

ADMINISTRATION OF JUSTICE 103
COURTS AND SOCIETY

Instructor: Mona Lynch
office / phone: MH 513 / 924-2958
e-mail: mlynch@email.sjsu.edu
Class meetings: T 5:30-8:15 PM--MH 520
Office hours: T 2:00-5:30 PM; Th. 9:00-10:30 AM

COURSE DESCRIPTION

This course will systematically cover the basic components of the US courts, with an emphasis on how criminal cases proceed through the court system. We will begin with an overview of the US court history, structure, and function, and an introduction to basic procedural and substantive criminal law. We will move on to a discussion of some of the contemporary court processes and practices, including charging and arraignment, plea bargaining, the trial process, sentencing, and post-sentence processes. In this section we will begin with the role of judges, juries, prosecutors, defense attorneys, and corollary legal actors in the adjudication process. The other major component of the course will entail the examination of series of special issues and problems related to contemporary criminal courts, including 3 strikes cases, federal drug cases, capital cases, influences of race, class, and gender on court outcomes, sex offender laws, and political influences on courts and their participants. Throughout the course, we will examine the gap between the ideals of the court system and the realities of its operations.

COURSE REQUIREMENTS:

In addition to participating in the class discussions and activities on Tuesdays, you are required to:

- 1) Complete the required readings prior to the class for which they are assigned.
- 2) Complete a minimum of 4 hours of independent court observation.
- 3) Plan 1 set of discussion section topic questions and lead one discussion section related to the readings and/or your court observations.
- 4) Turn in a typed 3-4 page paper that will involve synthesizing course materials and readings with your own court observations.
- 5) Take 1 in-class quiz.
- 6) Take 2 in-class objective format exams (a mid-term and a final) that will cover the readings and lecture materials.

REQUIRED TEXTS:

Neubauer, David (1999). America's Courts and the Criminal Justice System, 6th edition. West-Wadsworth Publishing. Available at Spartan Bookstore and Roberts Bookstore.

Lynch AJ 103 Reader (2000). Available at Maple Press, 431 E. San Carlos.

GRADING, MISSED EXAM & LATE ASSIGNMENTS POLICY

Only legitimately excused missed exams, tests, and assignments can be made up. My policy for what constitutes legitimate excuses will be outlined during our first class meeting. Only under extreme and unavoidable emergency circumstances will you be able to make up an exam for a legitimate excuse if you have not given notice of your absence before the actual scheduled exam period. In other words, don't report your absence after the exam was given, unless you can document your complete and total inability to do so before the exam. You may only make up 1 scheduled exam/quiz during the semester, so if you are not in attendance for more than 1, you will receive zero points for any additional missed exams or tests. The missed quiz and midterm will be taken immediately following the final on Tuesday, December 19. The make-up exams will be in a different format than the original exams. The missed final period will be arranged only if absolutely necessary, and will also be in a different format than the original final.

The court paper deadline is a firm deadline. Each **day** (including weekends) that your paper is late will result in a 5 point deduction from your grade for that assignment. Again, only legitimate excuses as outlined in the first class meeting will be accepted to avoid the late penalty. Computer / printer breakdowns are generally NOT legitimate excuses. Your final grade for the course will be based upon your performances on the in-class exams, the assignments, and the final project, as follows:

Quiz:	100 points maximum
Midterm:	300 points maximum
Final:	300 points maximum
Discussion section:	100 points maximum
Court paper:	200 points maximum
Total possible:	1000 points

A range = 900 points or above

B range = 800-899 points

C range = 700-799 points

D range = 600-699 points

F = 599 points or below

TENTATIVE SCHEDULE OF TOPICS / ASSIGNMENTS / DUE DATES:

WEEK 1 (August 29): Overview of course and brief history of courts.

Read: Handout; textbook, pp. 27-48.

WEEK 2 (September 5): State and federal courts.

Read: Textbook, chapters 3 & 4.

WEEK 3 (September 12): Prosecutors.

Read: Textbook, chapter 6; Reader, chapter 1.

WEEK 4 (September 19): Defense attorneys & judges / case study: mandatory minimums and limiting the judicial role.

Read: Textbook, chapters 7 & 8.

WEEK 5 (September 26): Defendants, victims, and witnesses / case study: Battered woman syndrome.

Read: Textbook, chapter 9.

IN-CLASS QUIZ TODAY

WEEK 6 (October 3): Arrest, arraignment and bail / case study: Bias in bail proceedings.

Read: Textbook, chapters 10 & 11; Reader, chapter 2.

WEEK 7 (October 10): Evidence in the courts / case study: snitches in federal drug cases.

Read: Textbook, chapter 12.

WEEK 8 (October 17): **MIDTERM EXAM**

WEEK 9 (October 24): Plea bargaining.

Read: Textbook, chapter 13; Reader, chapter 3.

WEEK 10 (October 31): Criminal trials and the role of the jury.

Read: Textbook, chapter 14; Reader, chapter 4.

WEEK 11 (November 7): Sentencing / case study: 3 strikes laws.

Read: Textbook, chapters 15 & 16.

WEEK 12 (November 13): The appellate process.

Read: Textbook, chapter 17.

WEEK 13 (November 21): Case study: Capital cases.

Read: Reader, chapter 5.

PAPERS DUE IN CLASS

WEEK 14 (November 28): Case study: Sex offenders in the courts.

Read: Reader, chapter 6.

WEEK 15 (December 5): Case study: Racialized justice, politics, and the courts.

Read: Reader, chapter 7.

Final exam/make-ups: Tuesday, December 19, 5:30-7:30 PM.