

POLS 4740: Judicial Process and Behavior
Mondays, Wednesdays, and Fridays 1:50-2:40 p.m., Fall 2025
Baldwin Hall, Room 264

Professor Sidney Shank
Email: seshank@uga.edu
Office: Baldwin Hall, Room 109B
Office Hours: Wednesdays 3:00-5:00 p.m. or by appointment

Course Description

This course explores the structure of the U.S. court system and its relationship to the other branches of U.S. government and to the public. It covers the organization of courts, the selection of judges, judicial decision-making and policymaking, and the impact of public opinion on judges. Specific focus will be given to the differences between state and federal courts and between lower federal courts and the Supreme Court.

Learning Outcomes

By the end of this course, students should be able to:

- Compare and contrast the structure of the U.S. federal and state court systems;
- Understand the legal profession and the various ways judges are selected;
- Explain the role of interest groups and the media in the legal system;
- Trace the basic processes for trials and appeals;
- Compare and contrast the legal, attitudinal, and strategic models of decision-making; and
- Evaluate the role of courts in American society.

Assigned Textbook

Neubauer, David W. and Stephen S. Meinhold. *Judicial Process: Law, Courts, and Politics in the United States*. Seventh edition. Cengage Learning, 2016.

Other assigned readings will be provided to students on eLC.

Academic Integrity

Academic integrity is a core value of institutions of higher learning. All students, upon enrolling, must pledge: "I will be academically honest in all of my academic work and will not tolerate academic dishonesty of others." It is your responsibility to avoid plagiarism, cheating, and dishonesty. The university policy on academic integrity is posted at <http://www.uga.edu/honesty/>. To clarify the application of the policy in this course: tests and written assignments should be your own work while studying and class preparation can (and should) be done with others. The use of artificial intelligence or word mixing software (like Grammarly) to write your papers is considered plagiarism in this course.

Course Requirements and Evaluation

Participation: Participation in class is worth 20% of your final grade. While I strongly prefer your participation to come in the form of questions and discussion during class, I am willing to accept detailed notes and analysis in a dedicated blue book as a substitute. To count as full participation, your bluebook notes should contain lectures notes, questions about the material, thoughts and comments on your classmates' discussion, and other detailed analysis that demonstrates your full attention is being paid to the class. Please note that bluebook notes are an in-class assignment; no credit will be given for notes taken outside of class.

Attendance: As a student, it is your responsibility to regularly attend and participate in class; as such, I will not require excuses for absences. However, you must notify me in advance of an absence on the due date of a major assignment in order for me to consider giving you an extension. Assignments submitted late without prior approval will be subject to a 10 percent deduction per day late.

Assignments: You will have five major assignments for this course due throughout the semester: two exams, two research papers, and an mock trial. Assignments submitted late without prior approval will be subject to a 10 percent deduction per day late.

Exams: You will take two written exams, each of which count for 15% of your final grade. Both exams will be multiple choice questions. The class before each exam will be an optional review session dedicated to answering your questions and reviewing material as requested by students. I strongly encourage your attendance at these review sessions.

Research Papers: You will write two research papers, each of which count for 15% of your final grade. The first paper will identify public influence on a Supreme Court case within the last five years through amici briefs and other media and interest group attention. The second paper will predict the vote of one current Supreme Court justice on a case currently before the court under each of the three judicial decision-making models. Both papers should be a minimum of five pages with full bibliographic citations using the citation manual with which you are most comfortable. The class before each paper is due will be an optional critique session dedicated to answering your questions and providing feedback on your papers. I strongly encourage your attendance at these critique sessions.

Mock Trial / Moot Court: You must participate in either the in-class mock trial or moot court, which counts for 20% of your final grade. Students will take a position as either a lawyer, witness, or judge and prepare for in-class oral argument. Students are expected to prepare and present in a manner befitting a lawyer in court—plan to dress accordingly. We will discuss professional attire and resources for finding it on a college budget in class, and please feel free to contact me with any questions you have.

Drop/Add and Withdrawal Policies

Students can drop any class without penalty during the drop/add period at the beginning of every semester. Dropped courses during the drop/add period do not qualify as withdrawals. The last day to drop this class this semester is Tuesday, August 19.

Undergraduate students can only withdraw from four courses and receive a withdrawal-passing (WP) grade while enrolled at UGA. Please carefully review the policy in its entirety here: <http://www.reg.uga.edu/policies/withdrawals>. The last day for withdrawals this semester is Wednesday, November 12.

Students with Disabilities

Students with disabilities that have been certified by the UGA Disabilities Services office will be accommodated according to university policy. If you have documentation for accommodations from Disabilities Services, please present it to me as soon as possible. For more information, contact Disabilities Services at 706-542-8719 or online at <https://drc.uga.edu>. If you cannot reach the classroom or my office, please notify me as soon as possible so that alternative arrangements can be made.

Mental Health and Wellness

If you or someone you know needs assistance, you are encouraged to contact Student Care and Outreach in the Division of Student Affairs at 706-542-7774 or visit <https://sco.uga.edu/>. They will help you navigate any difficult circumstances you may be facing by connecting you with the appropriate resources or services. UGA crisis support can be reached at 706-542-22273 or online at <https://caps.uga.edu>. Also consider visiting BeWellUGA (<https://www.uhs.uga.edu/bewelluga/bewelluga>) for a list of free workshops, classes, mentoring, and health coaching led by licensed clinicians and health educators at the University Health Center.

Schedule

Outlined below is an approximate schedule. Dates and assignments may be adjusted during the semester at the discretion of the professor.

Wednesday, 8/13 – Course Introduction

- Homework: Neubauer and Meinhold (2016) pages 1-13

Friday, 8/15 – Is Law Political?

- Homework: Neubauer and Meinhold (2016) pages 16-43

Monday, 8/18 – Is Law Political?

- Homework: Neubauer and Meinhold (2016) pages 46-76

Wednesday, 8/20 – Institutions of Law: U.S. District Courts

Friday, 8/22 – Institutions of Law: U.S. Courts of Appeals

- Homework: Segal and Spaeth (2002) pages 223-278

Monday, 8/25 – Institutions of Law: Supreme Court of the United States

- Homework: Neubauer and Meinhold (2016) pages 80-108

Wednesday, 8/27 – Institutions of Law: U.S. State Courts

- Various state court websites linked through eLC

Friday, 8/29 – Deep Dive: Courts in Georgia

- Homework: Neubauer and Meinhold (2016) pages 113-144

Monday, 9/1 – NO CLASS (Labor Day)

Wednesday, 9/3 – Interpreters of Law: Lawyers

- Homework: Neubauer and Meinhold (2016) pages 149-179

Friday, 9/5 – Interpreters of Law: Judges

- Homework: one of the following—Black and Owens (2009); Huber and Gordon (2004); Brace and Boyea (2008); Gibson (2008); Lim (2013)

Monday, 9/8 – Deep Dive: Political Preferences and the Rule of Law

- Homework: Neubauer and Meinhold (2016) pages 186-195; Black and Boyd (2012)

Wednesday, 9/10 – Consumers of Law: Litigants

- Homework: Neubauer and Meinhold (2016) pages 196-207

Friday, 9/12 – Consumers of Law: Interest Groups and the Media

- Homework: Caldeira and Wright (1988); Corley (2008); Box-Steffensmeier, Christenson, and Hitt (2013)

Monday, 9/15 – Deep Dive: Interest Group Influence on Court Opinions

Wednesday, 9/17 – Optional Attendance: Exam Review

Friday, 9/19 – Exam 1

Monday, 9/22 – Optional Attendance: Paper Critique

- Homework: Neubauer and Meinhold (2016) pages 212-238

Wednesday, 9/24 – Trial Courts: Criminal Procedure

- Due: Paper 1 at 1:50 p.m. on eLC

- Homework: Neubauer and Meinhold (2016) pages 242-262
- Friday, 9/26 – Trial Courts: Criminal Procedure
- Homework: Neubauer and Meinhold (2016) pages 263-273

- Monday, 9/29 – Deep Dive: The Death Penalty
- Homework: Neubauer and Meinhold (2016) pages 281-308

- Wednesday, 10/1 – Trial Courts: Civil Procedure
- Homework: Neubauer and Meinhold (2016) pages 315-338

- Friday, 10/3 – Trial Courts: Civil Procedure
- Homework: Neubauer and Meinhold (2016) pages 343-373

- Monday, 10/6 – Deep Dive: Juries
- Homework: Neubauer and Meinhold (2016) pages 374-396

- Wednesday, 10/8 – Appellate Review: State Courts
- Homework: Neubauer and Meinhold (2016) pages 436-467 as well as one of the following—Black and Owens (2016); Smelcer, Steigerwalt, and Vining (2012); Boyd, Lynch, and Madonna (2015); Boyd, Collins, and Ringhand (2018)

Commented [SS1]: Needs work

- Friday, 10/10 – Deep Dive: Judicial Selection
- Homework: Neubauer and Meinhold (2016) pages 396-399

- Monday, 10/13 – Appellate Review: United States Courts of Appeals
- Homework: Neubauer and Meinhold (2016) pages 406-431

Commented [SS2]: Needs work

- Wednesday, 10/15 – Appellate Review: Supreme Court of the United States
- Homework: McGuire (1995); Black and Owens (2013); Johnson, Wahlbeck, and Spriggs (2006); Feldman and Gill (2019)

- Friday, 10/17 – Deep Dive: Oral Argument
- Segal and Spaeth (2002) pages 44-85

- Monday, 10/20 – Judicial Decision-making: Overview and Legal Model
- Homework: Segal and Spaeth (2002) pages 86-97 and 432-435

- Wednesday, 10/22 – Judicial Decision-making: Attitudinal Model
- Homework: Epstein and Knight (1998) pages 1-18 and 182-186

- Friday, 10/24 – Judicial Decision-making: Strategic Model
- Homework: Tyler (2006) as well as one of the following—Bartels and Johnston (2013); Gibson and Nelson (2015); Nicholson and Hansford (2014); Wedeking and Zilis (2018)

Monday, 10/27 – Deep Dive: Judicial Legitimacy and Accountability

Wednesday, 10/29 – Optional Attendance: Exam Review

Friday, 10/31 – NO CLASS (fall break)

Monday, 11/3 – Exam 2

Wednesday, 11/5 – Optional Attendance: Paper Critique

Friday, 11/7 – Introduction to Mock Trial

- Due: Paper 2 at 1:50 p.m. on eLC

Monday, 11/10 – Mock Trial: Rules and Procedure

Commented [SS3]: Intro to Moot Court

Wednesday, 11/12 – Mock Trial: Winners in Action

Commented [SS4]: Business Professional

Friday, 11/14 – Introduction to Moot Court

Commented [SS5]: Final Project Questions/Rules & Procedures

Monday, 11/17 – Moot Court: Rules and Procedure

Commented [SS6]: Business Casual

Wednesday, 11/19 – Moot Court: Winners in Action

Commented [SS7]: Project practice

Friday, 11/21 – Mock Trial/Moot Court Practice

Monday, 11/24 – Mock Trial/Moot Court Practice

Wednesday, 11/26 through Friday, 11/28 – NO CLASS (Thanksgiving break)

Monday, 12/1 – Mock Trial/Moot Court Practice

Tuesday, 12/2 – Mock Trial/Moot Court Practice

Monday, 12/8 – Final exam period from 12:00 p.m. to 3:00 p.m.

- Due: Mock Trial and Moot Court presentations