



Courts and Society – JS 103

Spring 2007 -- Syllabus

Instructor	Dan Peak	E-mail	Daniel.Peak@sjsu.edu
Phone	(408) 398-2070	Office Hours	Tuesday 10:30 a.m. - 12:00 p.m. & Thursdays 4:00 p.m. - 5:30 p.m.
Room	MH 523	Web	http://www.sjsu.edu/faculty/peak/

Course Description:

This course is designed to familiarize the Justice Studies Student with Structure and functions of the court system, with emphasis on the roles of the prosecutor, defense attorney, judge, jurors and witnesses. Dynamics of the court process will be described and observed first hand and the students will be introduced to legal precedent, finding and understanding laws and appellate court decisions. Prerequisite: Upper division standing.

Course Learning Objectives:

This course takes the student on a virtual and actual tour of the criminal justice system in action. It will examine the courts from the perspective of the criminal defendants, victims of crime, actual and potential, witnesses and law enforcement personnel, the attorneys, both prosecution and defense, court support personnel, jurors and judges. There will be an examination of the historical background of courts with emphasis on several history making cases that helped to produce the present day criminal justice system. The roles of the various actors in the court system will be examined through the basic steps of the criminal case. These steps include, arrest, booking, charging, arraignment, pretrial motions, trial, sentencing and appeal. Two primary diversions from the mainstream criminal court system will be considered: the juvenile courts and the new trend to drug courts. This course covers courts throughout the United States, but emphasis will be given to the California courts to facilitate understanding.

Text:

Required text: David W. Neubauer, America's Courts and the Criminal Justice System (8th ed. 2001) published by Thomson Learning.

Other reading may be required as the course proceeds. Additional readings will be announced in class. The students are expected to attend classes to learn what adjunct assignments are required.

Course Requirements and Grading:

Student's mastery of the material will be evaluated through observation of the student's class participation and execution of assignments in addition to the student's performance on midterm and final examinations. The assignments will include a short paper detailing observations made during a minimum of four hours of courtroom observations, and a paper comparing a movie depiction of court processes with what the student learns in this course. The papers should each be about five pages, typed. More specific requirements will be provided in separate instructions.

Class participation will be graded through observation of the student's participation in discussions and by several short, unannounced writing assignments in class related to the reading for that week. These are



commonly called “pop” quizzes. Students should attend all meetings of their classes, not only because they are responsible for material discussed therein, but also because active participation is frequently essential to insure maximum benefit for all members of the class. Attendance per se shall not be used as a criterion for grading, but the results of unannounced “pop” quizzes will be included in the final grade.

Court Observation:	15%	Movie Analysis:	10%
Class Participation:	5%	Mid Term Exam:	30%
Final Examination:	40%		

Students are encouraged to telephone Mr. Peak, stop by the office or communicate via email whenever there is any question or the student simply wants further discussion of the curriculum. Every student is expected to have access to a computer. New assignments and other communications may be distributed by email or on the internet at: www.sjsu.edu/faculty/peak.

Academic integrity is essential to the mission of San José State University. As such, students are expected to perform their own work (except when collaboration is expressly permitted by the course instructor) without the use of any outside resources. Students are not permitted to use old tests, quizzes when preparing for exams, nor may they consult with students who have already taken the exam. When practiced, academic integrity ensures that all students are fairly graded. Violations to the Academic Integrity Policy undermine the educational process and will not be tolerated. It also demonstrates a lack of respect for oneself, fellow students and the course instructor and can ruin the university’s reputation and the value of the degrees it offers. We all share the obligation to maintain an environment which practices academic integrity. Violators of the Academic Integrity Policy will be subject to failing this course and being reported to the Office of Student Conduct & Ethical Development for disciplinary action which could result in suspension or expulsion from San José State University. The policy on academic integrity can be found at: http://sa.sjsu.edu/student_conduct

To better understand plagiarism and to aid you in making sure that you are not plagiarizing, please complete the tutorial at:

<http://tutorials.sjlibrary.org/plagiarism/index.htm>


Course Add/Drop Statement

Instructors are permitted to drop students who fail to attend the first scheduled class meeting and who fail to inform the instructor prior to the second class meeting of the reason for any absence and their intention to continue in the class. Some instructors will drop students who do not meet the stated course prerequisites. However, instructors are not required to drop a student from their course. It is the student’s responsibility to make sure classes are dropped.

You, the student, are responsible for understanding the policies and procedures about add/drops, academic renewal, withdrawal, etc. found at: http://sa.sjsu.edu/student_conduct

“If you need course adaptations or accommodations because of a disability, or if you need special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 requires that students with disabilities register with DRC to establish a record of their disability.”

JS 103 Fall 2006 Course Schedule

DATE	SUBJECT MATTER	ASSIGNMENTS DUE
1/25	Introductions and description of course. Overview of the legal system.	Peruse Chapter 1, Neubauer
2/1	The law, common and otherwise. Discussion of paper on court observation and Movie Critique.	Peruse Chapter 1 Read Chapter 2, Neubauer
2/8	The American courts federal and state.	Read Chapters 3 & 4, Neubauer
2/15	Pretrial Release: Bail and OR Beginning the prosecution: Charging, Arrest and Arraignment.	Read Chapter 11, Neubauer Read Chapters 5 & 10, Neubauer
2/22	Continuing with Charging, Arrest and Arraignment.	
3/1	The role of the prosecutor: Local, State and Federal. Constitutional restriction on prosecutorial discretion	Read Chapter 6, Neubauer
3/8	Defendant, victims and defense counsel roles.	Read Chapters 7 & 9, Neubauer
3/15	Evidence: discovery, suppression and limits	Read Chapter 12, Neubauer
3/22	Beginning the trial process: Negotiating a plea. Midterm Examination	Read Chapter 13, Neubauer
3/29	Spring Break	 <p>Attend this kind of Court</p>
4/5	Trial: The Judge, the ultimate referee	Read Chapter 8, Neubauer
4/12	Trial: Jury, the great unknown	Read Chapter 14, Neubauer
4/19	Sentencing options: The role of the probation officer	Read Chapters 15 & 16, Neubauer Essay on court observations due
4/26	Sentencing: balancing and juggling, philosophies, special interests and common sense.	Movie Analysis due
5/3	Continue Sentencing Issues	Read Chapter 17, Neubauer
5/10	Appellate Procedures & Juvenile Court REVIEW FOR FINAL	Read Chapter 19, Neubauer
5/17	FINAL EXAM: from 5:15 p.m. to 8:00 p.m.	<p>Have a careful summer in courts</p> 