

POLI 7920 PUBLIC LAW
Louisiana State University
Department of Political Science
Fall 2021
Thursday 2:00 – 4:50
210 Stubbs Hall

Professor Elizabeth Lane
Office: 205 Stubbs Hall
Student Hours: 12:00-2:00 Tuesday, or by appointment
Email: elane8@lsu.edu – please include “POLI 7920” in the subject line

COURSE OBJECTIVES AND LEARNING OUTCOMES

This course is designed to be an introduction to the academic literature on American courts and judicial politics. The primary focus will be on the U.S. Supreme Court, though we will discuss lower federal courts as well. We will be reading and critiquing contemporary scholarly works published in this area in order to build your understanding of the judiciary and prepare you to teach and conduct research in this area. Additionally, this course will help you develop and practice a number of professional skills that are important to your success in the discipline.

By the end of this class, you should be able to:

1. Develop a comprehensive understanding of the fundamental theories related to judicial behavior and decision-making and of the different decision-making processes at the Supreme Court.
2. Develop critical thinking skills necessary to adapt theoretical arguments to specific institutional and environmental contexts.
3. Learn how to respond to research in a constructive manner and also receive and take action on this type of feedback.
4. Effectively lead class on judicial politics and foster enlightened discussion on related topics.
5. Enhance your written and communications skills to produce high-quality written research and effectively present it to an audience in a professional setting.

SOCIAL SCIENCES COMPETENCY STATEMENT

LSU graduates will demonstrate an understanding of the informing factors of global interdependence, including economic forces, political dynamics, and cultural and linguistic differences.

CLASS FORMAT

This class will meet in-person in accordance with LSU's current COVID policies, which only permits classes over with 100 students to meet online/hybrid format. Therefore, we will be meeting in-person at the time and place specified by the LSU course schedule.

Student Hours

If you have a question about course material, or you just want to chat about the Supreme Court or anything else, my student hours (aka office hours) will be on Tuesday from 12:00-2:00 pm CST in 205 Stubbs Hall. If this time is inconvenient for you, or you need to meet via Zoom, please email me to arrange an alternative time/venue. After making arrangements, Zoom office hours will be held using the Zoom information below:

<https://lsu.zoom.us/j/97037287532?pwd=dUF2akZDU1BKNk1VcGhoeUE2Ky9tUT09>

Meeting ID: 970 3728 7532

Passcode: scotus

Dial Meeting: 877 853 5247 or 888 788 0099 (Both are US Toll-free)

Passcode for dial in: 586111

COURSE MATERIALS

Please obtain a copy of the following books for this class:

- ◇ Black, Ryan C., et al. *The Conscientious Justice: How Supreme Court Justices' Personalities Influence the Law, the High Court, and the Constitution*. Cambridge University Press, 2019.
 - Perry, Hersel W. *Deciding to decide: agenda setting in the United States Supreme Court*. Harvard University Press, 2009.
 - Black, Ryan C., Timothy R. Johnson, and Justin Wedeking. *Oral Arguments and Coalition Formation on the US Supreme Court: A Deliberate Dialogue*. University of Michigan Press, 2012.
 - Maltzman, Forrest, James F. Spriggs, and Paul J. Wahlbeck. *Crafting law on the Supreme Court: The collegial game*. Cambridge University Press, 2000.
 - ◇ Bartels, Brandon L., and Christopher D. Johnston. *Curbing the court: Why the public constrains judicial independence*. Cambridge University Press, 2020.
- ◇ Indicates a digital copy of the book is available for free on the library's website

For many of these books there are different editions. I do not care if you purchase the exact edition listed above and encourage you to find the most affordable version.

I also recommend that you obtain copies of the following books, which are two of the pillars of judicial politics. You will not be assigned read them, but I will reference them throughout the semester.

- Epstein, Lee, and Jack Knight. *The choices justices make*. Sage, 1997.
- Segal, Jeffrey A., and Harold J. Spaeth. *The Supreme Court and the attitudinal model revisited*. Cambridge University Press, 2002

In addition to the assigned books, you will be reading contemporary journal articles on judicial politics. The majority of these are available to access for free through the library's website or Google Scholar. Those that are not available are indicated with a * and will be posted on Moodle.

COURSE REQUIREMENTS AND GRADING

Your course grade will be graded on a points system (points earned divided by points possible). The points will consist of seminar participation and leadership, five-point memos, an article review, a research proposal or extension, and the presentation of that project. A summary of the points breakdown is as follows:

Assignment	Points
Seminar Participation & Seminar Leader	300
Five-Point Memos	200
Article Review	200
Research Proposal/Replication and Extension Paper	200
Research Proposal/Replication and Extension Presentation	100
Total	1,000

Assignment Descriptions

Seminar Participation & Seminar Leadership (300 points)

I expect that you will attend all of our seminar in-person meetings, be prepared for each session, and participate in any activities or exercises during the semester. Being prepared for seminar does not simply mean completing all of the required readings, you must demonstrate that you have dedicated time to also consider how they advance our knowledge of judicial politics and how you can use this knowledge to ask new questions expand the literature even further. You are expected to offer thoughts and opinions in the class without prompting. Your goal is to show me and your classmates that you put in the work for every class.

Additionally, for **two** weeks during the semester you will lead the class. This means you will decide how to break up our class time as well as how you would like your classmates to engage with the material. If you have an idea for an activity, go for it! The world is your oyster. You are expected to be the expert on that topic for the week.

Following your seminar leadership day, you will send me a one-page self-assessment of the experience, including your thoughts on what you learned while leading the class, what you thought you did well, and what you think you can do to improve in the future. Teaching is hard and like most things, practice and constructive feedback help make it easier.

During our first meeting I will ask everyone about their preferred weeks for leading seminar and announce the schedule the following week.

Five-Point Memos (200 points)

Knowing how to synthesize articles and books into small pieces that can fit into a lit review or cited to build a theory section of a paper is a learned skill and takes practice. To that end, you will complete a **one-page** "Five-Point Memo" for each assigned reading. In that page, you will provide the following information:

1. A one-sentence summary of the article
2. A one-paragraph explanation of where this piece first in the literature
3. An explanation of the methodological approach
 - a. Dependent variable
 - b. Independent variable
 - c. Hypotheses
 - d. Underlying approach (observational, experimental, archival, etc.)
 - e. Method and model
4. A one-paragraph discussion of what the authors found

5. One way to build on the research moving forward. This can include a criticism of the piece, but if you choose to do that, you must also offer a way to fix the issue.

You will upload all memos for that week in the order they appear on the syllabus in a **single PDF file** to the appropriate folder on Moodle. Memos are due prior to the start of class at **2:00 pm CST on Thursday**. You should also email a copy to the person scheduled to run the seminar that week. I strongly encourage you to use these memos during class to help guide the conversation.

Each set of memos will receive a check-plus, a check, or a check-minus. I will be grading them based on (1) your ability to explain the theory, (2) your ability to explain the method, and (3) your ability to build on the readings. My expectations for these assignments are different based on your year in graduate school – if you are in your first year I will focus more on your analysis of the theory than your explanations of the method, but by the time you are in your second or third year, I expect to see that you can work through the theory and methods and offer a solid idea for building on the research.

Just a reminder that these memos must be your own work. While I encourage you to talk about the readings outside of class (because judicial politics rocks!), these memos must be completed independently.

Article Review (200 points)

If you stay in the academic world after completing your degree, an important part of your job will be participating in the peer-review process. You will be sending your work out into the world for other academics to read, provide feedback, and evaluate your work for publication, and eventually you will also find yourself in the reviewer's seat being tasked with the same job. The modal outcome in the discipline is a rejection, but even if that is your recommendation, it is important to provide feedback that is constructive and useful. Unfortunately, in your career you will likely find this is not always what you receive. Writing a helpful review even with a negative outcome is a learned skill and incredibly difficult. So, you will get a chance to practice in this class.

After the schedule is released for seminar leaders, I will ask you to pick a week to write an article review (when you are not a seminar leader). I will then assign you the article to review. You will work through the article and write a 1-2 page review of it, pointing out its strengths and weaknesses and ultimately suggesting an outcome to the journal editor of accept, revise and resubmit, or reject. Reviews must be submitted to the appropriate folder prior to the start of class for the week of the review.

This process can be somewhat of a black box until you've experienced it, so to aid in your completion of this assignment I will provide examples and more details of what goes into a good journal review later in the semester.

Research Proposal/Replication and Extension Paper (200 points)

You can choose between two of the following options for your final paper:

- A research proposal (8-10 pages), including a complete introduction, literature review, and an outline of how to answer your question empirically including the data that are available and what needs to be collected. This is an original research idea.
- A data replication and extension project (8-10 pages including tables and figures) in which you replicate an existing judicial politics piece and extend it to answer a new question or answer the paper's question differently.

I will provide more details on this later in the semester. Papers will be due prior to your presentation during finals week.

Research Proposal/Replication and Extension Presentation (100 points)

You will present whichever option you chose above in a conference style presentation of 8-10 minutes. One student will be assigned to provide feedback on your paper, and you will do the same for another student. These presentations will take place during finals week. Because this is a longer class, there are multiples days and times for our "final exam," so we will discuss the best day and time during finals week for these presentations to take place.

Grade Scale

LSU uses a letter plus minus grading scale. The final **minimum** percentage needed for each grade level is as follows: A+: 97, A: 93, A-: 90, B+ 88, B: 84, B-: 80, C+: 77, C: 73, C-: 70, D+: 67, D: 63, D-: 60, F: any value below 60%. Please do not email me at the end of the semester asking me to round your final grade. To be fair, I do not accept rounding appeals to ensure that all students have the same opportunities throughout the semester to earn points towards their final grade and late semester appeals are not fair to other students.

Grade Questions and Appeals

If you receive a grade and see that it contains an arithmetic error (i.e., I mis-calculated your grade), please inform me of the problem. If you have a question or concern about your performance on any course work, please also contact me. All concerns must be stated in writing (paper or email), beginning with a statement that concisely explains why you believe your grade should be altered.

All concerns, whether arithmetic or otherwise, must be raised within one week of that assignment/quiz's release to students. The one-week clock starts when grades are posted on Moodle or paper exams are distributed back to the class regardless of whether or not you were there to collect it. If you do not raise your question within this one-week period, you forfeit your ability to appeal your grade.

COURSE POLICIES AND RESOURCES

You are solely responsible for your conduct in this course and informing yourself of all relevant course, departmental, college, and university policies governing your behavior. This includes, but is not limited to, policies regarding academic integrity and plagiarism, accommodations for students with documented disabilities, religious holidays, student athlete travel, Covid-19 policies including proper mask-wearing in the classroom, and all information and policies related to this course outlined in this syllabus.

Academic Integrity

Louisiana State University adopted the Commitment to Community in 1995 to set forth guidelines for student behavior both inside and outside of the classroom. The Commitment to Community charges students to maintain high standards of academic and personal integrity. All students are expected to read and be familiar with the LSU Code of Student Conduct and Commitment to Community, found online at www.lsu.edu/saa. It is your responsibility as a student at LSU to know and understand the academic standards for our community.

Students who are suspected of violating the Code of Conduct will be referred to the office of Student Advocacy & Accountability. For undergraduate students, a first academic violation could result in a zero grade on the assignment or failing the class and disciplinary probation until graduation. For a second academic violation, the result could be suspension from LSU. For graduate students, suspension is the appropriate outcome for the first offense.

Academic Dishonesty and Plagiarism

Nearly everyone understands that copying passages verbatim from another writer's work and representing them as one's own work constitute plagiarism. Yet plagiarism involves much more. At LSU plagiarism is defined to include any use of another's work and submitting that work as one's own. This means not only copying passages of writing or direct quotations but also paraphrasing or using structure or ideas without citation. Learning how to paraphrase and when and how to cite is an essential step in maintaining academic integrity. Written assignments for this class will be subject to review by plagiarism detection software. Incidents of dishonesty may also be reported to the Department or University, which can result in further disciplinary action. On your reading responses I expect this to be in your own words and not the words of Woodward and Armstrong. I do not want to see that you can copy the book. You must demonstrate your own understanding of this material.

There is no scheduled group work in this class. All work must be completed without assistance unless explicit permission for group or partner work is given by me. This is critical so that I can assess your performance on each assignment. If a group/partner project is assigned, you may still have individual work to complete. Read the syllabus and assignment directions carefully. You might have a project with group work and a follow up report that is independently written. When in doubt, e-mail me or ask during a class session. Seeking clarification is your responsibility as a student. Assuming group/partner work is okay without explicit permission constitutes a violation of the LSU Code of Student Conduct.

If you are ever confused about what is and is not plagiarism, I am happy to discuss it with you, especially if it avoids you accidentally plagiarizing. Additionally, Indiana University has a helpful plagiarism tutorial that I encourage you to look at if you are ever confused in this class or any other:

<https://plagiarism.iu.edu/tutorials/task2/index.html>

Course Communication

Class announcements will be sent via email on Moodle. If you need to schedule a meeting outside of office hours, have questions regarding course material, or other topics, please feel free email me. When emailing, please include "POLI 7920:" as the first part of the subject line followed by your specific concern. In order for me to reply, you must also include your first and last name in the email. If you have questions regarding due dates or reading assignments **consult the syllabus or a classmate. Please email me via Outlook.** Moodle mail often goes to my spam folder, and I won't see it. During the week I will typically answer email within 24 hours. I do not check email as regularly on the weekend so it will usually take 48 hours.

As mentioned, you will be submitting assignments via Moodle. You are responsible for giving yourself enough time to do so. **If you encounter complications with Moodle, contact them first.** If the issue remains unresolved after contacting them, then you can email me, but you must provide proof of your communication with Moodle first.

Accommodations for Students with Disabilities

Louisiana State University is committed to providing reasonable accommodations for all persons with disabilities. The syllabus is available in alternate formats upon request.

If you have already made accommodation arrangements, please inform me of your needs at **the beginning of the course**, and present me with your accommodations form. If you need to request accommodations under the Americans with Disabilities Act, you may do so by contacting Disability Services in 115 Johnston Hall. Their phone number is 225-578-5919 and website is www.lsu.edu/disability. I will honor all accommodations from when the disability is registered forward. I am unable honor retroactive accommodations.

Other Accommodations

I recognize that although all of you are students you have a life outside of the classroom and oftentimes things going on in your personal life can complicate your work as a student, particularly during these challenging times. LSU has resources like [LSU Cares](#) to help during these difficult times. If you feel like you are struggling, please let me know. I am happy to submit a form to the Cares team on your behalf to get in touch with you and connect you with different resources and assistance.

Classroom Recording

If you wish to record classroom lectures you must ask the instructor for permission prior to doing so. Lectures and course materials (including but not limited to presentations, exams, quizzes, outlines, lecture notes, reading prompts, etc.) may be protected by copyright. You are encouraged to take notes and utilize course materials for your own educational purpose; however, **you are not to reproduce or redistribute this content without my expressed permission.** This includes sharing any course-related material with online social-study sites like Course Hero, Quizlet, Koofers, and other related services. Dissemination of classroom content without permission to do so is strictly prohibited and subject to academic disciplinary actions.

COURSE SCHEDULE OF TOPICS, READINGS, AND ASSIGNMENTS

I expect to follow this schedule closely. Though I do not anticipate needing to, I reserve the right to modify the syllabus and course schedule as necessary. All changes (if any) will be announced on Moodle via email. As you work your way through the schedule, please make sure to account for all readings listed for that day so that you are prepared for class. A * at the end of a reading indicates that it is on Moodle because it is unavailable through the LSU Library's website.

Please note the following important dates from the registrar's office:

- Tuesday, August 31: Final drop date without a "W" grade
- Wednesday, September 1: Final add date
- Tuesday, October 19: Mid-semester grades due
- Friday, November 5: Final drop date and **final date to reschedule a final exam**

WEEK 1: INTRODUCTION

Thursday, August 26

- Syllabus
- Epstein, Lee, and Jack Knight. "Toward a strategic revolution in judicial politics: A look back, a look ahead." *Political Research Quarterly* 53.3 (2000): 625-66.

WEEK 2: MODELS AND MEASURES

Thursday, September 2

- Segal, Jeffrey A., and Harold J. Spaeth. "The influence of stare decisis on the votes of United States Supreme Court justices." *American journal of political science* (1996): 971-1003.
- Epstein, Lee, and Jack Knight. "Reconsidering judicial preferences." *Annual Review of Political Science* 16 (2013): 11-31.*
- Black, Ryan C., et al. *The Conscientious Justice: How Supreme Court Justices' Personalities Influence the Law, the High Court, and the Constitution*. Cambridge University Press, 2019.
 - Chapters 1-3

- Epstein, Lee, et al. "The judicial common space." *The Journal of Law, Economics, and Organization* 23.2 (2007): 303-325.
- Ho, Daniel E., and Kevin M. Quinn. "How not to lie with judicial votes: Misconceptions, measurement, and models." *California Law Review* 98.3 (2010): 813-876.
- Bailey, Michael A. "Is today's court the most conservative in sixty years? Challenges and opportunities in measuring judicial preferences." *The Journal of Politics* 75.3 (2013): 821-834.

WEEK 3: NOMINATIONS AND CONFIRMATIONS

Thursday, September 9

- Farganis, Dion, and Justin Wedeking. "'No hints, no forecasts, no previews': An empirical analysis of Supreme Court nominee candor from Harlan to Kagan." *Law & Society Review* 45.3 (2011): 525-559.
- Cameron, Charles M., Jonathan P. Kastellec, and Jee-Kwang Park. "Voting for justices: Change and continuity in confirmation voting 1937–2010." *The Journal of Politics* 75.2 (2013): 283-299.
- Black, Ryan C., and Ryan J. Owens. "Courting the president: how circuit court judges alter their behavior for promotion to the Supreme Court." *American Journal of Political Science* 60.1 (2016): 30-43.
- Badas, Alex, and Katelyn E. Stauffer. "Someone like me: descriptive representation and support for supreme court nominees." *Political Research Quarterly* 71.1 (2018): 127-142.
- Cottrell, David, Charles R. Shipan, and Richard J. Anderson. "The Power to Appoint: Presidential Nominations and Change on the Supreme Court." *The Journal of Politics* 81.3 (2019): 1057-1068.
- Schoenherr, Jessica A., Elizabeth A. Lane, and Miles T. Armaly. "The Purpose of Senatorial Grandstanding during Supreme Court Confirmation Hearings." *Journal of Law and Courts* 8.2 (2020): 333-358.

WEEK 4: AGENDA SETTING

Thursday, September 16

- Perry, Hersel W. *Deciding to decide: agenda setting in the United States Supreme Court*. Harvard University Press, 2009.
 - Focus on Chapters 1, 3, 8, and 9
- Black, Ryan C., and Ryan J. Owens. "Agenda setting in the Supreme Court: The collision of policy and jurisprudence." *The Journal of Politics* 71.3 (2009): 1062-1075.
- Black, Ryan C., and Ryan J. Owens. "Consider the source (and the message) Supreme Court Justices and strategic audits of lower court decisions." *Political Research Quarterly* 65.2 (2012): 385-395.
- Black, Ryan C., et al. *The Conscientious Justice: How Supreme Court Justices' Personalities Influence the Law, the High Court, and the Constitution*. Cambridge University Press, 2019.
 - Chapter 4

WEEK 5: BRIEFS AND ATTORNEYS

Thursday, September 23

- Corley, Pamela C. "The Supreme Court and opinion content: The influence of parties' briefs." *Political Research Quarterly* 61.3 (2008): 468-478.
- Wedeking, Justin. "Supreme Court litigants and strategic framing." *American Journal of Political Science* 54.3 (2010): 617-631.
- Schoenherr, Jessica A., and Ryan C. Black. "The use of precedent in US Supreme Court litigant briefs." *Research Handbook on Law and Courts*. Edward Elgar Publishing, 2019.*
- Hazelton, Morgan LW, Rachael K. Hinkle, and James F. Spriggs. "The influence of unique information in briefs on supreme court opinion content." *Justice System Journal* 40.2 (2019): 126-157.
- Black, Ryan C., et al. *The Conscientious Justice: How Supreme Court Justices' Personalities Influence the Law, the High Court, and the Constitution*. Cambridge University Press, 2019.
 - Chapter 5

- Nelson, Michael J., and Lee Epstein. "Human Capital in Court: The Role of Attorney Experience in US Supreme Court Litigation." (2021).

WEEK 6: NO CLASS – APSA ANNUAL MEETING

Thursday, September 30

WEEK 7: ORAL ARGUMENTS

Thursday, October 7

- Johnson, Timothy R., Paul J. Wahlbeck, and James F. Spriggs. "The influence of oral arguments on the US Supreme Court." *American Political Science Review* 100.1 (2006): 99-113.
- Black, Ryan C., Timothy R. Johnson, and Justin Wedeking. *Oral Arguments and Coalition Formation on the US Supreme Court: A Deliberate Dialogue*. University of Michigan Press, 2012.
- Dietrich, Bryce J., Ryan D. Enos, and Maya Sen. "Emotional arousal predicts voting on the US supreme court." *Political Analysis* 27.2 (2019): 237-243.

WEEK 8: CONFERENCE, BARGAINING, AND OPINION WRITING

Thursday, October 14

- Maltzman, Forrest, James F. Spriggs, and Paul J. Wahlbeck. *Crafting law on the Supreme Court: The collegial game*. Cambridge University Press, 2000.
- Clark, Tom S., and Benjamin Lauderdale. "Locating Supreme Court opinions in doctrine space." *American Journal of Political Science* 54.4 (2010): 871-890.
- Carrubba, Cliff, et al. "Who controls the content of Supreme Court opinions?." *American Journal of Political Science* 56.2 (2012): 400-412.
- Black, Ryan C., et al. *The Conscientious Justice: How Supreme Court Justices' Personalities Influence the Law, the High Court, and the Constitution*. Cambridge University Press, 2019.
 - Chapters 8 & 9
- Bonneau, Chris W., et al. "Agenda control, the median justice, and the majority opinion on the US Supreme Court." *American Journal of Political Science* 51.4 (2007): 890-905.

WEEK 9: NO CLASS – FALL BREAK

Thursday, October 21

WEEK 10: THE OFFICE OF THE SOLICITOR GENERAL

Thursday, October 28

- Wohlfarth, Patrick C. "The tenth justice? Consequences of politicization in the solicitor general's office." *The journal of politics* 71.1 (2009): 224-237.
- Black, Ryan C., and Ryan J. Owens. "Solicitor General influence and agenda setting on the US Supreme Court." *Political Research Quarterly* 64.4 (2011): 765-778.
- Black, Ryan C., and Ryan J. Owens. *The Solicitor General and the United States Supreme Court: executive branch influence and judicial decisions*. Cambridge University Press, 2012.*
 - Chapters 2 and 3
- Black, Ryan C., and Ryan J. Owens. "Looking back to move forward: Quantifying policy predictions in political decision making." *American Journal of Political Science* 56.4 (2012): 802-816.
- Black, Ryan C., and Ryan J. Owens. "A built-in advantage: The office of the Solicitor General and the US Supreme Court." *Political Research Quarterly* 66.2 (2013): 454-466.
- Schoenherr, Jessica A., and Nicholas W. Waterbury. "Confessions at the Supreme Court: Judicial Response to Solicitor General Error." *The Journal of Law and Courts* (2022): Forthcoming.

WEEK 11: SEPARATION OF POWERS

Thursday, November 4

- Clark, Tom S. "The separation of powers, court curbing, and judicial legitimacy." *American Journal of Political Science* 53.4 (2009): 971-989.
- Segal, Jeffrey A., Chad Westerland, and Stefanie A. Lindquist. "Congress, the Supreme Court, and judicial review: Testing a constitutional separation of powers model." *American Journal of Political Science* 55.1 (2011): 89-104.
- Owens, Ryan J., Justin Wedeking, and Patrick C. Wohlfarth. "How the Supreme Court alters opinion language to evade congressional review." *Journal of Law and Courts* 1.1 (2013): 35-59.
- Hall, Matthew EK, and Joseph Daniel Ura. "Judicial majoritarianism." *The Journal of Politics* 77.3 (2015): 818-832.
- Mark, Alyx, and Michael A. Zilis. "Blurring Institutional Boundaries: Judges' Perceptions of Threats to Judicial Independence." *Journal of Law and Courts* 6.2 (2018): 333-353.
- Mark, Alyx, and Michael A. Zilis. "The conditional effectiveness of legislative threats: how court curbing alters the behavior of (Some) Supreme Court justices." *Political Research Quarterly* 72.3 (2019): 570-583.
- Lane, Elizabeth. "A Separation-of-Powers Approach to the Supreme Court's Shrinking Caseload." *Journal of Law and Courts*, (2022): Forthcoming.

WEEK 12: INTEREST GROUPS

Thursday, November 11

- Hansford, Thomas G. "Information provision, organizational constraints, and the decision to submit an amicus curiae brief in a US Supreme Court case." *Political Research Quarterly* 57.2 (2004): 219-230.
- Collins Jr, Paul M. "Lobbyists before the US Supreme Court: Investigating the influence of amicus curiae briefs." *Political Research Quarterly* 60.1 (2007): 55-70.
- Box-Steffensmeier, Janet M., Dino P. Christenson, and Matthew P. Hitt. "Quality over quantity: Amici influence and judicial decision making." *American Political Science Review* 107.3 (2013): 446-460.
- Collins Jr, Paul M. "The use of amicus briefs." *Annual Review of Law and Social Science* 14 (2018): 219-237.*
- Canelo, Kayla S. "The Supreme Court, Ideology, and the Decision to Cite or Borrow from Amicus Curiae Briefs." *American Politics Research* (2021): Forthcoming.
- Gunderson, Anna, Macdonald, Maggie, and Widner Kirsten. "Pursuing Change or Pursuing Credit? Litigation and Credit Claiming on Social Media." (NP).*

WEEK 13: PUBLIC OPINION

Thursday, November 18

- Casillas, Christopher J., Peter K. Enns, and Patrick C. Wohlfarth. "How public opinion constrains the US Supreme Court." *American Journal of Political Science* 55.1 (2011): 74-88.
- Bartels, Brandon L., and Christopher D. Johnston. "On the ideological foundations of Supreme Court legitimacy in the American public." *American Journal of Political Science* 57.1 (2013): 184-199.
- Gibson, James L., and Michael J. Nelson. "The legitimacy of the US Supreme Court: Conventional wisdoms and recent challenges thereto." *Annual Review of Law and Social Science* 10 (2014): 201-219.*
- Bartels, Brandon L., and Christopher D. Johnston. *Curbing the court: Why the public constrains judicial independence*. Cambridge University Press, 2020.
 - Focus on Chapters 1-4
- Armaly, Miles T., and Adam M. Enders. "Affective Polarization and Support for the US Supreme Court." *Political Research Quarterly* (2021): 10659129211006196.

WEEK 14: NO CLASS – HAPPY THANKSGIVING

Thursday, November 25

WEEK 15: CHOOSE YOUR OWN ADVENTURE

Thursday, December 2

CIRCUIT COURTS

- Scherer, Nancy, Brandon L. Bartels, and Amy Steigerwalt. "Sounding the fire alarm: The role of interest groups in the lower federal court confirmation process." *The Journal of Politics* 70.4 (2008): 1026-1039.
- Hinkle, Rachael K. "Legal constraint in the US Courts of Appeals." *The Journal of Politics* 77.3 (2015): 721-735.
- Beim, Deborah, and Kelly Rader. "Legal Uniformity in American Courts." *Journal of Empirical Legal Studies* 16.3 (2019): 448-478.
- Masood, Ali S., Benjamin J. Kassow, and Donald R. Songer. "The aggregate dynamics of lower court responses to the US Supreme Court." *Journal of Law and Courts* 7.2 (2019): 159-186.
- Hinkle, Rachael K., Michael J. Nelson, and Morgan LW Hazelton. "Deferring, Deliberating, or Dodging Review: Explaining Counterjudge Success in the US Courts of Appeals." *Journal of Law and Courts* 8.2 (2020): 277-300.
- Nelson, Michael J., Morgan LW Hazelton, and Rachael Hinkle. "How Interpersonal Contact Affects Appellate Review." *The Journal of Politics* (2021).

OR...

IDENTITY AND JUDICIAL BEHAVIOR

- Boyd, Christina L., Lee Epstein, and Andrew D. Martin. "Untangling the causal effects of sex on judging." *American journal of political science* 54.2 (2010): 389-411.
- Harris, Allison P., and Maya Sen. "Bias and judging." *Annual Review of Political Science* 22 (2019): 241-259.
- Collins, Todd A., Tao L. Dumas, and Laura P. Moyer. "Intersecting disadvantages: Race, gender, and age discrimination among attorneys." *Social Science Quarterly* 98.5 (2017): 1642-1658.
- Gleason, Shane A., Jennifer J. Jones, and Jessica Rae McBean. "The role of gender norms in judicial decision-making at the US Supreme Court: The case of male and female justices." *American Politics Research* 47.3 (2019): 494-529.
- Gleason, Shane A. "Beyond mere presence: Gender norms in oral arguments at the US Supreme Court." *Political Research Quarterly* 73.3 (2020): 596-608.
- Moyer, Laura P., et al. "'All eyes are on you': Gender, race, and opinion writing on the US Courts of Appeals." *Law & Society Review* 55.3 (2021): 452-472.

WEEK 16: FINALS WEEK - PRESENTATIONS

TBD