

JS103 Courts and Society Spring 2007

Instructor: William Cleveland, Jr., JD

Office: Room MH529

Office Hours: Tuesdays/Thursdays 10:30 –11:30pm and 1:30– 2:30pm, or, by appointment.

Office Telephone: no phone (do not leave messages on the listed number)

Email: alamedagroup@mindspring.com (Use email as primary contact medium.)

Class Meeting Days/Hours: Tuesdays and Thursdays, 9am – 10:15am.

Web site: <http://billcleveland.pageout.net> (This greensheet, handouts, assignments and your grades will be found at this web address. Register and login...no charge. Click on “JS103 Courts & Society” in list of my courses. If you don’t register, you may miss getting important information.)

Course Description/ 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 perspectives of the criminal defendants, victims of crime (actual and potential), witnesses, law enforcement personnel, attorneys (for the prosecution and defense), court support personnel, jurors and judges. Students will gain knowledge of the historical background of the court system, with emphasis on several history-making cases that helped to produce the criminal justice system of today. Students will be able to follow the basic steps of a criminal case, as it proceeds through the system, and understand what is involved in booking, charging, arraignment, pretrial motions and hearings, trial, sentencing and appeals. Along the way, students will become familiar with landmark court decisions that have had a great impact on our society.

Required Text:

America’s Courts and the Criminal Justice System, 8th edition, by David W. Neubauer, published by Thomson/Wadsworth. Other reading may be required as the course proceeds, and will be announced on my web site. (Check <http://billcleveland.pageout.net> at least weekly during the semester.)

Course Format:

The mode of delivery of this course is a combination of lecture and textual readings. Students should augment their lecture notes with outside sources, as indicated in lectures and in the text.

Course Add/Drop: 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. If you decide to drop this course, it is **your responsibility to make sure classes are dropped.** See: http://sa.sjsu.edu/student_conduct

Class Participation:

Students are responsible for keeping up with the assigned reading, and being prepared to discuss it in class. Students will be called upon at random during the semester to add to the discussion, or to assist in a demonstration in class. Records will be kept of the students’ participation. You must respond when the instructor calls your name a minimum of five times during the semester, in order to gain the maximum points for the class participation grade.

Quizzes and Exams: Examinations and quizzes will cover material from the lectures and the assigned readings. In addition to the text readings, individual on-line articles of special interest may be chosen from time to time for reading assignments.

The student's grade will be determined by the results of two exams, two quizzes, one paper, and class participation, (plus, depending upon the student's choice, a second paper), as follows:

quizzes (2)	20%	10% each (Open notebook: use class notes and any notes taken from the assigned reading. No books or online sources allowed.)
mid-term exam	25%	No notes, no memory aids allowed. Bring SCANTRON & blue book.
court observation	10%	Attend a court proceeding and write a paper describing your experience. (See attached instructions.)
US Supreme Court (SCOTUS) decision paper (OPTIONAL)	10%	Paper analyzing an historic decision of US Supreme Court. (See additional information below.) This grade will count as 10% of your final grade, unless you opt otherwise. See "final exam" below.
class participation	10%	Participating in discussions; assisting in demonstrations; answering when called upon; taking any unannounced written quizzes/surveys.
final exam	35% (or, 25%: see note ----->)	No notes, no memory aids allowed. Bring SCANTRON & blue book. (NOTE: If you wrote a SCOTUS decision paper, your final exam is worth only 25% of your total grade, <u>unless you choose BEFORE the exam</u> to have your paper grade dropped from your grade calculation, in which case the exam will = 35%.)

A SCANTRON card [Form 882-E] will be needed for all quizzes and exams. An 8.5"x 11" BLUE BOOK will be needed, as well, for the mid-term and final exams.

Missed exams and quizzes:

Missing an exam or quiz is a serious matter. Taking an exam after others have taken it may give one an undue advantage. If a student misses an exam or quiz, a make-up exam or quiz will be afforded; but, there will be a *five-point deduction* from the exam or quiz grade, *unless* the student has a medical doctor's note explaining the absence on the scheduled exam day, or documentation of the student's participation in a University-sponsored activity, or documentation of a serious family emergency.

Failure to complete any of the quizzes, exams or the paper assignments will result in a score of "0" for that assignment, or an "I" for the course, at the instructor's discretion (depending upon the circumstances). Extra credit points cannot be used in lieu of any of the required assignments.

Academic Integrity: In accordance with University policy, any student caught cheating or plagiarizing can be given a score of "0" for that exam or paper, and, at minimum, will be reported to the Office of Judicial Affairs with appropriate recommendations for disciplinary action. For the University policy, see http://sa.sjsu.edu/download/judicial_affairs/Academic_Integrity_Policy_S04-12.pdf. Also, <http://www2.sjsu.edu/leap/plagiar.htm>.

Important: Directive 97-03 requires that students with disabilities register with the Disability Resource Center (924-6000) to establish a record of their disability. Please meet with me to confirm that you have done this if you need course adaptation or accommodations because of a disability. If you have emergency medical information to share with me, or if you need to make special arrangements in case the building must be evacuated, please see me asap.

Optional paper analyzing a Supreme Court of the United States (SCOTUS) decision:

1. Select a “landmark” Supreme Court decision from the list of acceptable cases provided on my web site, <http://billcleveland.pageout.net>. (Go to “Course Content”, then “Sessions”, and click on “Court Cases List”, and “Format for content of SCOTUS decision paper”.)

2. Read the case itself, or detailed articles about the case. (Use online databases, e.g. Findlaw.com, or other legal sites, plus Google, etc.) Take notes from the case to answer the following questions in your paper:

- What were the facts in the original case decided by the trial court? (Be very brief.)
- How did the trial court/jury decide the matter originally? (Who won? Who lost?)
- On what grounds was the appeal made? (Be brief.)
- How did the appellate court rule on the case? (NOTE: There may be more than one appellate decision before the Supreme Court took the case.)
- How did the Supreme Court rule, and what was the most significant issue upon which the justices based their decision?

3. Conduct readings in at least three sources about the case: e.g., journal articles, newspaper articles, magazine articles, law review articles, and books.

4. After you have read the case, and read about the case, answer this question in your paper: Why was this case a “landmark” decision? (NOTE: A “landmark” case is one that significantly changes the direction of some aspect of our civil or criminal law, and, thereby, changes the way our society behaves, or functions, in the future. It is so significant that future case decisions by all levels of the judiciary rely upon it as ruling precedent.) Cite the opinions of the authors you have read regarding the “landmark” nature of the case. [NOTE: This is not to be an essay about your opinions on the case. This is research. Your paper is to show, in a well-organized, succinct presentation, the essence of the case and what experts have said about the case and how the case has influenced our society and system of justice.]

Again, the format and content of your paper are explained in the document, “Format for content of SCOTUS decision paper”, located on instructor’s PageOut web site.

- **Due date: APRIL 5. [Late papers will be penalized 10 points and will not be accepted after April 10.]**
- **Remember:** IF YOU SUBMIT A PAPER your final exam will count for only 25% of your total course grade, rather than 35%. However, you may opt to eliminate the paper grade from your grade calculation, and have your final exam grade count for 35%. This decision must be made BEFORE the final exam and in writing, via hard copy or email note addressed to the instructor.

Extra Credit: For five extra points added to your SCOTUS decision paper score, see **Plagiarism: The Crime of Intellectual Kidnapping** located on the SJLibrary web site at <http://tutorials.sjlibrary.org/tutorial/plagiarism/index.htm>. Use your student ID number (Tower

Card) to register as a "SJSU Students- First Time" and complete the module and quizzes. Send me an email copy of your quiz score, if my name is not listed for you to select. *(If you are taking more than one of my courses in the same semester, you may get credit for this quiz in ONLY ONE of them.)*

Order of topics, reading assignments, and quiz/exam/paper due dates:

The order of topics and readings indicated below will be followed, so that the student may know how to keep ahead of lecture topics in the readings. The exact dates of lecture topics may change, but exams and quizzes will be administered on the dates indicated, and will cover the **topics** that have been covered in lectures **up to that date**. Any assigned readings that are relevant to those topics may also be covered on the exam or quiz. Since quizzes are “open notebook” tests, you may use any notes you took from the readings, but not the actual books or articles.

DATE	TOPICS TO BE COVERED	READINGS AND ASSIGNMENTS DUE
1/25	Introduction and ground rules	Greensheet provided in class.
1/30-2/1	Bringing the accused to the bar.	Neubauer chapter 1
2/6-2/8	Common law, civil law, criminal law	Neubauer chapter 2
2/13-2/15	Federal courts	Neubauer chapter 3
2/20 & 2/22	State courts	Neubauer chapter 4 2/22: Quiz #1 (open notes) - SCANTRON
2/27-3/1	Speedy trials? Why not?	Neubauer chapter 5
3/6 3/8	Who goes to trial? Review for midterm exam	Neubauer chapters 10 and 13
3/13	MIDTERM EXAM – Blue Book & SCANTRON	No memory aides allowed. Bring 8.5”x11” blue book.
3/15	The prosecution (continued)	Neubauer chapter 6
3/20-3/22	The defense	Neubauer chapter 7
3/27 3/29	NO CLASSES – SPRING BREAK	If not done already, attend a court proceeding (anywhere). If courts are not in session, find out when cases will be heard, and mark your calendar.
4/3 4/5	The judges	Neubauer chapter 8 4/5: SCOTUS decision paper due.
4/10 4/12	The jury	Neubauer chapter 14 4/12: LAST DAY for extra credit.
4/17 4/19	Victims v. defendants	Neubauer chapter 9 4/19: Quiz #2 (open notes) - SCANTRON
4/24-4/26	Rules of evidence	Neubauer chapter 12
5/1 5/3	Sentencing	Neubauer chapters 15 and 16 5/3: Court observation paper due.
5/8-5/10	Appeals	Neubauer chapter 17
5/15	Review for final exam	
5/22	FINAL EXAM: 7:15am – 9:30am NOTE STARTING TIME! EXAM WILL END AT 9:30, regardless of when YOU arrive and start.	Bring large size Blue Book, SCANTRON (50Q on one side, at least), pens, pencils. Dictionary optional. NO MEMORY AIDS.

San Jose State University
Justice Studies Department