

**San José State University  
CASA / Justice Studies**

**JS 205, Law and Courts  
Section 01, Spring 2017**

**Course and Contact Information**

<b>Instructor:</b>	Dr. Edith Kinney, J.D.
<b>Office Location:</b>	MacQuarrie Hall 525B
<b>Telephone:</b>	(408) 924-2946
<b>Email:</b>	edith.kinney@sjsu.edu
<b>Office Hours:</b>	Wednesdays 1-3 Online sign-up for office hours appointments: <a href="http://bit.ly/1uhbH3e">http://bit.ly/1uhbH3e</a>
<b>Class Days/Time:</b>	Wednesday, 4:30 – 7:15 p.m.
<b>Classroom:</b>	MacQuarrie Hall 526
<b>Prerequisites:</b>	Graduate student standing
<b>JS Competency Area:</b>	E

**Course Format**

JS 205 will meet in our classroom. Course materials such as syllabus, handouts, notes, assignment instructions, etc. can be found on [Canvas Learning Management System course login website](http://sjsu.instructure.com) at <http://sjsu.instructure.com>. You are responsible for regularly checking with the messaging system through [MySJSU](http://my.sjsu.edu) at <http://my.sjsu.edu> (or other communication system as indicated by the instructor) to learn of any updates.

**Course Description**

“Roles of the law in society. Analysis and critique of courts, attorneys, judges and juries; dispute resolution; race, class, sex inequality; law’s symbolic functions and unintended consequences; new socio-legal research; and comparative perspectives.”

**Instructor Course Description:**

This course critically examines the structure and function of law and the court system in the United States, with particular attention to the role of law in settling disputes, exerting social control, establishing norms, regulating behavior and promoting equality. Significant attention will be devoted to court systems including the role of the jury in American jurisprudence.

As a graduate seminar, the course’s emphasis is on reading, discussion, and oral and written analysis. Class participation is a significant part of your grade, so it will be essential for you to keep up with the readings, attend class regularly, and contribute to class discussions.

## Course Learning Outcomes

Successful completion of this course will enable students to appreciate, describe and critique the various roles law and courts play in society, including the function of dispute settlement, regulating and controlling the behavior of individuals and organizations, sanctioning misbehavior and promoting equality and justice. In addition, students will be able to analyze fundamental concepts of the law as it relates to citizens and institutional actors by examining specific cases as well as the role of mass media and underlying political debate shaping the popular perception of law and its role in society.

- CLO 1: Gain a thorough understanding of the structure and function of law and courts in the U.S..
- CLO 2: Identify and understand the roles played by participants in the United States justice system, including judges, attorneys, parties, witnesses and jurors.
- CLO 3: Critically analyze how developments in society can affect court decisions and the impact of court decisions on society.
- CLO 4: Gain a thorough understanding of how to read, dissect, and interpret judicial opinions and case law.
- CLO 5: Read, write, and contribute to discussion at a skilled and capable level.

## Required Texts:

Rosenberg, Gerald. (2008). *The Hollow Hope: Can Courts Bring About Social Change?* (2nd ed). Chicago: University of Chicago Press. Available as an e-book in the SJSU library at <http://site.ebrary.com.libaccess.sjlibrary.org/lib/sjsu/detail.action?docID=10266035>

Stevenson, Bryan. (2014). *Just Mercy: A Story of Justice and Redemption*, New York: Spiegel & Grau. ISBN97890812994520. Available at <http://bryanstevenson.com/the-book/>

## Other Readings

Supplemental articles and readings assigned by topic will be posted on the Canvas website. Reading schedule is subject to change to facilitate class discussion, to address current events, to accommodate guest speakers, etc.

## Daily News

Students in JS 205 are expected to report on and discuss current events relating to Law and Courts. In addition to reading a national newspaper daily, students should sign up for email updates from The Marshall Project's "Opening Statement": <https://www.themarshallproject.org/subscribe/#.h6KtCUAMy>

## Library Liaison:

For help with library resources and library research (including the use of databases and online research materials—such as journal search engines), students are strongly encouraged to contact the Justice Studies Library Liaison: Silke Higgins, [silke.higgins@sjsu.edu](mailto:silke.higgins@sjsu.edu), (408) 808-2118.

## Classroom Protocol:

1. This course depends on participation and interaction. Students are expected to be on time to class out of respect for your colleagues and instructor.
2. All classroom participants are expected to foster an environment that encourages participation, rather than silencing others (be respectful to one another, do not insult or intimidate others, and so forth).
3. Students are expected to complete all readings and assignments by the dates indicated on the syllabus.
4. Students are responsible for any and all notes and materials missed in their absence.

5. Cell phone, PDA, and Laptop/Internet use will not be tolerated during class time unless they are part of class activities or necessary to field an emergency.

## **Course Requirements and Assignments**

A student's final grade is based on completion of several assignments and activities, including written assignments, in-class discussion and presentation, and online activities. Evaluation shall consist of a Current Events Report (10%); Participation in class discussion and online activities (10%); Court Observation and Reflection (10%), Reading Reflection Papers (25%), 15-20 page Research Paper (30%), a Final Presentation (10%) and a Mock Trial (5%)

## **Final Examination**

There is no final exam for JS 205. Students will present their research projects and assess other peers' presentations during the scheduled final exam period, Wednesday, May 24, 5:15 p.m. – 7:30 p.m.

## **Readings**

Students are expected to complete readings by the class session indicated on the course schedule. Students should come to class prepared to *discuss* the assigned readings such that class time is not wasted, and we can engage the material together.

## **Law & Courts in the News: Current Event Analysis (10% of final grade)**

Over the course of the semester, students will identify and analyze 2 current events related to Law & Courts (5% each). One should be on case before the U.S. Supreme Court. Post your report on the "Law & Courts in the News" Discussion on Canvas. Your post should provide a concise explanation of the event, a description of the relevance of law and/or courts in the issue, how the media source framed the issue, and your thoughts/observations/critiques regarding the issue. Students will give the class an oral report of their news analysis. Guidelines will be discussed in more detail in class.

## **Classroom Activities, Discussion, and Participation (10% of final grade)**

Attendance is mandatory unless you have an emergency or excused absence. Active participation is key to the success of our seminar and your learning experience. Students are required to keep up with the assigned reading, to contribute to discussions in class, and to pose at least 1 discussion question and contribute at least 3 comments during each class meeting. Students will sign up to be "on call" for one class session and will be responsible for summarizing key readings and explaining cases during class discussion. The participation grade will be based on contributions to class discussion, posts and responses to our Canvas discussion board regarding video assignments and current events, and any reflection papers submitted on (optional) extra credit activities.

## **Court Observation and Reflection (10% of final grade)**

Students will observe the proceedings of a local court and write a 2-page summary reflection of their experience linking it to course readings and concepts. You may attend at least one-hour of court proceedings at any time during the semester; instructions and suggestions will be provided in class.

## **Reading Reflection Papers (25% of final grade)**

The course readings examine key cases and policy debates regarding law and courts. Each week a reading reflection is assigned, students should complete a 2-page reflection paper (typed, 12-point font, 1-inch margins, double spaced, citations in APA format—though no outside research, title page, or running headers is necessary) based on the assigned readings for that week. Each reflection paper should consist of three parts: 1) Summary, 2) Critique, 3) Discussion questions. We will use these papers to generate discussion as peers in

class. These assignments will be graded on a 100-point scale, based on a standard rubric by the instructor (will be distributed in class). Reflection papers will be worth **25%** of the final course grade.

### **Law in Action Research Paper Project (30% of final grade)**

Students are required to write an original 15-20 page research paper that addresses an issue of your choosing (in consultation with the professor) related to law and courts. Papers will be evaluated based on the quality and organization of their writing, as well as evidence of substantial effort to edit and respond to feedback. Review the writing guidelines and rubric available on Canvas. This assignment observes that writing is a process; to complete the research paper, students will submit the following: (1) Abstract and Paper Proposal (2) An outline of your paper, along with a reference list of at least three empirical, peer reviewed journal articles that you intend to use in your paper (3) A peer review will be conducted on a rough draft of your paper (4) The final paper, incorporating responses to the peer review and feedback.

### **Final Presentation (10% of final grade)**

Students will give a brief presentation to the class on their research project. Students should distribute a one-page summary to the rest of the class and the instructor. The student should prepare a PowerPoint/Google Slides / Prezi to present to the class.

### **Mock Trial (5% of final grade)**

Students will learn about evidence, argumentation, and trial courts through a mock trial exercise. Teams and topics will be assigned in class.

### **Extra Credit**

Extra credit opportunities, including lectures, films, workshops, and on- and off-campus opportunities will be announced throughout the semester in class and via email. Check our course Canvas website for updates. To receive extra participation credit, students must write a 1-2 page reflection paper relating the event

### **Grading Information**

This course will be using the +/- system on final grades based on the following percentages:

98-100:	A+	77-79:	C+
94-97:	A	74-76:	C
90-93:	A-	70-73:	C-
87-89:	B+	67-69:	D+
84-86:	B	64-66:	D
80-83:	B-	60-63:	D-
		0-59:	F

A “C” or higher is required to receive credit for this course toward a Justice Studies or Forensic Science Major.

### **SJSU Workload Expectations**

SJSU classes are designed such that in order to be successful, it is expected that students will spend a minimum of forty-five hours for each unit of credit (normally *three hours per unit per week*), including preparing for class, participating in course activities, completing assignments, and so on. More details about student workload can be found in [University Policy S12-3](#) at <http://www.sjsu.edu/senate/docs/S12-3.pdf>.

## Academic Integrity and Plagiarism

Students should review SJSU's **Academic Integrity** policy:

[www.sjsu.edu/studentconduct/docs/Academic\\_Integrity\\_Policy\\_S07-2.pdf](http://www.sjsu.edu/studentconduct/docs/Academic_Integrity_Policy_S07-2.pdf)

Your own commitment to learning, as evidenced by your enrollment at San Jose State University and the University's integrity policy, require you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development.

The University will not tolerate instances of academic dishonesty. Cheating on exams or plagiarism (presenting the work of another as your own, or the use of another person's ideas without giving proper credit) will result in a failing grade and sanctions by the University. Students must complete all assignments unless otherwise specified. If you would like to include in your assignment any material you have previously submitted for credit, or plan to submit for another class, please note that the SJSU Academic Policy F06-1 requires approval of instructors.

## Classroom Protocol

1. This course depends on participation, discussion, and interaction. Students are expected to be on time to class out of respect for your colleagues and instructor. Prepare for class to ensure you can contribute to discussion and debate.
2. Please turn off/mute all cell phones and other devices. Computers and electronic devices may only be used for note taking and accessing electronic readings. Students using electronic devices will be "on call" to answer questions and look up pertinent research questions online.
3. All classroom participants are expected to foster an environment that encourages respectful participation, rather than silencing others (be respectful to one another, do not insult or intimidate others, evaluate alternative views with an open mind). We will discuss ground rules and develop classroom standards of conduct at the beginning of the semester.
4. Students are expected to complete all readings and assignments by the dates indicated on the syllabus. Be sure to check the course Canvas website regularly for updates.
5. Students are responsible for any and all notes and materials missed in their absence.
6. Readings about law, discrimination, violence, and injustice can be challenging intellectually, personally, and emotionally. All students are encouraged to engage in self-care. This means that if particular topics or course materials raise emotional or other personal issues, you can simply choose not to speak or to leave the room without being questioned or penalized. Should you have any questions or concerns, free to contact the professor in person or anonymously (e.g., a note slipped under Dr. Kinney's office door of 525A MacQuarrie Hall).

If you or a friend is in need of emotional support, please visit SJSU's Counseling and Psychological Services (CAPS) [www.sjsu.edu/counseling](http://www.sjsu.edu/counseling) service. Phone: (408) 924-5910. Location: Student Wellness Center, Room 300.

## University Policies

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. will be available on Office of Graduate and Undergraduate Programs' [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/>

## **Consent for Recording of Class and Public Sharing of Instructor Material**

[University Policy S12-7](http://www.sjsu.edu/senate/docs/S12-7.pdf), <http://www.sjsu.edu/senate/docs/S12-7.pdf>, requires students to obtain instructor's permission to record the course and the following items to be included in the syllabus:

“Common courtesy and professional behavior dictate that you notify someone when you are recording him/her. You must obtain the instructor's written/emailed permission to make audio or video recordings in this class. Such permission allows the recordings to be used for your private, study purposes only. The recordings are the intellectual property of the instructor; you have not been given any rights to reproduce or distribute the material.”

## **Student Technology Resources**

Computer labs for student use are available in the [Academic Success Center](http://www.sjsu.edu/at/asc/) at <http://www.sjsu.edu/at/asc/> located on the 1st floor of Clark Hall and in the Associated Students Lab on the 2nd floor of the Student Union. Additional computer labs may be available in your department/college. Computers are also available in the Martin Luther King Library. A wide variety of audio-visual equipment is available for student checkout from Media Services located in IRC 112. These items include DV and HD digital camcorders; digital still cameras; video, slide and overhead projectors; DVD, CD, and audiotape players; sound systems, wireless microphones, projection screens and monitors.

## **SJSU Peer Connections**

Peer Connections' free tutoring and mentoring is designed to assist students in the development of their full academic potential and to inspire them to become independent learners. Peer Connections tutors are trained to provide content-based tutoring in many lower division courses (some upper division) as well as writing and study skills assistance. Small group and individual tutoring are available. Peer Connections mentors are trained to provide support and resources in navigating the college experience. This support includes assistance in learning strategies and techniques on how to be a successful student. Peer Connections has a learning commons, desktop computers, and success workshops on a wide variety of topics. For more information on services, hours, locations, or a list of current workshops, please visit [Peer Connections website](http://peerconnections.sjsu.edu) at <http://peerconnections.sjsu.edu> for more information.

## **SJSU Writing Center**

The SJSU Writing Center is located in Clark Hall, Suite 126. All Writing Specialists have gone through a rigorous hiring process, and they are well trained to assist all students at all levels within all disciplines to become better writers. In addition to one-on-one tutoring services, the Writing Center also offers workshops every semester on a variety of writing topics. To make an appointment or to refer to the numerous online resources offered through the Writing Center, visit the [Writing Center website](http://www.sjsu.edu/writingcenter) at <http://www.sjsu.edu/writingcenter>. For additional resources and updated information, follow the Writing Center on Twitter and become a fan of the SJSU Writing Center on Facebook. (Note: You need to have a QR Reader to scan this code.)

## Course Schedule

### JS 205 Law & Courts Spring 2017

Note: The following course schedule is subject to change with fair notice.  
See Canvas for most announcement and updates to the syllabus and course schedule.

Week	Date	Topics, Readings, Assignments, Deadlines
1.	2/1	Introduction to class, syllabus, seminar format <i>Know your rights? Activity</i> Law, Courts, and Current Events U.S. Constitution and Bill of Rights
2.	2/8	Read Lippman, <i>Law &amp; Society</i> , Ch. 1, 3  Legal Institutions, Constitutional Interpretation, Court Structure
3.	2/15	Rosenberg, <i>The Hollow Hope?</i> Ch. 1 – 3  <i>Law &amp; Social Change: Civil Rights Movement</i>
4.	2/22  2/22, 4:30 p.m.  2/24, 12:00 p.m.	Read Stevenson, <i>Just Mercy</i>  <i>Activity</i> : “Defamation” interactive theatrical drama Class meets in Student Union Theatre  <i>Activity</i> : Bryan Stevenson Lecture, Hammer Theatre Center
5.	3/1	Law & Social Control: <i>Criminal Justice, Corrections, and Court-Ordered Reforms</i>  Rosenberg, Ch. 11  Policing and Reform Movements – Readings on Canvas
6.	3/8	Prisons, Prison Reform, and Abolitionism  Canvas Readings: Case Study in Courts and Corrections - Solitary Confinement in California  Reiter, 23/7 (excerpts)
7.	3/15	Canvas Readings: Problem-Solving Courts  Guest Speaker: Elizabeth Pacheco Tejada, Esq.
8.	3/22	Guest Speaker: Dr. Keramet Reiter, UC Irvine Solitary confinement and prison conditions  Women’s Rights and Reproductive Rights <i>Oyez</i> “The Body Politic: The Supreme Court and Abortion Law”

Week	Date	Topics, Readings, Assignments, Deadlines
		<a href="http://projects.oyez.org/body-politic/">http://projects.oyez.org/body-politic/</a> Rosenberg, Ch. 6-9 <i>Reproductive Justice, Criminal Justice, and Social Justice: Women Behind Bars</i>
9.	3/29	<b>SPRING RECESS</b>
10.	4/5	Reproductive Justice: Contemporary Issues in the Courts (cont'd) Supreme Court Appointments <b>Court Observation 1 Due</b>
11.	4/12	Immigration: Policy, Enforcement, and Current Legal Challenges in the Courts <b>Research Paper Outline Due</b>
12.	4/19	LGBTQI Rights in Civil and Criminal Justice Systems: Criminalization, Same-Sex Marriage, and Beyond Rosenberg, Ch. 12 - 13 Rosenberg, Ch. 14, "The Fly-Paper Court"
13.	4/26	International Perspectives: Human Rights, International Courts, and Transitional Justice
14.	5/3	<b>Student-Led Class – Mock Trial</b>
15.	5/10	Conclusions and Lessons Learned: Law, Courts, and Rights in Action in Local, National, and International Contexts <b>Court Observation 2 due</b>
<b>Final Exam Period</b>	5/24 5:15 p.m. – 7:30 p.m.	<b>Final Presentations</b> Evaluation and Assessment Activities