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Class time: M&W 1200-1315; Office hours: Wed.3:00-5:30; Friday 11:45-1:00 or by appointment

Fall 2007

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 criminal courts. We will review the history of our court system as well as Constitutional guidelines for their functioning, basic procedural law from arrest, arraignment, grand jury indictment, trial, sentencings and appeal. All levels of courts will be examined from municipal to the United States Supreme Court. Some attention will be given to courts of Juvenile, Military, domestic and International jurisdiction. Alternative courts such as Drug, Domestic Violence and Family Court will be included and the subject of student observations. The roles of the major participants; defense and prosecuting attorneys, probation officers and judges will be critically examined. Controversial topics such as plea bargaining, mandatory sentences and capital punishment will inform our conclusions regarding the Justice System. We will also make use of the interactive sentencing exercises on the CD that accompanies the text.

**COURSE REQUIREMENTS**

Students are encouraged to come to class having done the readings for that week, and prepared to discuss issues raised by the instructor. There will be two midterms and a final exam. All exams will be a combination of multiple choice, fill-in and essay. All exams must be taken to pass the class. In addition, students will be required to do 4 court observations for which there will be a handout. Finally, each student is required to research the Court System of another country and make a powerpoint presentation to the class. This assignment will be done in groups of 4, unless extenuating circumstances make it impossible. This assignment has been very successful in the past, so students are encouraged to sign up for the country of their choice as soon as possible. A handout will also be provided. Sample presentations are available for guidance. All students must complete all assignments to receive a grade in the class.

**REQUIRED TEXT**

David Neubauer, American Courts and the Criminal Justice System (8<sup>th</sup> edition).  
Wadsworth Publishing, 2005.

Raymond Kellser, Study Guide for American Courts and the Criminal Justice System; Wadsworth Publishing, 2005.

## **EVALUATION**

Midterm #1	25%
Midterm #2	25%
Class	
Presentation	15%
Court	
Observation	10%
Final exam	25%

The grades will be determined by a class generated curve. Missed exams may only be **taken on the final day of class with proper documentation of illness or other emergency. Only one exam may be missed!** Class presentations must also be presented **on the day signed up for—oversleeping, forgetting your disk etc. do not constitute acceptable excuses.** Students should always be aware of their class standing. Please be aware that

**I consider professional ethics very important, as such, recycled presentations, and cheating on exams will receive an automatic 'F'. It is the sole discretion of the instructor whether the student will also receive a failing grade in the class and be referred for University disciplinary action. Students should be aware that future employers will want access to students University records, and indiscretions may follow you around a lifetime.**

## **ATTENDANCE AND PARTICIPATION**

Please be prepared and punctual. Turn off your cell phones; excessive talking during lectures is disturbing to other students and the instructor. I encourage thoughtful discussion and response to lectures—those who participate regularly may have their final grade enhanced by ½ grade point—B to B+ etc. **Do not ask the instructor for her lecture notes, it is your responsibility to attend class or find a note sharing buddy.**

## **COURSE SCHEDULE**

Week of 8/27	Introduction and class procedures Cp. 1 Courts, Crime and Controversy (should be read before class) Famous Trial #1 Visit the Bureau of Justice Statistics Website at <a href="http://www.ojp.usdoj.gov/bjs">http://www.ojp.usdoj.gov/bjs</a> .
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- Week of 9/3                      Law and Crime  
 Cp. 2  
 Civil vs Criminal jurisdiction/criminal law vs civil law  
 Visit <http://www.commonlaw.com/>. and download a case  
 Find a copy of the Bill of Rights online and download it.  
**Discussion of court observations**  
 Famous Trial #2
- Week of 9/10                     Federal Courts  
 Cp.3  
 Visit the USSC website  
**Famous Trial #3; Military Jurisdiction & Court Martials**  
**Set up court observations**
- Week of 9/17                    State Courts/Dynamics of Courthouse Justice  
**Observation; California Supreme Court, San Francisco**  
 Cp.4-5  
 Video: **Public Defenders**  
**Famous Trial #4**  
**Approval/finalization of group projects**
- Week of 9/24                    Continuation of previous week's assignments  
 Begin Cp. 6 Prosecutors, local-state-federal-Attorney Generals'  
 role, power, misconduct,ethics.  
 Over/under prosecution....discrimination?.  
**Video: Frontline**  
**Reciprocal discovery rules**  
**Famous Trial #5**
- Week of 10/1                    Cp. 7 Defense Attorneys, historical role, cost of indigent defense,  
 Representation of the marginalized in society.  
**Famous Trial #6**  
 Review case law on Right to Counsel  
 Midterm Review
- Week of 10/8                    FIRST MIDTERM OCTOBER 8; BRING 882 SCANTRON  
 Cp. 8 Judges, selection process, diversity, misconduct, ethics.  
**Famous Trial #7**
- Week of 10/15                   Defendants and Victims; demographics; how the process works for  
 Them; Victim Rights Movement, Victim Impact statements,  
 Compensation programs

Charging, prelims, grand jury, attrition.

**Famous Trial #8**

Week 10/22

Cp. 11 Bail; who gets it, how does the system work?  
Case law reforming the process;  
Cp. 12 Disclosing/suppression evidence  
Exclusionary rule, confessions, Motions to Suppress  
**Famous Trial #9**

Week 10/29

Cp. 13 Plea Bargaining, dynamics, equity, ethics.  
Voir Dire Forms  
Cp. 14 Begin the Trial Process; right to jury trial,  
Prosecutions case/intro of evidence  
Defense case/objections, cross examination/affirmative defenses  
Review for second midterm

Week of 11/5

**STUDENT DISCUSSION ON COURT OBSERVATIONS**  
SECOND MIDTERM NOVEMBER 7

Week of 11/12

Cp. 15 Sentencing, philosophies, history, legislative responsibility  
Restorative justice, imposition, probation, monitoring, jail,  
Community service, prison, death penalty.  
**Famous Trial # 10**  
**Start Student presentations**

Week of 11/19

**Student presentations/Cp. 16 Sentencing decisions.**

Week of 11/26

Happy Thanksgiving!

Week of 12/3

Cont. Student Presentations

Week of 12/10

Finish Student Presentations  
Last Day of Class  
Review for Final

Final Exam

**TUESDAY DECEMBER 18<sup>TH</sup> 0945-1200**  
**EXAMS WILL NOT BE GIVEN OUT AFTER THE FIRST 15 MINUTES.**