of one criminal and one civil area that the KY Attorney General's office is involved in.
3. Explain the duties of the Commonwealth Attorney and the County Attorney in Kentucky?

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EXAM 1 Students must complete Exam 1 no later than TBA

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Lesson 8: Litigants and Interest Groups

Readings: Neubauer/Meinhold Chapter 7

Study Questions:

1. Courtroom actors may be one-shotters or repeat players. Define each and explain the impact of being a one-shotter or repeat player on case processing and outcomes.
2. Define and distinguish procedural, decisional, diagnostic adjudication, and routine administration.
3. What are the major differences between traditional and policy-oriented lawsuits?
4. Interest groups become involved in lawsuits as sponsors, by submitting amicus curiae briefs, and through class action suits. Explain how each mechanism works.
5. Define legal mobilization? How are third party alternatives to legal mobilization categorized?

Web Assignments:

Interest groups play an important role in litigation aimed at policy making. There are many interest groups with policy agendas

that they pursue through the courtroom. In this assignment you will visit the websites of a couple of these groups to learn about their agendas and strategies.

1. Go to the homepage of the American Civil Liberties Union ("the nation's foremost advocate of individual rights -- litigating, legislating, and educating the public on a broad array of issues affecting individual freedom in the United States.")
 - A. Summarize 2 of the "Key Issues" that the ACLU is involved in. Explain how this fits with their stated overall agenda.
 - B. Find and summarize information on 2 court cases that the ACLU is involved in. State specifically how they are involved and what their argument is in the case.

2. Go to the homepage of the Rutherford Institute (an "international, non-profit legal and educational which specializes in the defense of religious liberty and human rights")
 - A. Summarize 2 of the "Issues" that the Rutherford Institute is involved in. Explain how this fits with their stated overall agenda.
 - B. Find and summarize information on 2 court cases that the Rutherford Institute is involved in. State specifically how they are involved and what their argument is in the case.

3. Think about the priorities and issue stances of the ACLU and Rutherford Institute. What types of cases would the two interest groups agree about and on what legal grounds?

QUIZ 4 online

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Lesson 9: Judges

Readings: Nuebauer/Meinhold Chapter 6

Study Questions:

1. What are the five methods used to select state judges? (the 5 methods of selection are presented in class and differ from Neubauer's presentation, but be familiar with Neubauer's typology as a basis for understanding)
2. Summarize the background characteristics of federal judges? Of state judges?
3. What are the general criteria, both formal and informal, for presidential nominations of Supreme Court justices?
4. What are the criteria, both formal and informal, used for presidential nominations of federal lower court judges?
5. Explain the use of Senatorial Courtesy in the selection of Federal District Court judges.
6. What are the five major categories of the work of trial judges? Explain.
7. There are two formal ways to handle judicial misconduct. Name and explain each.
8. Who are the participants, both formal and informal, in the selection of federal court judges? What influence do they have?

Web Assignment:

- A. How are judges selected in Kentucky? How are judicial vacancies filled? What are the qualifications for judges?
- B. What are the 5 Canons of Kentucky's Code of Judicial Conduct? SCR 4.300
- C. What are the rules for Campaign Financing for judicial elections in Kentucky?
- D. Find and compare the selection method to how judges are selected in Kansas? How are judges selected in Kansas? How are judicial vacancies filled? What are the qualifications for judges? What are the rules for Campaign Financing for judicial elections in Kansas?
- E. What are the 5 Codes of Conduct (or Canons) for United States Judges? (Hint: go to the www.uscourts.gov website to search.

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Lesson 10: Juries

Readings: Neaubauer/Meinhold Chapter 12 and pages 253-254 (Grand Jury)

Study questions:

1. Name and define the three types of juries. What are their primary functions and decisions?
2. What are the primary functions of grand juries? What are the different uses of grand juries by the states? How big are grand juries? What are the differences between a grand jury and a petit jury?
3. What does the U.S. Constitution have to say about juries? Which parts of the Constitution address juries and how? What rights are guaranteed?
4. When is the right to a jury trial not guaranteed?
5. What did the Supreme Court decide about jury size in Williams v Florida (1970)?
6. What is the effect of Johnson v Louisiana (1972), Apodaca v Oregon (1972) and Burch v Louisiana (1978) on the verdicts of juries?
7. What effect do Williams v Florida (1970), Ballew v Georgia (1978), Thompson v Utah (1898), and Colgrove v Battin (1973)

have on jury size?

8. What is a voir dire?
9. Define a challenge for cause? peremptory challenge?
10. Compare the verdicts reached by judges and juries?
11. Pretrial publicity includes a conflict between what constitutional rights? What are the three major techniques judges may use to reconcile this conflict?
12. What is the "vanishing jury" and why are there fewer jury trials?
13. What are the three stages in jury selection? How does each stage progress toward the final jury?

Web Assignment:

A. Go to the Fayette County Courts homepage <http://courts.ky.gov/counties/Fayette/default.htm> Find the Juror Reporting Handbook. Briefly summarize the answers to the following questions:

1. How is the Jury pool constructed?
2. What are the rules of eligibility for jury service?
3. What is the size of a civil case jury? How many must agree on a verdict?
4. What is the size of a criminal case jury? How many must agree on a verdict in a criminal case?
5. What is the juror's role in a case? Who decides issues of fact? Who decides issues of law?
6. What is a Grand Jury? What types of cases do they decide? How many must agree to decide a case?
7. How long is jury service and how much are jurors paid?

QUIZ 5 online

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Lesson 11: Criminal Court Process

Readings: Neubauer/Meinhold Chapters 8 and 9; Miller chapter 3, pages 55-58 and 68-73

Study Questions:

1. Explain the burden of proof in civil and criminal cases?
2. What are the three major types of plea bargaining? What are the pros and cons of plea bargaining for the parties/actors involved?
3. Which of the Bill of Rights establish procedural rights in criminal procedure? In what stages and how do they apply?
4. There are 4 ways that a criminal trial may begin. What are those 4 ways?
5. What is probable cause? What is the role of probable cause in an arrest or the beginning of a case?
6. What are the principal differences between civil and criminal litigation?
7. What is the difference between an information and an indictment?
8. What happens at a booking?
9. What is the purpose of an initial appearance and what happens in court?
10. By whom and when is bail set? Are there any Constitutional provisions concerning bail? How is the amount determined? What is preventive detention? What affect does bail have on case outcomes?
11. What is the charging document?
12. What is the purpose of and what happens at the preliminary hearing?
13. There are three distinct exclusionary rules. Name and define each.
14. What is the role of the Grand Jury in the criminal process?
15. What happens at the arraignment?
16. What are the options for the defendant to plead to the charges in a criminal case?
17. What are the forms of punishment that may be imposed as a sentence in a criminal trial?
18. What factors affect sentencing decisions? How do these help to explain sentencing disparities?
19. What is the role of sentencing guidelines? How do they work at the state and federal levels?
20. Define an ex post facto criminal law? A bill of attainder?
21. What two court cases guaranteed defendants the right to counsel at trial?
22. Define and give an example of a mala in se crime? a mala prohibita crime?
23. What are the two types of acquittals in a criminal case?
24. Define critical stage analysis? From cases decided by the Supreme Court and the rule of analysis, what are the critical stages in the criminal process?
25. Name and define the 4 goals of sentencing in criminal cases?

Web Assignment:

Go to the website for the Kentucky Administrative Office of the Courts or Court of Justice and find the page for forms. <http://courts.ky.gov/> Click on the Forms Library and under Criminal Actions find the following forms and summarize their

purpose and explanation of rights for the defendant:

1. Waiver of Jury Trial: What rights does a defendant waive?
2. Commonwealth's Offer on a Plea of Guilty: What is the role of this form in plea bargaining? What type of plea bargaining is contained in this form?
3. Motion to Enter Guilty Plea: What rights does a defendant give up? How is this form related to plea bargaining?
4. Motion to Enter Guilty Plea Pursuant to North Carolina v. Alford: How does this differ from a Motion to Enter a Guilty Plea?
5. Affidavit for a Search Warrant: What is the role of probable cause in this affidavit? What does the form specify in the request for a warrant? How is this related to the U.S. Constitution?

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Lesson 12: Civil Court Process

Readings: Neubauer/Meinhold Chapters 10 and 11

Study Questions:

1. Explain the burden of proof in civil and criminal cases?
2. In civil litigation: what is relief? liability? relief in legal actions? relief in equitable suits? what is a fact pleading? a notice pleading? default judgment? What is a statute of limitations? sua sponte? venue? answer? affirmative defense? counterclaim? the 8 general stages of discovery? an interlocutory appeal? material facts? interrogatories? subpoenas? deposition? motion for summary judgment?
3. what is a judgment as a matter of law? a directed verdict? a general verdict? a judgment notwithstanding the verdict?
4. What types of pre-trial motions are common in civil cases?
5. What are the two types of pre-trial conferences in civil cases and what happens?
6. What is a prejudicial or reversible error? harmless error?
7. What are the preliminary steps in a civil lawsuit?
8. What factors have contributed to the growth in the number of civil cases filed?
9. Define the most common forms of Alternative Dispute Resolution? What is the difference between arbitration, mediation, and informal negotiations?
10. Discuss the advantages and disadvantages of pursuing a dispute in civil court proceedings.
11. What are the six major types of tort reforms commonly proposed?
12. What are the 9 steps in civil case procedure? What happens at each step?
13. There are four components to a complaint. Explain each.
14. Define service? answer? discovery?
15. What are the three major tools of discovery? Define.
16. What are dispositive motions and summary judgments?
17. Define the following types of evidence: real, testimony, direct, circumstantial?
18. What are the three goals of negotiations in a civil case?
19. What are the major categories of civil cases?

Web Assignment:

Go to the website for the Kentucky Administrative Office of the Courts or Court of Justice and find the page for forms <http://courts.ky.gov/> Click on the Forms Library and find the following forms and summarize their purpose and explanation of rights and responsibilities:

1. Civil Summons
2. Appearance-Waiver and Consent-To-Adopt
3. Small Claims Complaint
4. Small Claims Counter claim
5. Small Claims Post Judgment Interrogatories
6. Order Probating Will and Appointing Executor/Executrix

QUIZ 6 online

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Lesson 13: Litigation and Trial

Readings: Neubauer and Meinhold Chapter 12

Study Questions:

1. What are the steps in the trial process? What happens at each step?

2. There are 4 types of evidence presented at trial: real, testimony, direct and circumstantial. Explain each type.
3. There are 3 steps in the examination of witnesses at trial. Explain these 3 steps.
4. How is evidence evaluated in a trial? On what bases is it evaluated for admission? To reach a verdict?
5. What are the differences between a civil trial and a criminal trial?

Web Assignment:

Paper Due. There is no web assignment this week.

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Lesson 14: Appellate Court Process

Reading: Neubauer/Meinhold Chapters 13 and 14

Study Questions:

1. What are the six general steps of appellate court procedures? Briefly explain what happens at each step.
2. What are the purposes of appeals and appellate court decisions?
3. What is the scope of appellate review? How is it limited?
4. What are the types of dispositions of appeals? What is the difference between reversible and harmless errors?
5. What factors affect decisions to appeal in civil cases? in criminal cases?
6. How have the courts increased efficiency in processing appellate court cases?
7. What are the limits and exceptions to the right to one appeal? What is an interlocutory appeal?
8. What are "post-conviction remedies?" Who may file them and how are they related to the appeals process?
9. What are the legal, attitudinal, institutional and strategic factors that affect decisionmaking on appellate courts?
10. Define "writ of certiorari?"
11. What is the Doctrine of Access for the U.S. Supreme Court?
12. What is the "cert pool" and the "rule of four?"
13. What are the screening criteria in mandatory cases? Discretionary cases?
14. How are court rulings, especially the case opinions of the U.S. Supreme Court, communicated to the legal community and the general population? (Lecture)

Web Assignment:

Go to the US Supreme Court opinion page
<http://www.supremecourtus.gov/opinions/opinions.html>

Find the opinion for Jesse Jay Montejo v Louisiana 556 U.S. _ 2009.

1. Write a full case brief.
2. Trace the case back to its original trial court. What courts did the case come up through? What were the decisions of the lower courts? (Sometimes you can trace the links back to the previous decisions, but you will often have to read through the text of the case to find out where the cases come from and what the prior decisions were.)
3. Is this a traditional lawsuit or a policy-oriented lawsuit? Why do you think this case was appealed?
4. Under what screening criteria do you think the U.S. Supreme Court accepted this case?
5. What is the purpose of the Supreme Court decision?

QUIZ 7 online

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Lesson 15: Judicial Decision-making

Readings: Neubauer/Meinhold Chapter 15

Study Questions:

1. What are the three models of judicial decision-making presented in Neubauer/Meinhold Chapters 14 and 15. Explain the features of each and the differences between them in terms of their emphasis.
2. Briefly explain the steps in the decision-making process for U.S. Supreme Court decisions.
3. There are 4 populations affected by appellate court decisions. Name and define these four and how they are impacted.
4. Define "judicial restraint." Define "judicial activism." What are the six dimensions of judicial activism? How do we determine how "activist" a decision is?

Web Assignment:

Find the U.S. Supreme Court decision for Citizens United v Federal Election Commission 558 U.S. _ 2010.

1. Write a full case brief.
2. Identify the four populations that will be impacted by the case: interpreting, implementing, consumer and secondary. Include a brief justification for why you specify each population.

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Exam 2 Students must complete Exam 2 no later than the last day of the summer session.