

Spring 2005

JUSTICE STUDIES 103
COURTS AND SOCIETY

Instructor: Mona Lynch
office / phone: MH 513 / 924-2958
e-mail: mlynch@email.sjsu.edu
Class meetings: T-Th. 12:00 PM-1:15 PM
Office hours: T 2:00-5:30 PM; Th. 9-10:30 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 and Thursdays, 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 and turn in a completed court observations assignment sheet.
- 3) Plan 1 set of discussion section topic questions and lead one discussion section related to your readings and/or court observations & participate in group discussions.
- 4) Turn in a typed assignment on the book, Mean Justice.
- 5) Take 1 in-class quiz and 2 in-class exams (a mid-term and a final) that will cover the readings and lecture materials.

REQUIRED TEXTS:

Humes, Edward (1999) *Mean Justice*. New York : Simon & Schuster. Available at Spartan and Roberts bookstores.

Neubauer, David (2005). *America's Courts and the Criminal Justice System, 8th edition*. Wadsworth Publishing. Available at Spartan and Roberts bookstores.

Lynch, Mona (2004). AJ 103 Reader. Available at Maple Press, 431 E. San Carlos (next to Subway, just past 10th Street).

GRADING, MISSED EXAM & LATE ASSIGNMENTS POLICY

Only legitimately excused missed quizzes/exams can be made up. My policy for what constitutes legitimate excuses generally include the following: Your own serious illness or injury (documented by a physician); a documented death in your immediate family; unavoidable, documented, schedule conflict for SCHOOL related purposes (i.e., required by athletic team to be on the road). 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. You may only make up 1 scheduled test during the semester, so if you are not in attendance for more than 1 scheduled exam or quiz, you will receive zero points for any additional missed exams. Missed quizzes and midterms will be taken on the final scheduled day of class during the class period. The make-up tests may be in a different format than the original exams. The missed final period will be arranged if necessary, and may also be in a different format than the original final.

The assignment deadlines are FIRM deadlines. **NO LATE ASSIGNMENTS WILL BE ACCEPTED** unless there is a documented emergency that absolutely prevents you from turning it in. Computer / printer breakdowns are generally NOT legitimate emergencies. You are responsible for knowing any schedule changes for exams or assignment due dates that were announced in class, even if you were not in attendance. **ALL ASSIGNMENTS MUST BE TURNED IN DURING CLASS ON THE DUE DATE.**

Please familiarize yourself with the SJSU policy on academic dishonesty, available in pdf format at: <http://www.sjsu.edu/academic.html>. It is also published in the SJSU print catalog. Use those rules and definitions to guide your conduct in this class. Any work that is produced in violation of this policy will **at minimum** receive no credit.

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 observations:	100 points maximum
Book assignment	100 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:

INTRODUCTION: January 27

WEEK 1 (February 1-3) Overview of courts and brief history of courts.

NOTE: NO CLASS MEETING THURSDAY, FEB. 3!

Read: Textbook, chapters 1 & 2.

WEEK 2 (February 8-10): State and federal courts.

Read: Textbook, chapters 3 & 4; chapter 18 recommended

WEEK 3 (February 15-17): Introduction to legal actors; Prosecutors.

Read: Textbook, chapters 5 & 6.

WEEK 4 (February 22-24): Prosecutors, cont.; Defense attorneys.

Read: Reader, chapter 1; Textbook, chapter 7.

IN-CLASS QUIZ ON THURSDAY, February 24.

WEEK 5 (March 1-3): Judges; Defendants, victims, and witnesses. Case study:

Shifting power in the criminal courts.

Read: Textbook, Chapters 8 & 9.

WEEK 6 (March 8-10): Arrest, arraignment, and bail.

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

WEEK 7 (March 15-17): Evidence in the courts. Case study: snitches in federal drug cases.
Read: Textbook, chapter 12; reader chapter 3.

WEEK 8 (March 22-24): Plea bargaining.

MIDTERM EXAM ON Tuesday, March 22

Read: Textbook, chapter 13; Reader, chapter 4.

WEEK 9 (March 29-31): SPRING BREAK!

Begin reading Humes, *Mean Justice*

WEEK 10 (April 5-7): Criminal trials and the role of the jury.

Read: Textbook, chapter 14; continue Humes, *Mean Justice*

COURT OBSERVATIONS ASSIGNMENT SHEET DUE THURSDAY, APRIL 7.

WEEK 11 (April 12-14): Sentencing. Case study: 3 strikes laws.

Read: Textbook, chapters 15 & 16; continue Humes, *Mean Justice*.

WEEK 12 (April 19-21): The appellate process.

Read: Textbook, chapter 17; finish Humes, *Mean Justice*.

WEEK 13 (April 26-28): Case study: Capital cases.

Read: Reader, chapter 5.

WEEK 14 (May 3-5): Case studies: Juvenile courts; Sex offenders in the courts.

Read: Textbook, chapter 19; Reader, chapter 6.

WEEK 15 (May 10-12): Case study: Racialized justice, politics, and the courts.

Read: Reader, chapter 7.

MEAN JUSTICE ASSIGNMENT DUE IN CLASS ON TUESDAY MAY 10.

WEEK 16: (May 17) Make-up day/final review

Tuesday, May 17: Make-up exams/quizzes.

**Final exam during scheduled period: Tuesday, May 24, 10:45 AM-12:00 noon. NOTE
LATER STARTING TIME!**