How to Reach Me: Tuesdays 9-noon on Canvas "Chat"--please sign up ahead of time for office hours--they can get crowded! I am also available outside of office hours by appointment.

Course Overview

At no time in recent history has the American judiciary been the topic of such intense speculation, contestation and concern. Whether voting rights, abortion laws, tax returns, immigration rights or obstruction charges, the American courts are being asked to take on or revisit the country's most significant and divisive questions. This class explores the nature of the American judiciary—its structure, its players and its impact on American public policy—in order to understand its capacity to handle these stressors.

We will start from the premise that the American judicial system displays a unique set of characteristics, specifically a focus on what some scholars refer to as “adversarial legalism.” During the first half of the class we will analyze the components of the American judicial system. How did American law develop? What is the role of law in American culture? What contributions have lower courts, state courts and the Supreme Court made to American public policy and the functioning of government? What is the impact of professional legal culture on the practice of law? How do plaintiffs experience the American legal system? The second half of the course explores the role of the courts in adjudicating over issues regarding civil rights, civil justice, criminal rights, and politics.

Students are required to complete ALL of the assignments. The assignments are weighted as follows:

- Five end-of-section Canvas Quizzes: (10 % each; Total 40%---lowest grade will be dropped)
- Complete THREE end-of-section Discussion Assignments (3% each; Total 9%)
- Attend THREE discussion sections (30 minutes each, 3% total) These will be recorded.
- Response Essay: (25%)
- Group Research Project: (TOTAL: 23 %)
  - Group Meeting with Instructor 2 x via Zoom—Week 3-4 and Week 7-8
  - Draft reports (3%) due: Friday Week 5 on Canvas
  - Final Reports due last day of term (20%)

Discussion Assignments and Sections. Students will sign up for Discussion Groups during the first week of the term. Discussion groups will be organized by time slots. You will attend 5 discussion sections scheduled for the end of each section with the other members of your discussion group via Zoom. These discussion sections will last for 30 minutes and will be recorded if you are unable to attend. Students will also submit and respond to discussion assignments within your discussion group.
Assignments-at-a-glance

Section 1
- Complete material on Canvas for Modules 1 and 2
- Sign up for Discussion Group
- Complete Section 1 Discussion Assignment
- Take Quiz 1:
  - Read Group Project assignment and sign up for topic.
- Attend Section Discussion Session

Section 2
- Complete material on Canvas for Modules 3, 4, 5, and 6
- Take Quiz 2:
- Section 2 Discussion Assignment
- Attend Section Discussion Session

Section 3
- Complete material on Canvas for Modules 7, 8, and 9
- Take Quiz 3
- Section 3 Discussion Assignment
- Attend Section Discussion Session
- Response Essay

**FRIDAY WEEK 5: ROUGH DRAFT OF GROUP ASSIGNMENT DUE**

Section 4
- Complete material on Canvas for Modules 10, 11, and 12
- Take Quiz 4
- Section 4 Discussion Assignment
- Attend Section Discussion Session

Section 5
- Complete material on Canvas for Modules 13, 14, and 15
- Take Quiz 5: (If you are happy with your first 4 quiz grades you can skip this)
- Complete End of Term Group Research Project
- Section 5 Discussion Assignment
- Attend Section Discussion Session

Extra Credit Opportunity Available end of term

Course Organization

This is an online course with some asynchronous and some synchronous features. All students are expected to complete the course by the end of the 8-week summer term. The course is divided into six thematic sections with sixteen modules total. Students should aim to complete at least two modules per week, and should complete the modules (and the assignments) in
the order that they appear on the syllabus. Any outstanding assignments left by the end of the term will receive a zero--unless prior arrangements have been made with the instructor.

The primary mechanisms that I will use to communicate with students about due dates, reminders or other course administrative issues is through the Announcements page on Canvas. It is your responsibility to check for any updates to the course--although I will try not to make any significant changes unless absolutely necessary. In addition, students will have an opportunity to talk with me and to others enrolled in the course through Discussion Boards, discussion sections, feedback on assignments and Canvas email.

**IMPORTANT: WHEN ACCESSING LECTURES AND READINGS PLEASE USE THE MODULE PAGES ON CANVAS. THE MODULE PAGE ON CANVAS WILL PROVIDE AN INTRODUCTION TO THAT DAY'S MATERIAL AND SPECIFIC INSTRUCTIONS FOR HOW TO PROCEED.**

**Plagiarism/Academic Misconduct**

Plagiarism or other forms of academic misconduct will not be tolerated in this course. All assignments, unless otherwise indicated as a "group" project, must be completed alone--without assistance from fellow students, friends, roommates, partners, spouses, children or parents, etc. Quizzes will be conducted alone--and questions will be randomized to make cheating more difficult. Any student suspected of cheating or committing some other form of academic misconduct will receive a zero on the assignment and will be reported to the university.

The University Student Conduct Code (available at conduct.uoregon.edu) defines academic misconduct. Students are prohibited from committing or attempting to commit any act that constitutes academic misconduct. By way of example, students should not give or receive (or attempt to give or receive) unauthorized help on assignments or examinations without express permission from the instructor. Students should properly acknowledge and document all sources of information (e.g. quotations, paraphrases, ideas) and use only the sources and resources authorized by the instructor. If there is any question about whether an act constitutes academic misconduct, it is the students’ obligation to clarify the question with the instructor before committing or attempting to commit the act. Additional information about a common form of academic misconduct, plagiarism, is available at researchguides.uoregon.edu/citing-plagiarism.

In all of your assignments, including your homework or drafts of papers, you may use words or ideas written by other individuals in publications, Web sites, or other sources, but only with proper attribution. "Proper attribution" means that you have fully identified the original source and extent of your use of the words or ideas of others that you reproduce in your work for this course, usually in the form of a footnote or parenthesis. However, the bulk of your written work should be your own original thoughts. Published or web-based information should only be used to supplement your own ideas.

As a general rule, if you are citing from a published source or from a Web site and the quotation is short (up to a sentence or two), place it in quotation marks; if you employ a longer passage
from a publication or Web site, please indent it and use single spacing. In both cases, be sure to cite the original source in a footnote or in parentheses.

Be warned, I conduct periodic web searches for language from student papers. If you have used language from publications or websites without giving them proper attribution I will find out.

**Handing in Assignments**

Instructions for handing in assignments will be included on all assignment prompts. Students are expected to upload their assignments to Canvas on time and in accordance with the instructions provided, unless alternate arrangements have been made prior to the assignment’s due date. Students will lose a half grade on the assignment each day that the assignment is late.

**Grading Disputes**

If you want to dispute a grade on an assignment, please submit *in writing* to me a description of your concerns at least 24 hours after you have received the grade in question. The 24 hours should be used as a cooling off period. Please note, however, that if I review your work, I will be reviewing the entire quiz, project or paper. This could result in a lower grade.

**Receiving an Incomplete**

In general, incompletes will only be permitted under extenuating circumstances (health, family issues, emergency). Students who have outstanding assignments at the time that grades are due and who have not received preapproval for an incomplete will receive an “F” for the assignments they have not completed—which could result in an F for the entire course.

**Title IX Statement**

I am a student-directed employee. For information about my reporting obligations as an employee, please see Employee Reporting Obligations. Students experiencing any form of prohibited discrimination or harassment, including sex or gender based violence, may seek information on safe.uoregon.edu, respect.uoregon.edu, titleix.uoregon.edu, or aaeo.uoregon.edu or contact the non-confidential Title IX office (541-346-8136), AAEO office (541-346-3123), or Dean of Students offices (541-346-3216), or call the 24-7 hotline 541-346-SAFE for help. I am also a mandatory reporter of child abuse. Please find more information at Mandatory Reporting of Child Abuse and Neglect.

**Learning Outcomes**

The coursework will help students to…

1. Recognize the roles played by various actors, groups, and movements in political and cultural processes—including the social and material power resources to which they may have access, and factors that advantage certain social groups and exclude or marginalize others.
2. Analyze, interpret, and explain why and how political processes or policy outcomes vary across policy domains and over time.

3. Recognize and describe major variations in political institutions and policy processes—in particular across levels of governance from local contexts to the national arena.

**Workload and Evaluation**

There are on average 40 pages of reading per module for this class, but page quantities will vary by module depending on the difficulty of the reading assignment and the topic. Reading consists of scholarly readings, media reports, and court decisions. In addition to completing the readings, during each module students are required to listen to approximately 1-2 hours of lectures and are required to respond to a series of end of module questions. Students should expect to spend approximately 4-5 hours per module.

In addition to module-specific assignments there are also a handful of “section assignments” that students must complete as well. These are as follow:

- End of Section Quiz (30 minutes)
- End of Section Discussion Assignment (2 hours each)

In addition to these routine quizzes (10 points each) and projects, students must also complete one essay and a final group research project. These projects will be evaluated according to the following criteria:

- **A** Student has produced outstanding work. Arguments are effective, cohesive, and compelling. Student has demonstrated a mastery of the material both in terms of analysis and synthesis. Writing is articulate and there is evidence of careful and thorough editing. In short, the work is near perfect.
- **A-** Student has produced very strong work. Arguments are effective, cohesive and compelling. The student clearly understands the material and has the ability to synthesize information. There are a few rough spots that need more attention but these issues are marginal.
- **B+** Student has the beginnings of a strong paper/answer. There is evidence of strong analysis and engagement with the material. However, some portion of the paper/answer remains underdeveloped.
- **B** Student understands the assignment and has introduced a compelling line of inquiry. Student has received this grade for one of three issues: writing is rough and disorganized; there is insufficient attention to appropriate materials; arguments (while interesting) are underdeveloped.
- **B-** While student has completed the assignment, one of the substantive features of the assignment is severely lacking. Arguments may be underdeveloped and unconvincing; evidence may be wrongly utilized or absent altogether; writing may be extremely disorganized or sloppy.
- **C** While the student has touched on most of the important objectives of the assignment the work product is deficient in analysis, writing, or use of/engagement with materials.
- D or F The assignment is incomplete in one or more of the following areas: writing, analysis, engagement with materials Grade given will be a function of the degree of incompleteness.

Grading Scale: I will use the following scale

A 93-100; A- 90-92; B+ 87-89; B. 83-86; B- 80-82; C+ 77-79; C 73-76; C- 70-72; D+ 67-69 D 63-66; D- 60-62; F-under 60

Module and Assignment Overview

Section 1: Creating Law. Among the most important factors influencing the rise of the American courts is the way in which the founding fathers, the colonies and the early citizens of the United States envisioned the republic and the role of courts within this new constitutional order. In this section we will explore the early, but deeply significant, decisions made by the nation's pioneers and leaders--decisions that have shaped the influence of the American judiciary to this day--allowing it to become a pivotal policymaking venue.

- **Module 1**: American Exceptionalism and the Development of American Law
  - Read:
    - Declaration of Independence (1-2 pages)
    - Constitution (approx 10 pages of text)
    - Federalist Papers 10, 51 and 78 (approx 8 pages of text)
  - Listen/Watch
    - Lectures 1.1-1.6
  - Answer end of Module Questions (20 minutes)
- **Module 2**: How Government Influences Judicial Power
  - Read
    - Marbury v. Madison (approx. 11 pages of text)
    - Melnick, Between the Lines, 3-22
    - Friedman, A History of American Law p. 93-117
  - Listen/Watch
    - Lectures 2.1-2.6
  - Answer end of Module Questions (20 minutes)
- **Take Section 1 Quiz (30 minutes)**
- Sign up for Discussion Group
- Complete End of Section Discussion Assignment (2 hours):
  - Attend Section 1 Discussion Group Section

**Section 1 Discussion Assignment:**

In a 500-word post to “Discussions” please provide the following:

- What are your views/perspectives on the American legal system? Do you believe it is a just system? Do you believe it is flawed, but workable? Or do you believe that it is unjust or unable to mete out impartial judgments or punishments? Explain.
- What is your perspective based on? Familial/friend/personal experiences with the justice system? News? Movies/Books?
- What are the costs/benefits of the American legal system from your experience/perspective?
- Write two paragraph response to THREE group members
Section 2: Checks and Balances

When the Founding Fathers conceived of a separate judiciary— with authority on par with the executive and the legislative branches—they did so specifically because they wanted the courts to serve as the ultimate check and balance on majoritarian institutions (and majority sentiment). In the following modules we will look at the components and characteristics of the judiciary that either promote or challenge its capacity to serve as a check and balance on policymakers.

• Module 3: Judicial Federalism:
  o Read:
    ▪ The Judicial Branch, Chapter 7 (24 pages of text)
    ▪ A Constitutional Right to Gay Marriage? (1 page)
    ▪ Baum, Chapter 2 (30 pages)
    ▪ “An Executive Order Can’t Fix Trump’s Census Problem” (1 page)
    ▪ “Clash Between Trump and House Democrats Poses Threat to Constitutional Order” (1-2 pages)
    ▪ “Judge: No Release of Trump’s State Taxes while Lawsuit Proceeds” (1-2 pages)
  o Listen/Watch
    ▪ Lecture 3.1
  o Answer end of Module Questions (20 minutes)

• Module 4: Supreme Court:
  o Read
    ▪ Baum, The Supreme Court, Chapter 1 (22 pages)
    ▪ U.S. v. Nixon (3-page excerpt)
    ▪ McCloskey, The American Supreme Court (30 pages)
  o Listen/Watch
    ▪ Lectures 4.1-4.3
  o Answer end of Module Questions (20 minutes)

• Module 5: Lawyers
  o Read
    ▪ Kagan, Do Lawyers Cause Adversarial Legalism (45 pages)
    ▪ Prime Time Lies (20-page excerpt)
  o Listen/Watch
    ▪ Lectures 5.1-5.3
  o Answer end of Module Questions (20 minutes)

• Module 6: Judges
  o Read:
    ▪ Judges on Judging Part I: Introduction and Chapter 1(16 pages)
    ▪ Atiyah and Summers, “Judges” (15 pages)
    ▪ Levin, “Urban Politics and Judicial Behavior” (45 pages)
Listen/Watch
- Lectures 6.1-6.3
- Answer end of Module Questions (20 minutes)

Section 2 Quiz
Section 2 Discussion Assignment
Attend Section 2 Discussion Session

Section 2 Discussion Assignment: Current event blog post and commentary: This is a TWO-PART assignment. Part I: Blog Post DUE August 23; Part II: Commentary on Blog Posts DUE August 25

The courts have been in the news a lot over the past year. Whether it is abortion rights, union dues, free speech, redistricting or census questions the courts have made their way to the headlines almost each day of the news cycle.


- judicial review;
- the development of the U.S. Constitution;
- the development of state constitutions;
- the founding fathers;
- the relationship between Congress/President and the courts;
- the courts’ power to interpret legislation.

Part I: Write a 500 word response paper that 1) provides a BRIEF synopsis of the article and 2) addresses the following questions A) how does the topic of the article relate to the items we have discussed in class so far? B) What does the article reveal about the importance of the American judiciary--and the specific role it plays as a check or as a policymaker? C) In what way does the article either confirm or contradict accounts of the constitution or the courts that we have learned so far in class? (Ie. did you learn something new from the article about the courts? Did you learn something that conflicts with what you have learned so far? Did you learn something that validates what we have discussed?)

Part II: You must also provide a two-paragraph response on THREE other current events posts from you discussion group members.

Section 3: Courts, Government and Society American courts are most well known--and most "exceptional"--in their capacity to intervene into the lives of individual citizens. Courts are frequently called upon to resolve disputes not just between private individuals but between individuals and government. That courts have ruled against those who are most powerful and popular--in favor of the disenfranchised and the oppressed--is one of the hallmarks of the exceptional American judiciary. In the modules that follow we will explore the potential and the
limitations of the courts' capacity to protect individual rights against the "tyranny of the majority" and to protect the most essential elements of democracy--the right to vote.

- **Module 7**: Courts and Social Change? The Good and the Bad
  - Read
    - McCann, “Reform Litigation on Trial” (82-118)
    - Frievogal, “Should Supreme Court Spur Social Change or Follow it?” (1 page)
  - Listen/Watch
    - Lectures 7.1-7.3
- **Module 8**: "Political Questions"
  - Read
    - Richard Hassen, “The Supreme Court of Political Equality” (4 page)
    - Carolene Products, Footnote Four (1 page)
    - Baker v. Carr (7 pages)
  - Listen/Watch
    - Lecture 8.1
- **Module 9**: Voting and Elections
  - Read
    - Reynolds v. Sims (7 pages)
    - Thornburg v. Gingles (6 pages)
    - Bush v. Gore (6 pages)
    - SCOTUSBlog: Trump Administration and the Census Question (approx. 4 pages of text)
    - SCOTUSBlog: Opinion Analysis on Partisan Gerrymandering (approx. 5 pages of text)
    - Politico: Nationwide Battle Over Gerrymandering (3 pages)
  - Listen/Watch
    - Lecture 9.1 to 9.3
- **Section 3 Quiz**
- **Complete Section 3 Discussion Assignment**
- **Response Essay**
- **Attend Section 3 Discussion Session**

**Section 3 Discussion Assignment**: Courts and Social Change: Please respond to the following quote in a 500-word blog post on Canvas. Do you agree/disagree? Are there problematic implications?

“There is hardly a political question in the United States which does not sooner or later turn into a judicial one.”—Alexis de Tocqueville

Write two paragraph response to THREE group members’ posts.
Response Essay Assignment: Political Questions

You are a consultant from the group Judicial Crisis. You have been tracking recent court battles over voting rights and elections with great interest. Your organization believes that court intervention into political matters is a risky, but potentially necessary endeavor. The legitimacy of the courts is at stake, but then so is the strength democratic rule. You have been tasked with writing a "thought paper" on the Supreme Court's most recent decision rejecting judicial intervention into questions of partisan gerrymandering. Your organization is producing a series of analyses on the Court's decision and would like you to provide analysis of a) your interpretation of the Court's decision and b) whether you believe the Court's read of the "political questions doctrine" was correct. The analysis should a concise but complete overview of the salient points of the case history. the Court's ruling and the political questions doctrine, but should spend significant time spelling out what you believe the Court got right or wrong in it's decision to deny Court jurisdiction, and why.

The analysis should be 5-pages-double spaced and will be evaluated using the following criteria:

- Use and mastery of the material (did you use and interpret the following correctly? political questions doctrine; gerrymandering case facts; gerrymandering decision)
- Completion--did you answer all of the questions or address each portion of the prompt?
- Strength of argument--would a reasonable person be convinced of your logic?
- Writing/grammar

Section 4: Civil Litigation, Civil Justice and Civil Rights

Among the most important and controversial roles that courts have taken on in the United States is to review claims of civil rights and civil justice violations. These typically involve private actors imposing harm or risks on other individuals (civil litigation) or individuals experiencing some form of discrimination or bias by state actors, agents, service providers or other public institutions (civil rights). Litigation is traditionally the primary mechanism that individuals have to pursue these kinds of claims. In fact legislation that outlaws bias or imposes penalties on industries or employers that expose consumers or employees to undue risk often relies on litigation as the primary engine for individuals to pursue their claims.

- Module 10: Civil Litigation
  - Read
    - McCann and Halton “Java Jive” 20-page excerpt
    - Feinman, Law 101, Chapter 5 141-180
    - Barbara Brody, “The OB Shortage is Real and it Might Impact your Care” (2 pages)
  - Listen/Watch
    - Lecture 10.1

- Module 11: Education
  - Read
- Brown v. Board of Education (4 pages)
- A School District that was Never Desegregated (4 pages)
- Parents Involved in Community Schools v. Seattle Unified (6 pages)
- Fisher v. UT Austin (6 pages)
  - Listen/Watch
    - Lecture 11.1
- Module 12: Courts and Backlash
  - Read
    - Klarman, How Brown Changed Race Relations (81-118)
    - Keck, Beyond Backlash (151-182)
  - Listen/Watch
    - Lecture 12.1
    - Watch “With all Deliberate Speed”
- Module 13: Speech
  - Read
    - Schenck v. United States (4 pages)
    - RAV v. St. Paul (4 pages)
    - The Hate Keeps Coming (2 pages)
    - Supreme Court Asked to Revisit Cakes (1-2 pages)
  - Listen/Watch
    - Lecture 12.1
    - “PA Student Free Speech to the Supreme Court” (5 min. excerpt)
    - “Think Out Loud: SCOTUS Sends Sweet Cakes Back to Oregon Courts
      Westboro Baptist Church Goes to the Supreme Court” (10 minute audio clip)
    - TED Talk “I grew up in the Westboro Baptist Church. Here’s why I left”
      (20-minute talk)
  - Section 4 Quiz
  - Section 4 Discussion Assignment
  - Attend Section 4 Discussion Session

**Section 4 Discussion Assignment:** In a 500-word post to Canvas discussion please address the following:

Many scholars and critics of the American legal system argue that the use of “rights rhetoric” and, in particular, the reliance on “rights” as the language of court-centered movement strategies is problematic. They rely on cases like Roe v. Wade to argue that courts merely increase opposition rather than achieve consensus and cases like Brown v. Board of Ed. to argue that courts are ineffective at making people change behaviors. What role do you think American courts have played in promoting social change? What role do you think they should play? Why?

Write two paragraph response to THREE group members’ posts.
**Section 5: The "Security" State** Even if you’ve never formally studied the courts before you’ve probably learned quite a bit about the American judicial system through television shows, movies and general discussion of the criminal justice system. The courts have long held domain over the punishment of individuals who have committed criminal acts. Yet the system that they use to determine guilt or innocence is severely taxed by the same characteristics of adversarial legalism that we have studied throughout the course. As you are reading and listening, think about whether or not the challenges of American justice prevent us from being able to adequately provide due process to individuals who have been accused of crimes—or to those who are the victims. To what degree do the inequities and inefficiencies built into American law and American courts constrain the ability for justice to be served in the realm of criminal law?

- **Module 14: National Security and Executive Powers**
  - Read
    - Hamdi v. Rumsfeld (15-page excerpt)
    - SCOTUSBlog: Trump v. Hawaii opinion analysis (3 pages)
    - Korematsu v. United States (4-page excerpt)
    - The Return of Korematsu (5 pages)
    - Charlie Savage, Korematsu, Notorious Supreme Court Ruling on Japanese Internment, is Finally Tossed Out (3 pages)
    - Articles on Conditions in Migrant Detention Facilities (approx. 6 pages)
  - Listen/Watch
    - Lecture 13.1

- **Module 15: Crime and Punishment**
  - Read
    - Langbein, Money Talks, Clients Walk (2 pages)
    - Feeley, The Process is the Punishment (25 page excerpt)
    - Feeley and Rubin, Judicial Policymaking in the Modern State (27-50)
  - Listen/Watch
    - Rikers: An American Jail
    - Lecture 14.1

- **Module 16: Death Penalty**
  - Read
    - Furman v. Georgia (3 pages)
    - Baze v. Rees (4 pages)
    - Judge Reinhardt, “The Supreme Court, the Death Penalty and the Harris Case (20 page excerpt)
    - DPIC: The Death Penalty in Black and White (approx 4 pages of text)
    - Why the Death Penalty is on the Decline (3 pages)
  - Listen/Watch (watch 2/4 documentaries)
    - Until he is dead: A History of Nebraska’s Death Penalty (1 hour documentary)
    - Ted Talk: We Need to Talk about an Injustice (20 minute excerpt)
    - National Geographic: Inside Texas Death Row (1 hour documentary)
    - Lecture 15.1

- **Section 5 Quiz:** Students should take this by the end of the term.
Section 5 Discussion Assignment: In a 500-word post to Discussions please address the following:

What do you think is the most pressing problem facing American courts today? What is the most significant strengths of American courts—or benefits of "adversarial legalism" today? What should be done to remedy the problems and preserve the strengths?

Write two paragraph response to THREE group members’ posts.

Group Project:

To sign up for Group Project, go to People-Groups-Projects--and pick the topic you want. There are multiple groups for the same topic to accommodate the large class size. If you want to coordinate with other classmates please do so quickly. If students have not signed up for a group by Friday of the second week of class, I will assign students to groups.

**IF WORKING IN A GROUP IS TOO DIFFICULT BECAUSE OF TIMING OR GEOGRAPHIC CHALLENGES PLEASE LET ME KNOW SO WE CAN MAKE OTHER ARRANGEMENTS.**

Groups must
- Meet with Professor Gash once during either week 3 or week 4 AND once during either week 7 or week 8 to discuss progress on the project.
- Submit a draft report week 5

You and your team members have been commissioned by a watchdog group, Eyes on Justice, to evaluate vulnerabilities to the nation’s legal system. The concern among members of the group is that increasing attacks on the rule of law will eventually erode the power of American courts--posing risks for a just and ordered democracy. They fear, in particular, that current high-profile conflicts between courts, advocates and policy-makers will increase the politicization of courts and judges, decrease trust in the courts as neutral decision-makers and, therefore, weaken the power of the courts, and the stability of the rule of law, beyond repair.

Eyes on Justice has asked you to evaluate the American legal system in a 25-page report. In particular, they are asking that the report focus on at least two policy arenas where the courts are especially active, in order to ground your assessment with actual evidence (rather than supposition). In your report you should discuss:
1. The role that courts played in the two policy arenas you are focusing on. This would include any important court cases, settlements, attempted litigation--and any noteworthy reactions to these court-focused events.

2. How different actors responded to these court interventions. Have decisions been followed, challenged, disregarded? Have they been accepted? Have they fostered progress? Have they promoted backlash? Describe any/all that apply to your specific issue.

3. Whether or to what extent these issue areas--and the specific interactions/interplay between court and non-court actors--indicate vulnerabilities for the American courts (a challenge to their legitimacy, their power to persuade) or do you believe that these policy conflicts exemplify an American judiciary that is standing strong, that will withstand any challenges it faces. Provide explanation, evidence of your assessment.

4. On the whole, what these policy stories tell us about adherence to the rule of law--to the norm that court opinions/judicial actions should be followed, even when we don't agree with them.

5. Recommendations for any next steps that Eyes on Justice should take as they move forward with trying to protect the integrity of the American legal system

Please make sure you include in your discussion/assessment any relevant course materials--including but not limited to items from lecture, readings from the course, court opinions, and other materials on Canvas.

Your project will be graded according to the following:

- Inclusion of appropriate/necessary material
- Completion—have you addressed all of points 1-5?
- Mastery of included material
- Articulation of argument
- Professionalism--show me that you are taking the project seriously

Here are a few resources you can consult--in addition to these resources though you will need to do some independent research on google.

SCOTUSBlog (Links to an external site.)

Legal Information Institute (Links to an external site.)

Volokh Conspiracy (Links to an external site.)

National Center for State Courts (Links to an external site.)

Oyez (Links to an external site.)