

HON 299: Diversity and the Judicial Branch

Spring 2022

Instructor: Dr. Elizabeth Tillman

Class Hours: Mondays, Wednesdays, and Fridays 9:30am-10:20am

Classroom: Plassmann 203

Office: C4 Plassmann Hall

Office Hours: Mondays 12:30pm-2:30pm or by appointment

Contact: etillman@sbu.edu

I. Course Description and Learning Objectives

As stated by Justice Sotomayor; “I would hope that a wise Latina woman with the richness her experience would more often than not reach a better conclusion than a white male who hasn’t lived that life.” This course will explore the very concept that Justice Sotomayor is describing; the relationship between diversity and the courts. Topics such as the importance of a diverse judiciary, the effects of demographics on judicial decisions, and how diversity influences judicial selection will be discussed. This course will not only focus on the federal court system of the United States but will explore both state and international judicial systems.

Students will develop analytical thinking skills through evaluating concepts and literature in across a wide range of fields. Students will also gain skills in research and debate. This course fulfills the [Honors Program](#) course objectives.

II. Required Readings

Journal articles and additional readings will be assigned throughout the semester. These articles are available on Moodle. The articles are classified by author last name and year. The readings listed for a given date in the course schedule will be discussed that day. They are to be read prior to class.

III. Course Requirements

It is generally recommended to spend [3 hours per credit hour](#) per week studying, this means spending 9 hours outside of class each week completing readings and assignments. To make the best use of your study time, here are some useful [tips](#). If you are struggling with course material or having difficulty completing the assignments, contact me as soon as possible.

Course Updates

- Check your SBU email frequently (daily) for updates. Staying on top of class communication is part of your professional responsibility. Updates will also be posted to:
 - Moodle under the Announcements section
 - The syllabus, which is kept updated on Moodle
 - Announcements will be made during class to keep students updated

Using Moodle

- Check for updates via the Announcements board
 - **Check that your assignment has fully uploaded/posted.**
- Use the Assignments tab to
 - Submit your assignment to Moodle

- **Check that your assignment has fully uploaded/posted.**
- If you have trouble with Moodle,
 - FIRST: Call or [submit a form online](#) to address the question with the Moodle support team.
 - In the case that you cannot submit to Moodle by the deadline, email me before the deadline at etillman@sbu.edu
 - **Include (1) a copy of your assignment and (2) a screenshot of the issue you are experiencing on Moodle.**

The course grades are based on 3 components totaling 100 points.

- Written assignments
 - ONE Federal Courts Judicial Selection Paper (10 points)
 - ONE State Courts Judicial Selection Model Paper (10 points)
 - ONE Trial Courts Decision Making Paper (10 points)
 - ONE Collegial Courts Decision Making Paper (10 points)
- Group Assignments/Presentations
 - THREE Article Discussion Leader (10 total points)
 - ONE Federal Circuit Court Judge Report (10 points)
 - ONE State Court Judge Report (10 points)
 - ONE Comparative Court Report (10 points)
 - ONE International Courts Judge Report (10 points)
- Overall Performance
 - Class participation / professionalism component (10 points total)

1. Federal Circuit Courts Judge Report 10 Points

Students will submit a group report on a federal circuit court assigned to them. The report should discuss the geographic region of the court, the ideological breakdown of the court, and the diversity breakdown of the court. Students should discuss each of the previously mentioned topics in detail with examples to support their report.

Reports will be presented to the class on Friday February 4th. A failure to complete this assignment will result in a loss of ten points.

2. Federal Courts Judicial Selection Paper 10 Points

Students will submit a 2-3 page paper discussing the different federal judicial selection methods that presidents use. For each selection method, students should include an explanation of the method, an example of a US Supreme Court judge who was selected based on that model and the president that used it. In addition, students should discuss which method they think would achieve the most diversity within the federal court system and should include a justification for their opinion using class material.

Papers are due on Friday February 11th by 11:59pm. A failure to complete this assignment will result in a loss of ten points.

3. State Courts Judge Report 10 Points

Students will submit a group report on a state high court of their choosing with the exception of the New York State High Court. The report should discuss the political culture of the state, the ideological breakdown of the court, and the diversity breakdown of the court. Students should discuss each of the previously mentioned topics in detail with examples to support their report.

Reports will be presented to the class on Wednesday February 23rd. A failure to complete this assignment will result in a loss of ten points.

4. State Courts Judicial Selection Model Paper 10 Points

Students will submit a 2-3 page discussing the different state judicial selection methods. For each selection method, students should include an explanation of the method, an example of a state and court which uses it and an example of a state court judge who was selected using the method. In addition, students should form an opinion on which method would achieve the most diversity within the state court system and should include a justification for their opinion using class material.

Papers are due on Friday March 18th by 11:59pm. A failure to complete this assignment will result in a loss of ten points.

5. Comparative Court Assignment 10 Points

Students will select a country, with the exception of the United States and Canada, and submit a group report on the country's highest court. Included in this discussion should be an explanation of the court itself (i.e. their job description, what types of cases they decide/hear, the tenure of judges, etc.), the ideological breakdown of the court, and the diversity of the court. Students should discuss each of the previously mentioned topics in detail with examples to support their report.

Reports will be presented in class on Friday April 1st. A failure to complete this assignment will result in a loss of ten points.

6. International Courts Judge Report 10 Points

Students will submit a group report on an international court assigned to them. The report should include a brief explanation of the court, the jurisdiction of the court (i.e. where they obtain their power), a discussion of the types of judges who serve (i.e. what are their home nations, how are they selected, and how long they serve) and the diversity breakdown of the court. Students should discuss each of the previously mentioned topics in detail with examples to support their report.

Reports will be presented in class on Friday April 8th. A failure to complete this assignment will result in a loss of ten points.

7. Trial Courts Decision Making Paper 10 Points

Students will submit a 2-3 page paper discussing the different theories of judicial decision making as it relates to the individual level. Students should discuss each theory in detail and use an example of how a judge would decide if they were to follow the theory. In addition, a discussion of how sex interacts with decision making at the individual level should be included. Students should discuss the differences between women and men as it pertains to specific case issues and use examples to strengthen their responses.

Papers are due on Friday April 22nd by 11:59pm. A failure to complete this assignment will result in a loss of ten points.

8. Collegial Courts Decision Making Paper 10 Points

Students will submit a 2-3 page paper discussing the different theories of judicial decision making as it relates to the group level. Students should discuss each theory in detail and use an example of how a

judge would decide if they were to follow the theory. In addition, a discussion of how sex interacts with decision making at the group level should be included. Students should discuss the differences between women and men as it pertains to specific case issues and use examples to strengthen their responses.

Papers are due on Friday May 6th by 11:59pm. A failure to complete this assignment will result in a loss of ten points.

9. Article Discussion Leader 10 Points

Students will be randomly assigned to be the discussion leader for three scholarly articles throughout the semester. Students are expected to understand and adequately present the material, prepare discussion questions and facilitate discussion.

A failure to provide an adequate presentation or a failure to present will result in a loss of 5 points per article assignment. At the end of the semester, the lowest of the three discussion presentations will be dropped.

10. Professionalism 10 Points

A. Attendance

- Attendance is mandatory
- To accommodate illness and poor weather, up to 3 absences will be excused.
- COVID-19 Guidelines
 - Students placed on a mandatory quarantine or in isolation for potential exposure to or contraction of COVID-19 may electronically send documentation showing that they are in one of those categories.
 - Students will have electronic access to the course via zoom. If a student is attending class remotely, their camera should be on and they should be paying attention not doing other things.
 - Students who take advantage of this policy will be penalized.

B. Professional conduct in the classroom

- Students are expected to attend all classes and arrive on time.
- Students should have read all assigned readings and be prepared for in-class questions regarding the readings assigned for the day.
- Cell phones and all other electronics must be silenced and put away, not on your desk. Any cell phone use will significantly reduce your grade.
- Laptops and Tablets are permitted for note taking only, make sure that your electronic use is not distracting to others.
- Debate and discussion are expected, but should be conducted respectfully, and in a manner consistent with political science principles. Make sure that any comments are academic in nature and supported by research, not merely based on opinion.
- For more information, see SBU's classroom [code of conduct](#).

C. Utilizing the Syllabus

- It is the student's responsibility to be able to access and understand the requirements and expectations of the course.
- If you have questions concerning the administrative part of the course, refer to the syllabus.

- Failing to meet this responsibility will result in a loss of professionalism points.

D. Professional conduct in e-mails

- To ensure I receive your email, include HON 299 as the subject line
- E-mailing is a formal method of communication; all emails should be written professionally. Disregarding the following guidelines will result in lost professionalism points

Subject: HON 299
 [Greeting] Dr. Tillman,
 Subject Matter
 Thank you,
 [Your Name (First and Last)]

If this format is NOT followed with email communication, the consequences include loss of professionalism points. I reserve the right to not respond to any email communication that does not include this format.

IV. Grading

Grades will be posted to Moodle throughout the semester, make sure that you monitor your progress. Any questions regarding a specific grade will need to be addressed within one week from the date the grade is posted.

I cannot grade you on anything other than the points you have earned in this course. It is not fair to the class to grade some students on different terms than others. Outside factors that I cannot weigh in to your course grade include:

- Needing to pass this course or receive a certain grade to graduate
- Your work schedule
- Your course load

These issues should be discussed with your [Academic Advisor](#). They can connect you with resources to address these concerns.

Grading Scheme

A	A-	B+	B	B-	C+	C	C-	D+	D	D-	F
94-100	90-93	87-89	83-86	80-82	77-79	73-76	70-72	67-69	63-66	60-62	0-60

Grade Calculator

There are 100 possible points that can be achieved throughout the semester. 'Total Points' is the sum of the points you have earned throughout the semester, this is your final grade. Any extra credit points can be added on directly to the Total Points you have achieved.

To determine your grade at a particular time or to see how a future assignment will impact your grade, you can use the posted grades on Moodle and this grading calculator to sum your total points earned ("Your Grade") out of the total points possible.

Assignment	Your grade		Total Possible Points
Article Discussion Leader	_____	/	10
Federal Courts Selection Paper	_____	/	10
Federal Circuit Courts Judge Report	_____	/	10
State Court Selection Paper	_____	/	10
State Courts Judge Report	_____	/	10
Comparative Court Report	_____	/	10
International Court Judge Report	_____	/	10
Trial Courts Decision Making Paper	_____	/	10
Collegial Court Decision Making Paper	_____	/	10
Participation/ Professionalism	_____	/	10
Total Points	_____	/	100

V. Missed Assignments

In the case of emergencies, accommodations will be made for students who notify me before the exam or assignment is due. In extenuating circumstances, students may have up to 24 hours after the missed exam/assignment to notify the instructor.

Students must provide appropriate documentation within 2 days of the missed exam/assignment.

Upon receipt of documentation, the make-up exam will be distributed to the student.

- Beyond documented emergencies, NO make-ups will be granted for missed exams.
- Beyond documented emergencies, NO make-up assignments or extensions can be granted on ANY assignment as other students are dependent on your timely submissions.
- It is your responsibility to make sure that you are able to access the course materials (Moodle) and submit assignments on Moodle. If you are having difficulties, you must be in communication with the Moodle support team and have informed me BEFORE the due date.
- Any submitted assignment that does not meet the standards of college level work will be returned for resubmission. Returned assignments are subject to point deductions for being late, starting the day following the request for resubmission.

VI. Academic Integrity

Absolutely no academic dishonesty will be tolerated in this course. For more information on what constitutes as academic dishonesty, please familiarize yourself with SBU's [Academic Integrity policies](#).

[Plagiarism](#) is the copying of text or ideas from a source without citing that source. It is easily preventable through proper citing. All submissions will be run through Moodle's plagiarism detection software, SafeAssign through Moodle. Plagiarism or cheating on your assignments or exams will result in a zero on that assignment.

VII. Special Needs

Students with special needs should bring their needs to my attention within the first two weeks of class. Information on available services can be found on SBU's [Disability Services](#) website.

The demands of college and other life events can be challenging and stressful. Students dealing with stress-related problems or other crisis should be aware of the services provided by SBU's [Health and Wellness office](#).

This syllabus is subject to change.

VIII. Course Schedule

Week 1: 1/17 – 1/21

Syllabus Review

Week 2: 1/31 – 2/4

Topic: Definitions of Diversity

Readings: on Moodle

Topic: The Foundations of United States Courts

Readings: Graham (2004)

Week 3: 1/31 – 2/4

Topic: United States Federal Courts: Overview & Organization

Monday Readings: Redman (2017)

Wednesday Readings: none

Friday Readings: none

Presentation: Federal Circuit Courts Judge Report Friday February 4th

Week 4: 2/7 – 2/11

Topic: United States Federal Courts: Judicial Selection

Monday Readings: none

Wednesday Readings: Slotnick (2004) **Brevin**

Friday Readings: Judicial Diversity Report (2020)

Federal Courts Judicial Selection Paper due by 11:59pm Friday February 11th

Week 5: 2/14 – 2/18

Topic: State Courts: Overview & Organization

Monday Readings: none

Friday Readings: Martin & Pyle (2002) **Addison**

No Class Wednesday February 16th

Week 6: 2/21 – 2/25

Topic: State Courts: Overview & Organization

Monday Readings: none

Presentation: State High Courts Judge Report Wednesday January 23rd

No Class Friday February 25th

Week 7: 2/28 – 3/4

Spring Break: No Classes

Week 8: 3/7 – 3/11

Topic: State Courts: Judicial Selection

Monday Readings: none

Wednesday Readings: Bratton & Spill (2002) **Maya**

Hurwitz & Lanier (2003) **Gavin**

Friday Readings: Gaylin (2014) **Alex**

Gill (2015) **Dom**

Week 9: 3/14 – 3/18

Topic: State Courts: Judicial Selection

Monday Readings: Norris et al. (2018) **Anna**

Wednesday Readings: Arrington (2019) **Brevin**

Friday Readings: Goelzhauser (2020) **Addison**

State Courts Judicial Selection Model Paper due by 11:59pm on Friday March 18th

Week 10: 3/21 – 3/25

Topic: International Courts

Monday Readings: none

Wednesday Readings: Williams & Thames (2008) **Alex**

Friday Readings: Hunter (2015) **Dom**

Week 11: 3/28 – 4/1

Topic: International Courts

Wednesday Readings: none

Friday Readings: none

Presentation: Comparative Court Assignment Friday April 1st

No Class Monday March 28th

Week 12: 4/4 – 4/8

Topic: International Courts

Monday Readings: Chandrachud (2013) **Gavin**

Grossman et al. (2016) **Anna**

Wednesday Readings: none

Friday Readings: none

Presentation: International Courts Judge Report Friday April 8th

Week 13: 4/11 – 4/15

Topic: Judicial Decision Making: Trial Courts

Monday Readings: none

Wednesday Readings: Hunter (2015) **Maya**

No Class Friday April 15th: Easter Break

Week 14: 4/18 – 4/22

Topic: Judicial Decision Making: Trial Courts

Wednesday Readings: Gill et al. (2015) **Maya**

Friday Readings: Boyd (2016) **Addison**

Tillman (2018) **Brevin**

No Class Monday April 18th: Easter Break

Trial Courts Decision Making Paper due by 11:59pm on Friday April 22nd

Week 15: 4/25 – 4/29

Topic: Judicial Decision Making: Collegial Courts

Monday Readings: none

Wednesday Readings: Kestellec (2011) **Gavin**

Friday Readings: Kestellec (2013) **Alex**

Week 16: 5/2 – 5/6

Topic: Judicial Decision Making: Collegial Courts

Monday Readings: Fischman (2013) **Dom**

Wednesday Readings: Scheurer (2017) **Anna**

Friday Readings: Tillman (2018)

Collegial Courts Decision Making Paper due by 11:59pm on Friday May 6th

Finals Week: 5/9 – 5/13

Good luck on finals and congratulations to anyone graduating!