

Judicial Decision-Making  
PS 3001-101 Spring 2016  
Mondays, Wednesdays, and Fridays 10:00–10:50 a.m.  
Location: Anne Belk Hall 108

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Thursdays 9:00 a.m.–11:00 a.m. (virtual), and by appointment

It is commonly thought that the role of the judiciary is to interpret the law, not to create policy. The courts, however, are pivotal actors within very fluid and dynamic institutions, making analysis of judicial behavior more than merely an academic exercise. This course is designed to expose students to the theories and research that attempt to explain why judges make the decisions they make, and how these decisions interact with the other branches of the American political system. Focusing primarily on the Supreme Court, students in this course will gain an understanding of the roles that the law, politics, and ideology play in guiding decisions of the “least dangerous branch.” While this course is designated as a writing course, the primary focus will be on judicial decision-making.

## 1 Required Text

There is one required text for this course:

- Epstein, Lee and Jack Knight. 1998. *The Choices Justices Make*. Washington: CQ Press.

Supplementary material will be posted on AsULearn or distributed via e-mail if necessary. All class communication will be sent to the e-mail address on file with the university. **Students are expected to check this account daily.**

## 2 Course Requirements

- *Participation:* (10%)
- *Simulation/Exam #1:* (15%)
- *Final Exam:* (20%)
- *Research Topic Statement:* (5%)

- *Rough Draft:* (15%)
- *Research Proposal:* (20%)
- *Proposal Presentation:* (10%)

*Attendance and Participation:* Students are expected to attend every class. Students who arrive after the attendance sheet has been collected will be counted as absent. **Accumulation of six (6) absences in a semester will lower your final grade by two (2) letter grades.** Students with perfect attendance will receive five (5) extra points added to their final grade. Those who miss only one class will receive three (3) extra points on their final grade.

Students who miss class are responsible for all material missed. Beyond attendance, students are expected to have completed all of the assigned reading before class. Due to the large amount of material covered each meeting, it is imperative that everyone be familiar with the material before each class begins. Completing the reading before class also allows students to engage in thoughtful discussion and makes class more interesting. The quality (not just quantity) of class participation will be considered when computing the student's final grade. Remember: simply showing up is not enough to get credit for participation.

Note: There may be unannounced quizzes if it appears students are not keeping up with the reading. Any material covered up to and including that day's material (textbook readings and lecture) is fair game for a quiz. Note that quizzes may be given at any time during the class period—including multiple quizzes per day—and *there are no make-up quizzes.*

*Reading:* The reading includes a varied mix of literature. Some is theoretical while much of it is empirical, although the research methods are also quite varied. Some of the reading explores current questions or debates. Still other work might be considered "classics" because of their breakthrough nature or long-standing significance. Much of the assigned reading comes from scholarly journal articles, which are available online from the ASU Library: <http://library.appstate.edu/find/articles> or Google Scholar: [scholar.google.com](http://scholar.google.com). Other readings will be posted on AsULearn.

*Simulation:* Students will gain firsthand experience in judicial decision-making by participating in a Supreme Court simulations throughout the term. More details will be provided later in the semester. Briefly, each student will be assigned a case, a sitting Supreme Court justice, or both. Students will prepare a brief petitioning for a writ of certiorari for their case. The Court will meet for conference twice, once to decide which case to hear and another to vote on the merits. The Court will also hold oral arguments and deliver written opinions. In the event of low enrollment, an exam will be substituted for the simulation exercise.

*Examinations:* All exams will be graded on an 0-100 scale. The final exam will be cumulative. Make-up exams will only be offered under extraordinary circumstances, i.e. a death in the family or medical emergency. Proper documentation is required. Note that simply visiting a doctor is not sufficient. There must be written documentation stating that the student was physically incapable of taking the exam. All make-up exams must be completed within one week (7 calendar days) of the original exam date. This window will only be increased for the most extreme cases. Failure to complete a make-up exam within the allotted 7-day window will result in a grade of zero for the exam. The format of the make-up exam is left to the discretion of the instructor.

*Research Proposal:* Each student is required to write a research proposal on a topic of their choice, as approved by the instructor. Details are found below in section 3.

*Mandatory Attendance Days:* Certain class meetings are designated as "mandatory attendance" days. **Students who do not attend these classes will be penalized ten (10) points off their final course**

**grade for each class they miss.** Each absence will also count toward the student's total absences. Likewise, failing to sign up for or attend a one-on-one meeting with the instructor will also result in a five point and absence penalty. Leniency will only be given at the discretion of the instructor in the case of extraordinary circumstances, i.e. a death in the family or medical emergency. Proper documentation is required.

*Grading Scale:* Letter grades will be assigned according to the scale below:

- 100-94 = "A"
- 93-90 = "A–"
- 89-87 = "B+"
- 86-84 = "B"
- 83-80 = "B–"
- 79-77 = "C+"
- 76-74 = "C"
- 73-70 = "C–"
- 69-67 = "D+"
- 66-64 = "D"
- 63-60 = "D–"
- Below 60 = "F"

*A final word on grading:* I will impose a 24-hour moratorium on the discussion of grades beginning when a graded assignment or exam is returned. In addition to this waiting period, all concerns regarding graded work must be presented in writing.

Final grades will only be rounded up in the case of decimals, e.g. an 85.4 will round to an 86. An 89.0 *will not* be rounded to a 90. This policy is non-negotiable. Please plan accordingly.

"Lack of preparation on your part does not constitute an emergency on my end."  
- Unknown Origin

"Do or do not, there is no try."  
- Yoda

### 3 Research Proposal

*Requirements:* The proposal should be 12-20 pages long. In terms of formatting, all submissions (including the topic statement) should be double-spaced and written in 12 pt. Times New Roman font with 1 inch margins on all sides. **Failing to follow formatting instructions will result in a letter grade (10 point) penalty for each assignment.**

Your written work will be evaluated on quality and content, not on the basis of length or formatting aside from the guidelines for each assignment. Papers that are too short may lack the necessary substance, while papers that are too long may be unfocused and disjointed. Papers are expected to be grammatically sound, demonstrate good command of the subject matter, and make an argument based on the required readings, discussions in class, and supplementary outside sources.

*Proposal Components:* The proposal should include:

1. Title page — Include an approximately 150 word abstract, title, and your name.

2. Introduction — Present your research question and the “gap” that your research will address. Be sure to explicitly state your thesis (what you think your research will show).
3. Literature Review — What does existing research say about your topic? What do we not yet know about your topic that you think we should?
4. Theory with specific hypotheses – What is your idea of how your topic works? Build an argument to support your thesis. Construct specific hypotheses to test. Discuss the main arguments that are out there that either support or contradict your hypotheses.
5. Research design with variable descriptions – How will you execute this research? What data are needed? If the data are not currently available, how will you collect it?
6. Discussion/Conclusion – Summarize the research that you propose to conduct and why it is important. What problems might you face if you were to follow through on this project? Discuss other potential ideas for future research.
7. References

*How to Write:* Write your assignment days ahead of time, set it aside, and come back to revise and edit it to produce a final version. You are encouraged to consult with the instructor before the assignments are due.

Great writing process resources can be found at <https://owl.english.purdue.edu/owl/resource/679/1/>

- An *A* proposal has a solid introduction and conclusion, a clear theory (argument), a thorough literature review, specific hypotheses and variable descriptions, and a reasonable research design. *A* proposals are well-organized as well as being logically and grammatically correct. The proposal reflects a strong command of the material and a thoughtful consideration of differing perspectives. An *A* proposal is earned by outstanding work.
- An *B* proposal demonstrates substantive content and a good command of the material. It is generally well-written and grammatically sound. The theory, hypotheses, and research design of a *B* paper may not be as clearly stated as an *A* paper, but it is clearly evident. The literature review may not be as comprehensive as an *A* paper. The proposal explores an original research question, but may have a weak introduction and/or conclusion, as is not as well-presented as an *A* paper.
- A *C* paper demonstrates a basic understanding of the material, but lacks a clear theory, literature review, hypotheses and/or research design. Connections between the literature and the theory, the theory and the hypotheses, and/or the hypotheses and the research design are unclear and disorganized. The proposal has potential, but does not evince the thought and development necessary for a better grade. The essay has some grammatical problems, and may be a rough draft of a better paper, had the student taken the time to revise it.
- A *D* paper contains only the basic facts, not discernible theory, and little development of hypotheses or research design. The proposal does not cite sources as required, or sources may be absent entirely. Grammatical errors are obvious and prevent a clear understanding of the material presented.
- A *F* paper contains only a basic description of the material, with no effort made to present an theory, write using correct grammar, or follow the directions of the assignment.

*Citations:* All sources must be properly cited as well as documented in a reference section. All citations must be in Chicago format using parenthetical citations.

*Research Topic Statement:* This is a one to two page document that explains your research question and how you intend to investigate it. It should also include five potential sources, preliminary hypotheses and approaches to studying the question.

*Proposal Draft:* This is a “rough” draft in so much as it is not the final version of the paper. Although the arguments and organization are not finalized, proper grammar, formatting, punctuation, etc. should be

used. The paper should meet the final length requirements. All sources should be correctly cited.

All students must turn in three (3) hard copies as electronic submissions will not be accepted. Students will be penalized half a letter grade (5 points) for every business day the hard copies are late. Papers turned in after class has begun on the day the assignment is due will also be subject to the half letter grade penalty. Similarly, failing to submit all three copies will incur the half letter grade penalty for each business day until all copies are turned in. Improper citations or other forms of plagiarism will result in a grade of zero (0). Please see the academic integrity section below.

*Proposal Presentation:* Each student will present an 8-minute overview of their project. More guidelines for the presentation will be given near the end of the course.

*Final Proposal:* All students must turn in a hard copy of their final paper as electronic submissions will not be accepted. Students will be penalized half a letter grade (5 points) for every calendar day the hard copies are late. Papers turned in after class has begun on the day the assignment is due will also be subject to the half letter grade penalty. Improper citations or other forms of plagiarism will result in a grade of zero (0). Please see the academic integrity section below.

## 4 Classroom Policies

For additional and more detailed policies, please visit <http://academicaffairs.appstate.edu/syllabi>

*Electronic Devices:* **Laptop and tablet computers may not be used during class time.** Students are expected to silence their cell phones and refrain from talking, texting, or otherwise using their phones for the duration of the class period. Students who violate the electronics policy will receive a grade of zero (0) for their final attendance and participation grade. If you feel you will not be able to abide by this policy, please leave your electronic devices at home so you won't be tempted.

No audio or image recording is allowed in the classroom without the express written consent of the instructor.

*Email:* Writing a professional email is an important skill one should master before graduation. All emails to the instructor should include the following: a subject line briefly explaining the topic of the email and that it pertains to PS 3001; a greeting more professional than "Yo" or "Hey;" a clear question or request; and should identify the sender by name. **Emails lacking any of these criteria will not be returned.** Most emails will be returned within 24 hours on weekdays and 48 hours on weekends, although circumstances may arise which delay response time.

*Office Hours:* Office hours are as listed on the top of the syllabus. Students who are having difficulty with the course materials and/or assignments are encouraged to see me during office hours or schedule an appointment to meet with me outside of office hours. Please note that office hours are for clarification of material, not for recreating a lecture. In other words, if you miss a class please make sure your first course of action is to read the required readings and obtain the lecture notes from a classmate rather than coming to office hours and asking me to "re-do" the lecture. I am always happy to spend time with students clarifying materials, provided they have made an independent effort to comprehend the material.

### *A List of Do's and Don'ts (Mostly Don'ts)*

Do's:

- Attend all classes.
- Read all of the assigned material before class.

- Participate in class discussion.
- Ask for help as soon as you feel yourself falling behind—not the evening before an exam or paper.

Don'ts:

- Don't ask me if you have to do something. I will always tell you no—but keep in mind there are always consequences for failing to do it.
- Don't ask me how to get an A in this course. The syllabus clearly states how to achieve this desired outcome—accumulate 94% (or more) of the total available points.
- Don't ask me if something we are discussing in class is important. Assume if we are talking about it that it is important.
- Don't complain if you are tardy and miss a quiz or other in-class assignment. Chronic lateness is your problem, not mine.
- Don't ask me to email you anything. Most things will be placed on ASULearn. If you are absent, it is your responsibility to get it and this does not mean asking me for it.
- If you miss class for any reason, don't ask me if you missed something important. Assume you missed something important and figure out how you are going to obtain that information.
- Don't text or talk on your cell phone, sleep, talk to your fellow classmates, read the newspaper, check your email, Facebook, Twitter, GChat/IM, Yik Yak, shop online, or do work or reading for another class during class time. If you feel compelled to engage in any of these activities, STAY HOME (seriously).

## 5 Americans with Disabilities Act

Appalachian State University is committed to making reasonable accommodations for individuals with documented qualifying disabilities in accordance with the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. If you have a disability and may need reasonable accommodations in order to have equal access to the University's courses, programs and activities, please contact the Office of Disability Services (828.262.3056 or [www.ods.appstate.edu](http://www.ods.appstate.edu)). Once registration is complete, individuals will meet with ODS staff to discuss eligibility and appropriate accommodations. Please notify me as soon as possible if you require any accommodations related to a disability.

## 6 Academic Integrity

Each student must pursue his or her academic goals honestly and be personally accountable for all submitted work. Representing another person's work as your own is always wrong. Faculty are required to report any suspected instances of academic dishonesty to the Office of Student Conduct. For more comprehensive information on academic integrity, including categories of academic dishonesty, please refer to the academic integrity code website at <http://studentconduct.appstate.edu/pagesmith/2>

## 7 Course Schedule

*\* This syllabus serves a general plan for the course; deviations announced by the instructor may be necessary. Readings listed in bold will be posted on AsULearn. Readings not included in texts or bolded are available via the library website or Google Scholar.*

11-Jan : Introduction

13-Jan : Foundations and Judicial Review

- **SCAMR Ch. 1, p. 1-27**
- **Jackson “The Supreme Court in the American System of Government”**

15-Jan : Models of Judicial Decision Making I

- **Segal “Judicial Behavior”**
- **Scalia “Originalism”**
- **Posner “Potted Plant”**

18-Jan : NO CLASS — State Holiday

20-Jan : Models of Judicial Decision Making I/Simulation Assignment

- **Segal “Judicial Behavior”**
- **Scalia “Originalism”**
- **Posner “Potted Plant”**

22-Jan : Models of Decision Making II

- **SCAMR Ch. 3**
- *Choices* Ch. 1 and 2

25-Jan : Models of Decision Making II

- **SCAMR Ch. 3**
- *Choices* Ch. 1 and 2

Jan-15 : Staffing the Court: Nomination and Confirmation

- **Baum Ch. 2**
- Caldeira, Gregory A. and John R. Wright. 1998. “Lobbying for Justice: Organized Interests Supreme Court Nominations, and United States Senate.” *American Journal of Political Science* 42(2): 499–523
- Kastellec, Jonathan, Jeffrey Lax, and Justin Phillips. 2010. “Public Opinion and Senate Confirmation of Supreme Court Nominees.” *Journal of Politics* 72(3): 767–784.

29-Jan : Staffing the Court: Nomination and Confirmation

- **Baum Ch. 2**
- Caldeira, Gregory A. and John R. Wright. 1998. “Lobbying for Justice: Organized Interests Supreme Court Nominations, and United States Senate.” *American Journal of Political Science* 42(2): 499–523
- Kastellec, Jonathan, Jeffrey Lax, and Justin Phillips. 2010. “Public Opinion and Senate Confirmation of Supreme Court Nominees.” *Journal of Politics* 72(3): 767–784.

1-Feb : Staffing the Court: Nomination and Confirmation

- **Baum Ch. 2**
- Caldeira, Gregory A. and John R. Wright. 1998. “Lobbying for Justice: Organized Interests Supreme Court Nominations, and United States Senate.” *American Journal of Political Science* 42(2): 499–523
- Kastellec, Jonathan, Jeffrey Lax, and Justin Phillips. 2010. “Public Opinion and Senate Confirmation of Supreme Court Nominees.” *Journal of Politics* 72(3): 767–784.

3-Feb : Deciding to Decide: Setting the Docket

- **Baum Ch. 3**
- Caldeira, Gregory A. and John R. Wright. 1989. “Organized Interests and Agenda Setting in the U.S. Supreme Court.” *American Political Science Review* 82(4): 1109–1127.
- **Stevens “Deciding What to Decide”**

5-Feb : Deciding to Decide: Setting the Docket – **CERTIORARI BRIEFS DUE**

- **Baum Ch. 3**
- Caldeira, Gregory A. and John R. Wright. 1989. “Organized Interests and Agenda Setting in the U.S. Supreme Court.” *American Political Science Review* 82(4): 1109–1127.
- **Stevens “Deciding What to Decide”**

8-Feb : Deciding to Decide: Setting the Docket

- **Baum Ch. 3**
- Caldeira, Gregory A. and John R. Wright. 1989. “Organized Interests and Agenda Setting in the U.S. Supreme Court.” *American Political Science Review* 82(4): 1109–1127.
- **Stevens “Deciding What to Decide”**

10-Feb : Oral Arguments

- **Harlan “The Role of Oral Argument”**
- Johnson, Timothy R., Paul J. Wahlbeck, and James F. Spriggs. 2006. “The Influence of Oral Arguments on the U.S. Supreme Court.” *American Political Science Review*
- Johnson, Timothy, Ryan C. Black, and Justin Wedeking. 2009. “Pardon the Interruption: An Empirical Analysis of Supreme Court Justices’ Behavior During Oral Arguments.” *Loyola Law Review* 55: 331–351.

12-Feb : **CERTIORARI CONFERENCE – MANDATORY ATTENDANCE**

15-Feb : Oral Arguments

- **Harlan “The Role of Oral Argument”**
- Johnson, Timothy R., Paul J. Wahlbeck, and James F. Spriggs. 2006. “The Influence of Oral Arguments on the U.S. Supreme Court.” *American Political Science Review*
- Johnson, Timothy, Ryan C. Black, and Justin Wedeking. 2009. “Pardon the Interruption: An Empirical Analysis of Supreme Court Justices’ Behavior During Oral Arguments.” *Loyola Law Review* 55: 331–351.

17-Feb : Decision on the Merits: Legal Model

- **SCAMR Ch. 7**
- Gillman, Howard. 2001. “What’s Law Got to Do with It? Judicial Behavioralists Test the ‘Legal Model’ of Judicial Decision Making.” *Law and Social Inquiry* 26(2): 465–504.
- Friedman, Barry. 2006. “Taking Law Seriously” *Perspectives on Politics* 4(2): 261–276.

19-Feb : Decision on the Merits: Legal Model

- **SCAMR Ch. 7**
- Gillman, Howard. 2001. “What’s Law Got to Do with It? Judicial Behavioralists Test the ‘Legal Model’ of Judicial Decision Making.” *Law and Social Inquiry* 26(2): 465–504.



- Friedman, Barry. 2006. “Taking Law Seriously” *Perspectives on Politics* 4(2): 261–276.

22-Feb : Decision on the Merits: Legal Model

- **SCAMR Ch. 7**
- Gillman, Howard. 2001. “What’s Law Got to Do with It? Judicial Behavioralists Test the ‘Legal Model’ of Judicial Decision Making.” *Law and Social Inquiry* 26(2): 465–504.
- Friedman, Barry. 2006. “Taking Law Seriously” *Perspectives on Politics* 4(2): 261–276.

24-Feb : Decision on the Merits: Internal Influences

- *Choices* Ch. 3 and 4
- George, Tracey E. and Lee Epstein. 1992. “On the Nature of Supreme Court Decision Making.” *American Political Science Review* 86(2): 323–337.
- **Kozinski “What I Ate for Breakfast”**

26-Feb : **EXAM I**

29-Feb : Decision on the Merits: Internal Influences

- *Choices* Ch. 3 and 4
- George, Tracey E. and Lee Epstein. 1992. “On the Nature of Supreme Court Decision Making.” *American Political Science Review* 86(2): 323–337.
- **Kozinski “What I Ate for Breakfast”**

2-Mar : **LIBRARY DAY – MANDATORY ATTENDANCE**

4-Mar : NO CLASS — Work on research paper – **WRITTEN BRIEFS/JUSTICE BIOS DUE**

7-Mar : NO CLASS — Spring Break

9-Mar : NO CLASS — Spring Break

11-Mar : NO CLASS — Spring Break

14-Mar : Decision on the Merits: Internal Influences/External Constraints I

- *Choices* Ch. 5 and 6
- **Spiller and Gely “Strategic Decision-Making”**

16-Mar : Decision on the Merits: External Constraints I

- *Choices* Ch. 5 and 6
- **Spiller and Gely “Strategic Decision-Making”**

18-Mar : **ORAL ARGUMENTS – MANDATORY ATTENDANCE**

21-Mar : Decision on the Merits: External Constraints I

- *Choices* Ch. 5 and 6
- **Spiller and Gely “Strategic Decision-Making”**

23-Mar : Decision on the Merits: External Constraints II

- **“The Echo Chamber”**

- Epstein, Lee and C. K. Rowland. 1991. “Debunking the Myth of Interest Group Invincibility in the Courts.” *American Political Science Review* 85(1): 205–217.
- Bailey, Michael A., Brian Kamoie, and Forrest Maltzman. 2005. “Signals from the Tenth Justice: The Political Role of the Solicitor General in Supreme Court Decision Making.” *American Journal of Political Science* 49(10): 72–85.

25-Mar : **CONFERENCE – MANDATORY ATTENDANCE**

28-Mar : NO CLASS — State Holiday

30-Mar : Decision on the Merits: External Constraints II — **FULL DRAFT OF RESEARCH PROPOSAL DUE**

- **“The Echo Chamber”**

- Epstein, Lee and C. K. Rowland. 1991. “Debunking the Myth of Interest Group Invincibility in the Courts.” *American Political Science Review* 85(1): 205–217.
- Bailey, Michael A., Brian Kamoie, and Forrest Maltzman. 2005. “Signals from the Tenth Justice: The Political Role of the Solicitor General in Supreme Court Decision Making.” *American Journal of Political Science* 49(10): 72–85.

1-Apr : Lower Court Compliance

- **Cannon and Johnson Ch. 1 and 2**
- **Haire “Relations Among Courts”**

- Songer, David, Charles Cameron, and Jeffrey Segal. 1994. “The Hierarchy of Justice: Testing a Principal-Agent Model of Supreme Court-Circuit Court Interactions.” *American Journal of Political Science* 38(3): 673–696.

4-Apr : Lower Court Compliance

- **Cannon and Johnson Ch. 1 and 2**
- **Haire “Relations Among Courts”**

- Songer, David, Charles Cameron, and Jeffrey Segal. 1994. “The Hierarchy of Justice: Testing a Principal-Agent Model of Supreme Court-Circuit Court Interactions.” *American Journal of Political Science* 38(3): 673–696.

6-Apr : Lower Court Compliance

- **Cannon and Johnson Ch. 1 and 2**
- **Haire “Relations Among Courts”**

- Songer, David, Charles Cameron, and Jeffrey Segal. 1994. “The Hierarchy of Justice: Testing a Principal-Agent Model of Supreme Court-Circuit Court Interactions.” *American Journal of Political Science* 38(3): 673–696.

8-Apr : NO CLASS — Midwest Political Science Association Conference

11-Apr : **PEER REVIEW – MANDATORY ATTENDANCE**

13-Apr : One-on-one meetings with Dr. Key

15-Apr : One-on-one meetings with Dr. Key

18-Apr : One-on-one meetings with Dr. Key

20-Apr : One-on-one meetings with Dr. Key

22-Apr : Public Opinion

- Mishler, William and Reginald S. Sheehan. 1993. "The Supreme Court as a Countermajoritarian Institution? The Impact of Public Opinion on Supreme Court Decisions." *American Political Science Review* 87(1): 87–101.
- Norpoth, Helmut and Jeffrey Segal. 1994. "Popular Influence on Supreme Court Decisions." *American Political Science Review* 88(3): 711–724.
- McGuire, Kevin T. and James A. Stimson. 2004. "The Least Dangerous Branch Revisited: New Evidence on Supreme Court Responsiveness to Public Preferences." *Journal of Politics* 66(4): 1018–1035.
- Kuklinski, James H. and John E. Stanga. 1979. "Political Participation and Governmental Responsiveness: The Behavior of California Superior Courts." *American Political Science Review* 73(4): 1090–1099.

25-Apr : Public Opinion

- Mishler, William and Reginald S. Sheehan. 1993. "The Supreme Court as a Countermajoritarian Institution? The Impact of Public Opinion on Supreme Court Decisions." *American Political Science Review* 87(1): 87–101.
- Norpoth, Helmut and Jeffrey Segal. 1994. "Popular Influence on Supreme Court Decisions." *American Political Science Review* 88(3): 711–724.
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- Kuklinski, James H. and John E. Stanga. 1979. "Political Participation and Governmental Responsiveness: The Behavior of California Superior Courts." *American Political Science Review* 73(4): 1090–1099.

27-Apr : Public Opinion

- Mishler, William and Reginald S. Sheehan. 1993. "The Supreme Court as a Countermajoritarian Institution? The Impact of Public Opinion on Supreme Court Decisions." *American Political Science Review* 87(1): 87–101.
- Norpoth, Helmut and Jeffrey Segal. 1994. "Popular Influence on Supreme Court Decisions." *American Political Science Review* 88(3): 711–724.
- McGuire, Kevin T. and James A. Stimson. 2004. "The Least Dangerous Branch Revisited: New Evidence on Supreme Court Responsiveness to Public Preferences." *Journal of Politics* 66(4): 1018–1035.
- Kuklinski, James H. and John E. Stanga. 1979. "Political Participation and Governmental Responsiveness: The Behavior of California Superior Courts." *American Political Science Review* 73(4): 1090–1099.

29-Apr : Presentations

2-May : Presentations

4-May : Presentations

6-May : **FINAL EXAM – 9:00–11:30 a.m.**