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**Other times by appointment**  
**Fall 2004**

**JS 103**  
**COURTS AND SOCIETY**

**COURSE DESCRIPTION**

This course will provide a survey of how courts in the United States function, with an emphasis on the criminal system. We will cover the history of our court system as well as Constitutional guidelines for their functioning, basic procedural law from arrest, arraignment, grand jury indictment to trial, sentencing and appeals. All levels of courts will be examined from municipal to the United States Supreme Court. Some attention will also be given to Juvenile Courts, Military Courts and the International Court of Justice.

Alternative courts such as Drug, Domestic Violence and Mental Health Courts will be included and be the subject of student court observations. The roles of the major participants; defense and prosecuting attorneys, judges and probation officers will be critically examined. Controversial topics such as plea bargaining, three strikes laws and capital punishment will inform our opinions of the Justice System, and we will make use of the Interactive sentencing exercises on the CD that accompanies the text.

**COURSE REQUIREMENTS**

1. Come to class having done the reading prior to lecture.
2. Complete 2 short papers on topics chosen from the syllabus
3. Present these papers to the class and lead a discussion
4. Take two in class quizzes
5. Observe court proceedings (4 hours minimum)
6. Take the final exam

All requirements must be completed to pass the course. Class participation in discussion and presentation of papers is very important in this course. Two thirds of all assignments must be completed if the student desires an incomplete in the course.

**REQUIRED TEXTS**

David Neubauer, American Courts and the Criminal Justice System (8<sup>th</sup> ed.) Wadsworth Publishing, 2005, together with sentencing CD. Study guide optional

## **EVALUATION**

Quiz #1	25%
Quiz #2	25%
Final	30%
Paper/ Discussion #1	10%
Paper/ Discussion #2	10%

The grades will be determined by a class generated curve. Missed exams will be taken on the final day of class, Monday December 8<sup>th</sup>. **Only one exam may be missed.** The instructor must be informed of the missed exam. The missed exams will be essay and not Multiple choice or objective ( it is not the same exam the class takes). Missed final exams result in an incomplete in the course and the make-up is also an essay exam. You must be prepared on the day you share your paper(s) with the class and lead the discussion. We need to keep the class on track, so if you miss your discussion date—for whatever reason- you will be deducted 5 points for each class period. Students may find out their class standing at anytime during the semester and are encouraged to do so.

## **ATTENDANCE AND PARTICIPATION**

Please be prepared and punctual. Turn your cell phones off; and talking during lecture is disturbing to your classmates and the instructor. Excellent class participation will be rewarded by the instructor in her discretion. Final grades may be enhanced ½ grade point if the student has been a positive influence in the classroom. Please form study groups to share notes, do not ask the instructor for hers. Cheating results in an “F” in the course and is not tolerated.

## **COURSE SCHEDULE**

WEEK 1	<b><u>Introduction, class procedures</u></b> Cp. 1 Courts, Crime and Controversy Visit the BJS web site on pg.13; Court TV Web site, or ACLU Web site and download an article to share with the class.
WEEK 2	<b><u>Law and Crime</u></b> Cp. 2; Visit the Constitutional law Center web site On pg47; National Records And download the Bill of rights; Find an article To share with the class from the Findlaw website on Pg. 49 <b>ASSIGNMENT OF PAPER TOPICS &amp; DISCUSSION DATES</b>
WEEK 3	<b><u>State and Federal Courts</u></b>

Cp. 3-4; Visit the Federal Judicial Center web site  
On page 62, the USSC site on page 76 and Drug Courts  
On pg 103; download a relevant article to share with  
The class.

WEEK 4

**Dynamics of the Courthouse & Prosecutors**

Cp. 5-6; download an article from Infotrac or other  
Academic site on Speedy Trials or prosecutorial misconduct.  
Handout: indictment/petitions/informations

**Begin Court Observations**

WEEK 5

**10/4 quiz 1**

**Defense attorneys & their Clients**

Cp. 7 ; in class Video on defense attorneys  
Right to counsel cases on pgs 151

WEEK 6

**Judges**

Cp. 8; visit the American Judicature Society site on pg. 189

**Student Paper Discussions begin**

WEEK 7

**Defendants & Victims;** Cp. 9; visit a crime victims help site  
Pg. 209, download an article; victim's rights amendments

**Court Processing** Cp. 10;

**Student Paper Discussions Cont.**

WEEK 8

**Arrest, arraignment, bail.** Cp. 11

Download an article on bail—reform, necessity, bounty hunters etc

**Student Paper Discussions Cont.**

WEEK 9

**Duty to Disclose Evidence & Pleas**

Cp. 12-13

Download an article on plea bargaining to share with class

**Student Paper Discussions Cont.**

WEEK 10

**Trials and Juries** Cp. 14

Class exercise on jury selection

**Student Paper Discussions Cont.**

WEEK 11

**Trials and Juries** Cont.

**11/8 quiz #2**

**Student Paper Discussions Cont.**

WEEK 12

**Sentencing, theories of retribution, incapacitation,**

**deterrence, rehabilitation;** Cp. 15  
**Three Strikes**—download an article  
**Death Penalty** download an article; *The Innocence Project*  
**Student Paper Discussions Cont.**

WEEK 13            **Sentencing decisions** Cp. 16  
Death penalty  
Mandatory Minimums  
Special issues of Women in Prison

WEEK 14            **Sentencing decisions cont.**  
CD exercises-bring results to class  
Disparate sentences in Federal Court  
Download an article from pg. 426 sites  
(The Sentencing Project, National Drug  
Court Policy etc.) to share with class.

THANKSGIVING HOLIDAY

WEEK 15            **Appeals, Procedures, Writs**  
Cp. 17  
Handout: writ  
**Student Paper discussions Cont.**

**Last day of class December 9; make up exams taken at this time.**

**Final exam Friday December 17 1215-1430**