

POLI 726 - SEMINAR IN JUDICIAL POLITICS
Thursdays, 6 PM to 8:45 PM
Online Section
Three Credits
Fall 2020

INSTRUCTOR INFORMATION AND ACCESSIBILITY

Instructor: Dr. Jessica A. Schoenherr, Assistant Professor, Political Science

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Office Hours: Monday and Wednesday, 7-8 PM on Blackboard or by appointment

Email is the best way to contact me. Please include "POLI 726" in the subject line to make sure the email does not get lost. Allow 24 hours for a response during the week (Monday-Thursday) and 36 hours during the weekend (Friday-Sunday).

COURSE DESCRIPTION AND OBJECTIVES

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, state courts, and comparative courts as well. We will be reading and critiquing contemporary scholarly works published in this area in order to build up 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 course, you should:

1. Develop a comprehensive understanding of the fundamental theories related to judicial behavior and decision making.
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, including sharing thoughts with authors in a manner that is productive.
4. Demonstrate the capacity to design and lead a class on a topic in judicial politics.
5. Know how to put together a research proposal and request for funding.
6. Enhance your written communication skills, specifically your ability to produce high-quality written research.

All learning outcomes in this course are equivalent to a face-to-face (F2F) version of this course.

COURSE MATERIALS

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

- Perry, H.W. 1991. *Deciding to Decide: Agenda Setting in the United States Supreme Court*. Cambridge: Harvard University Press. (ISBN: 978-0674194434)
- Black, Ryan C., Timothy R. Johnson, and Justin Wedeking. 2012. *Oral Argument and Coalition Formation on the U.S. Supreme Court: A Deliberate Dialog*. Ann Arbor: University of Michigan Press. (ISBN: 978-0472118465)
- Maltzman, Forrest M., James F. Spriggs, and Paul J. Wahlbeck. 2000. *Crafting Law on the Supreme Court: The Collegial Game*. New York: Cambridge University Press. (ISBN: 978-0521783941)
- Collins, Jr., Paul M. 2008. *Friends of the Supreme Court: Interest Groups and Judicial Decision Making*. New York: Oxford University Press. (ISBN: 978-0195372144)

- Please note: this book is available for free through the University of South Carolina Library system

There are several different editions of some of these books. I am indifferent to which one you use and encourage you to find the least-expensive option.

I also recommend you obtain copies of the following books, which are the twin pillars of judicial politics. We will reference them frequently though we will not read them this semester.

- Segal, Jeffrey A. and Harold J. Spaeth. 2002. *The Supreme Court and the Attitudinal Model Revisited*. New York: Cambridge University Press. (ISBN: 978-0521789714)
- Epstein, Lee and Jack Knight. 1998. *The Choices Justices Make*. Washington, D.C., C.Q. Press. (ISBN: 978-1568022260)

Because we are focusing on contemporary Supreme Court literature (pieces from the last 20 years, with a few exceptions), we will mostly be reading articles in this class. Students are expected to obtain copies of all required readings except the ones I mark as available on Blackboard.

INSTRUCTIONAL AND TECHNOLOGY INFORMATION

SYNCHRONOUS COURSE REQUIREMENTS:

This course is a synchronous online course. Students will not be required to attend any face-to-face (F2F) meetings, but they will be expected to be in class at the scheduled time.

We will be using Blackboard for this class. I will post the articles that are not available from the library there. Make sure you have access to the course and please let me know within the first week if you do not.

All classes will be conducted on Blackboard using the Blackboard Collaborate tool. Because this is an online class, all work in this course must be completed and submitted online. Therefore, students must have consistent and reliable access to a computer and to the Internet.

If you have technology-related questions or need help with software, please contact the Division of Information Technology (DoIT) [here](#).

COURSE REQUIREMENTS

Your grade will be determined using the following points:

Area	Points
Seminar Participation/Seminar Leader	260
Five-Point Memos	240
Funding Proposal	150
Article Review	150
Practice Comp/Research Proposal/Replication and Extension Paper	200
Total	1000

SEMINAR PARTICIPATION/SEMINAR LEADER (260 points):

I expect that you will regularly attend our online seminar meetings, be prepared for each session, and participate in any activities or exercises during the seminar. By prepared, I do not just mean completing the readings, but also showing you have thought about them and how they advance the judicial politics literature on the whole. 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 one week out of the semester, you will lead the class! You will decide how to break up the time as well as the activities your classmates will engage in, and you will be the Subject Matter Expert on that topic for the week. Your classmates will submit their Five-Point Memos to you and you will help them understand the material. Congratulations!

Following your seminar leadership, 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 better in the future. I will respond with a similar memo and commentary on yours. Teaching is hard. Practice and feedback make it easier.

I will ask everyone about their preferred weeks for teaching at the start of the semester and will announce leadership weeks by the last week of August.

Please note: We will have guest speakers a few times during the semester. If you are the seminar leader that week, I will talk with you about the format and when the speaker will be appearing so you can plan your class accordingly.

FIVE-POINT MEMOS (240 points):

Knowing how to synthesize articles and books into small pieces that you can fit into a lit review is a learned skill that 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 fits in the literature.
3. An explanation of the methodological approach:
 - a. Dependent variable used
 - b. Independent variable used
 - 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 (which can include a criticism of the piece, but if you do that, you also have to offer a way to fix the issue)

You will upload ***PDF ONLY summaries*** for the current week's readings to Blackboard before the start of class each week. If someone is scheduled to run the seminar that week, you will also send a copy of your memos to that individual. I strongly encourage you to use these memos during class to help guide the conversation, and I also encourage you to hold onto these if you are taking the Public Law comprehensive exam (they help!).

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 and 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. This is especially true if your major field is Public Law.

Please note: While I encourage you all to talk about the readings outside of class, these memos need to be your own work. Do not turn in the same memo that somebody else is turning in.

FUNDING PROPOSAL (150 points):

A not-insignificant part of any job is putting together short (under five pages) funding proposals for projects. This means (1) figuring out how many hours a project will take; (2) figuring out the equipment you need to complete the project and its cost; (3) identifying how much you can complete on your own; (4) deciding how much research assistance you will need and its cost; and (5) getting people who know nothing about your research to understand what you are working on, why it is important, and why they should give you money to do it.

You will be putting together a short research proposal for a project of your choosing. This will be due before the start of class on *October 8th, 2020*. If you are writing the research proposal for your final project (see below), this proposal can be the beginning of that paper. I will provide more details about this assignment, including examples, in a separate document that will be posted within the first two weeks of the semester.

ARTICLE REVIEW (150 points):

Part of our job as academics is engaging in the peer review process. You will be sending your research out into the world and asking other academics to review it, provide feedback, and eventually suggest the project is worthy of publication. You will also be the person providing the feedback. Even if a paper gets rejected (which is the modal outcome in this discipline), you still hope the feedback is constructive and useful. As you will all see, this is not always the case! Giving solid feedback on pieces is difficult and learning how to do so in a constructive manner is even harder. You will get a chance to practice this in our class by writing a review of one of the week's pieces.

At the beginning of the semester, you will pick a week to write an article review (though it cannot be the week when you are also the seminar leader). I will then pick the article within that week that you will 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 the journal editor either Accept the article, give the author a chance to Revise and Resubmit the Article, or Reject the article. Reviews must be submitted to me before the start of class on the week we discuss that article.

After asking you all for your input, I will announce the week and article you will review by the last week of August. I will also provide examples and more details about what goes into a good journal review at that point in time.

PRACTICE COMP/RESEARCH PROPOSAL/REPLICATION AND EXTENSION PAPER (200 points):

For students who are not yet taking comps: If you are not yet in or past your third year and therefore have not already comped or are not comping this semester, your final assignment in this class will be a practice comprehensive exam, taken during finals week at a time of your choosing. I will provide more details about the format and scheduling in the latter half of the semester.

For students who are comping this semester or have already comped: If you are a student who will be done with comprehensive exams by the end of the fall semester, your final project will be a choice of either:

- A research proposal (8-10 pages), including a complete introduction and lit review and an outline of how you will answer your question empirically
- A data replication and extension project (8-10 pages including graphs) in which you replicate an existing judicial politics piece and then extend it to either answer a new question, or answer the paper's question differently

I will provide more details about the format in the latter half of the semester.

Your scheduled Final Exam time is Saturday, December 12th at 12.30 PM.

GRADING SCALE

I will use the following scale to assign course grades:

Percentage	Grade
930-1000	A
890-929	B+
830-889	B
790-829	C+
730-789	C
690-729	D+
600-689	D
590 and below	F

Percentages greater than or equal to 0.5 will be rounded up to the next highest whole percentage (Example: 86.5% will found up to an 87%).

ACADEMIC INTEGRITY

HONOR CODE:

Every student has a role in maintaining the academic reputation of the university. It is imperative that you refrain from engaging in plagiarism, cheating, falsifying your work and/or assisting other students in violating the Honor Code. Two important components of the Honor Code:

- Faculty members are required to report potential violations of the Honor Code to the Office of Student Conduct and Academic Integrity.
- When a student is uncertain as to whether conduct would violate the Honor Code, it is their responsibility to seek clarification from the appropriate faculty member.

Your enrollment in this class signifies your willingness to accept these responsibilities and uphold the Honor Code of the University of South Carolina. Please review the [Honor Code Policies](#) as well as the [Code of Conduct](#).

CAROLINIAN CREED:

The community of scholars at the University of South Carolina is dedicated to personal and academic excellence. Choosing to join the community obligates each member to the Carolinian Creed. Academic and civil discourse are the cornerstones of the educational system and crucial to individual growth.

As a Carolinian:

- I will practice personal and academic integrity;

- I will respect the rights and dignity of all persons;
- I will respect the rights and property of others;
- I will discourage bigotry, while striving to learn from differences in people, ideas and opinions;
- I will demonstrate concern for others, their feelings and their need for conditions which support their work and development.

CLASSROOM CONTENT AND RECORDING:

I will be recording our class sessions and placing them on Blackboard for you to review, if needed. You are welcome to record the lectures yourself for your own educational use, but odds are that my recordings will be better quality and take up less space on your computer.

Lectures and course materials (which is inclusive of my presentations, tests, exams, outlines, and lecture notes) maybe 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 distribute this content without my expressed written permission. This includes sharing course materials to online social study sites like Course Hero and other services. Students who publicly reproduce, distribute or modify course content maybe in violation of the university's Honor Code's Complicity policy, which states: sharing academic work with another student (either in person or electronically) without the permission of the instructor. To best understand the parameters around copyright and intellectual property, see [here](#).

COLLABORATION:

A student's grades are to represent the extent that individual mastered the course content. You should assume that you are to complete course work individually (without the use of another person or uncited outside source) unless otherwise indicated by the instructor. It is your responsibility to seek clarification if you are unclear about what constitutes proper or improper collaboration.

ADDITIONAL ACCOMMODATIONS:

Reasonable accommodations are available for students with a documented disability. If you have a disability and may need accommodations to fully participate in this class, contact the Student Disability Resource Center: 777-6142, TDD 777-6744, email sasds@mailbox.sc.edu, or stop by LeConte College Room 112A. All accommodations must be approved through the Student Disability Resource Center.

Students with special needs should contact me immediately. Every effort to accommodate additional needs will be made.

COURSE READINGS

Please complete the assigned readings by the start of each class. Readings are listed in the order I would suggest you read them, though feel free to go through them as you wish.

Note: I reserve the right to modify this syllabus at any point in the course to suit the needs of the class. All changes will be sent via email in advance of class.

All readings marked with an asterisk (*) will be provided on Blackboard.

Week 1 - August 20th - Introduction

- No readings this week

Week 2 - August 27th - Models and Measures

- Segal, Jeffrey A. and Harold J. Spaeth. 1996. "The Influence of Stare Decisis on the Votes of United States Supreme Court Justices." *American Journal of Political Science* 40(4): 971-1003.
- Epstein, Lee, and Jack Knight. 2013. "Reconsidering Judicial Preferences." *Annual Review of Political Science* 16: 19.1-19.21.
- (*) Black, Ryan C., Ryan J. Owens, Justin Wedeking, and Patrick C. Wohlfarth. *The Conscientious Justice: How Supreme Court Justices' Personalities Influence the Law, the High Court, and the Constitution*. New York: Cambridge University Press. Chapter 2.
- Epstein, Lee, Andrew D. Martin, Jeffrey A. Segal, and Chad Westerland. 2007. "The Judicial Common Space." *Journal of Law, Economics, and Organization* 23: 303-325.
- Ho, Daniel E. and Kevin M. Quinn. 2010. "How Not to Lie with Judicial Votes: Misconceptions, Measurement, and Models." *California Law Review* 98: 813-876.
- Bailey, Michael A. 2013. "Is Today's Court the Most Conservative in Sixty Years? Challenges and Opportunities in Measuring Judicial Preferences." *Journal of Politics* 75(3): 821-834.

Week 3 - September 3rd - Nominations and Confirmations

- Kastellec, Jonathan P., Jeffrey R. Lax, and Justin H. Phillips. 2010. "Public Opinion and Senate Confirmation of Supreme Court Nominees." *Journal of Politics* 72(3): 767-784.
- Boyd, Christina L., Paul M. Collins, Jr., and Lori Ringhand. 2018. "The Role of Nominee Gender and Race at U.S. Supreme Court Confirmation Hearings." *Law and Society Review* 52(4):871-901.
- (*) Schoenherr, Jessica A., Elizabeth A. Lane, and Miles T. Armaly. 2020. "The Purpose of Senatorial Grandstanding During Supreme Court Confirmation Hearings." *Journal of Law and Courts*.
- Black, Ryan C. and Ryan J. Owens. 2016. "Courting the President: How Circuit Court Judges Alter Their Behavior for Promotion to the Supreme Court." *American Journal of Political Science* 60(1): 30-43.
- Badas, Alex and Katelyn E. Stauffer. 2017. "Someone Like Me: Descriptive Representation and Support for Supreme Court Nominees." *Political Research Quarterly* 71(1): 127-142.
- Cottrell, David, Charles Shipan, and Richard Anderson. 2019. "The Power to Appoint: Presidential Nominations and Change on the Supreme Court." *Journal of Politics* 81(3): 1057-1068.

Week 4 - September 10th - Agenda Setting

- Perry, H.W. 1991. *Deciding to Decide: Agenda Setting in the United States Supreme Court*. Cambridge: Harvard University Press.
 - Focus on Chapters 1, 3, 8, and 9
- Black, Ryan C. and Ryan J. Owens. 2009. "Agenda Setting in the Supreme Court: The Collision of Policy and Jurisprudence." *Journal of Politics* 71(3): 1062-1075.
- Rice, Douglas. 2014. "The Impact of Supreme Court Activity on the Judicial Agenda." *Law and Society Review* 48(1): 63-90.

Week 5 - September 17th - Briefs and Attorneys

- McGuire, Kevin M. 1995. "Repeat Players in the Supreme Court: The Role of Experienced Lawyers in Litigation Success." *Journal of Politics* 57(1): 187-196.
- Corley, Pamela C. 2008. "The Supreme Court and Opinion Content: The Influence of Parties' Briefs." *Political Research Quarterly* 61(3): 468-478.
- Wedeking, Justin. 2010. "Supreme Court Litigants and Strategic Framing." *American Journal of Political Science* 54(3): 617-631.
- (*) Schoenherr, Jessica A. and Ryan C. Black. 2019. "The Use of Precedent in U.S. Supreme Court Litigant Briefs" in *Research Handbook on Law and Courts*, eds. Susan Sterrett and Lee Demetrius Walker. Edward Elgar Publishing.
- Hazelton, Morgan L.W., Rachael K. Hinkle, and James F. Spriggs II. 2019. "The Influence of Unique Information in Briefs on Supreme Court Decision Making." *Justice System Journal* 40(2): 126-157.
- (*) Lane, Elizabeth A. ND. "Does Law Constrain or Policy Prevail? The Effect of Litigant Case Strength on U.S. Supreme Court Decision Making." Working Paper.

Week 6 - September 24th - Oral Argument

- Black, Ryan C., Timothy R. Johnson, and Justin Wedeking. 2012. *Oral Arguments and Coalition Formation on the U.S. Supreme Court: A Deliberate Dialog*. Ann Arbor: University of Michigan Press.
- Johnson, Timothy R., Paul J. Wahlbeck, and James F. Spriggs, II. 2006. "The Influence of Oral Argument Before the U.S. Supreme Court." *American Political Science Review* 100(1): 99-113.
- Jacobi, Tonja and Dylan Schweers. 2017. "Justice, Interrupted: The Effect of Gender, Ideology and Seniority at Supreme Court Oral Arguments." *Virginia Law Review* 103: 1379-1485.
 - Focus on Section I

Week 7 - October 1st - Conference, Bargaining, and Opinion Writing

- Maltzman, Forrest, James F. Spriggs, II, and Paul J. Wahlbeck. 2000. *Crafting Law on the Supreme Court: The Collegial Game*. New York: Cambridge University Press.
- Clark, Tom S. and Benjamin E. Lauderdale. 2010. "Locating Supreme Court Opinions in Doctrine Space." *American Journal of Political Science* 54(4): 871-90.
- Dietrich, Bryce J., Ryan D. Enos, and Maya Sen. 2019. "Emotional Arousal Predicts Voting on the U.S. Supreme Court." *Political Analysis* 27: 237-243.
- Steven J. Brams, Gustavo Camilo, and Alexandra D. Franz. 2014. "Coalition Formation on the U.S. Supreme Court: 1969-2009." *Public Choice* 158: 525-539.

Week 8 - October 8th - Separation of Powers

- Randazzo, Kirk, Richard W. Waterman, and Jeffrey A. Fine. 2006. "Checking the Federal Courts: The Impact of Congressional Statutes on Judicial Behavior." *Journal of Politics* 68(4): 1003-1014.
- Clark, Tom S. 2009. "The Separation of Powers, Court-Curbing, and Judicial Legitimacy." *American Journal of Political Science* 53(4): 971-989.
- Owens, Ryan J. 2010. "The Separation of Powers and Supreme Court Agenda Setting." *American Journal of Political Science* 54(2): 412-427.
- (*) Lane, Elizabeth A. ND. "Judicial Workload: A Separation of Powers Approach to the Supreme Court's Shrinking Docket." Working Paper.
- Hall, Matthew E.K. and Joseph Daniel Ura. 2015. "Judicial Majoritarianism." *Journal of Politics* 77(3): 818-832.
- Wohlfarth, Patrick. 2009. "The Tenth Justice? Consequences of Politicization in the Solicitor General's Office." *Journal of Politics* 71(1): 224-237.

Week 9 - October 15th - Public Opinion and Legitimacy

- Gibson, James L. and Michael J. Nelson. 2014. "The Legitimacy of the U.S. Supreme Court: Conventional Wisdoms and Recent Challenges Thereto." *Annual Review of Law and Social Science* 10(1): 201-219.
- Bartels, Brandon L. and Christopher D. Johnston. 2013. "On the Ideological Foundations of Supreme Court Legitimacy in the American Public." *American Journal of Political Science* 57(1): 184-199.
- (*) Armaly, Miles T. 2020. "Loyalty over Fairness: Acceptance of Unfair Supreme Court Procedures." *Political Research Quarterly* 1-14.
- Zilis, Michael A. 2018. "Minority Groups and Judicial Legitimacy: Group Affect and the Incentives for Judicial Responsiveness." *Political Research Quarterly* 71(2): 270-283.
- Strother, Logan. 2016. "Beyond *Kelo*: An Experimental Study of Public Opposition to Eminent Domain." *Journal of Law and Courts* 4(2): 339-375.
- (*) Haglin, Kathryn, Soren Jordan, Alison Higgins Merrill, and Joseph Daniel Ura. Forthcoming. "Ideology and Specific Support for the Supreme Court." *Political Research Quarterly*.

Week 10 - October 22nd - Interest Groups

- Collins, Paul M., Jr. 2008. *Friends of the Court: Interest Groups and Judicial Decision Making*. New York: Oxford University Press.
 - Focus on Chapters 1-4
- Hansford, Thomas G. 2004. "Information Provision, Organizational Constraints, and the Decision to Submit an Amicus Curiae Brief in a U.S. Supreme Court Case." *Political Research Quarterly* 57(2): 219-230.
- Box-Steffensmeier, Janet M., Dino P. Christenson, and Matthew P. Hitt. 2013. "Quality over Quantity: Amici Influence and Judicial Decision Making." *American Political Science Review* 107(3): 446-460.
- Schoenherr, Jessica A. and Ryan C. Black. 2019. "Friends with Benefits: Case Significance, Amicus Curiae, and Agenda Settings on the U.S. Supreme Court." *International Review of Law and Economics* 58: 43-53.

Week 11 - October 29th - Circuit Courts

- Scherer, Nancy, Brandon L. Bartels, and Amy Steigerwalt. 2008. "Sounding the Fire Alarm: The Role of Interest Groups in the Lower Federal Court Confirmation Process." *Journal of Politics* 70(4): 1026-1039.
- Boyd, Christina L., Lee Epstein, and Andrew D. Martin. 2010. "Untangling the Causal Effects of Sex on Judging." *American Journal of Political Science* 54(2): 389-312.
- Hinkle, Rachael K. 2015. "Legal Constraint in the U.S. Courts of Appeals." *Journal of Politics* 77(3): 721-735.
- Harris, Allison P. and Maya Sen. 2019. "Bias and Judging." *Annual Review of Political Science* 22(1):241-259.
- Masood, Ali S., Benjamin J. Kassow, and Donald R. Songer. 2019. "The Aggregate Dynamics of Lower Court Responses to the U.S. Supreme Court." *Journal of Law and Courts*. 159-186.
- (*) Hinkle, Rachael K., Michael J. Nelson, and Morgan L.W. Hazelton. 2020. "Deferring, Deliberating, or Dodging Review? Examining the Mechanisms Behind Panel Effects." *Journal of Law and Courts*. 1-32.

Week 12 - November 5th - District Courts and State Courts

- Randazzo, Kirk A. 2008. "Strategic Anticipation and the Hierarchy of Justice in the U.S. District Courts." *American Politics Research* 36(5): 669-693.
- Boyd, Christina L. 2016. "Representation on the Courts? The Effects of Trial Judges' Sex and Race." *Political Research Quarterly* 69: 788-799.
- Gunderson, Anna. 2020. "Why Do States Privatize Their Prisons? The Unintended Consequences of Inmate Litigations." *Perspectives on Politics*.
- Randazzo, Kirk A., Richard W. Waterman, and Michael P. Fix. 2011. "State Supreme Courts and the Effects of Statutory Constraint: A Test of the Model of Contingent Discretion." *Political Research Quarterly* 64(4): 779-789.
- Bonneau, Chris W. and Damon M. Cann. 2011. "Campaign Spending, Diminishing Marginal Returns, and Campaign Finance Restrictions in Judicial Elections." *Journal of Politics* 73(4): 1267-1280.
- Hughes, David. 2020. "Does Local Journalism Stimulate Voter Participation in State Supreme Court Elections?" *Journal of Law and Courts* 8(1): 95-126.

Week 13 - November 12th - Comparative Courts

- Herron, Erik S. and Kirk A. Randazzo. 2003. "The Relationship Between Independence and Judicial Review in Post-Communist Courts." *Journal of Politics* 65(2): 422-438.
- Powell, Emilia Justyna and Jeffrey K. Staton. 2009. "Domestic Judicial Institutions and Human Rights Treaty Violations." *International Studies Quarterly* 53: 149-174.
- Gibler, Douglas M. and Kirk A. Randazzo. 2011. "Testing the Effects of Independent Judiciaries on the Likelihood of Democratic Backsliding." *American Journal of Political Science* 55(3): 696-709.
- Cheruvu, Sivaram. 2019. "How Do Institutional Constraints Affect Judicial Decision-Making? The European Court of Justice's French Language Mandate." *European Union Politics* 20(4): 562-583.
- Masood, Ali S. and Monica E. Lineberger. 2019. "United Kingdom, United Courts? Hierarchical Interactions and Attention to Precedent in the British Judiciary." *Political Research Quarterly* 1-13.
- Johnson, Susan and Rebecca A. Reid. 2020. "Speaking Up: Women and Dissenting Behavior in the Supreme Court of Canada." *Justice System Journal*. 1-30.

Week 14 - November 19th - Dealer's Choice

- Epstein, Lee, Jack Knight, and Andrew D. Martin. 2003. "The Norm of Prior Judicial Experience and Its Consequences for Career Diversity on the U.S. Supreme Court." *California Law Review* 91(4): 903-965.
- Gleason, Shane A., Jennifer J. Jones, and Jessica Rae McBean. 2019. "The Role of Gender Norms in Judicial Decision Making at the U.S. Supreme Court: The Case of Male and Female Justices." *American Politics Research* 47(3): 494-529.
- Moustafa, Tamir. 2014. "Law and Courts in Authoritarian Regimes." *Annual Review of Political Science* 10: 281-299.
- Pelc, Krzysztof J. 2014. "The Politics of Precedent in International Law: A Social Network Approach." *American Political Science Review* 108(3): 547-564.
- Spamann, Holger and Lars Klohn. 2016. "Justice is Less Blind, and Less Legalistic, than We Thought: Evidence from an Experiment with Real Judges." *Journal of Legal Studies* 45(2): 255-280.
- Tamanaha, Brian Z. 2009. "Understanding Legal Realism." *Texas Law Review* 87: 730-785.