

Justice Studies 103 – Courts and Society, Section 3
San José State University
Spring 2008

Instructor: Margaret (Peggy) Stevenson
Office: MH 529
Office Hours: Tuesday, 4:00 p.m. – 5:15 p.m. and by appointment

Classroom: MH 520
Class time: Tuesdays, 5:30 p.m. – 8:15 p.m.
Contact information: email (preferred): mstevenson@casa.sjsu.edu
(650) 248-7067 (cell)

Prerequisite: Upper division standing

Textbook: Judicial Process: Law, Courts, and Politics in the United States, 4th Edition (2007), by David W. Neubauer and Stephen S. Meinhold

Note: This is a softcover book, *not* the hardbound volume by Neubauer that the other classes use.

Section information /

Learning objectives: This class covers the structure and functions of the court system. This section focuses on the ways in which courts influence society -- and vice versa -- in the context of civil as well as criminal cases. The course will involve lecture, class participation, court observations, reporting on current court actions, an in-class project, guest speakers, tape recordings and general reflection on justice issues.

By the end of the course, you should be familiar with ways in which courts operate in U.S. society and gain ability to reflect on ways they can be improved. Your writing likely will have improved as well.

Course requirements: Attend all classes; complete reading assignments; participate in class; turn in short written comments on current news stories and make a brief class presentation regarding one of them; attend court, turn in written observations and make a brief class presentation regarding one of them; take three open-book quizzes; do a class small group project and take an open-book short-answer final. See the Tentative Course Calendar, following, for more detail and due dates.

Please check the course website at least once a week for updates.
Please check your email daily and respond promptly to my notes to you.

Grading: Based on point system, as outlined in the following table.

Activity	# per semester	Points for each	Total points	Percent weight	Extra credit points
Class participation	15	5	75	15	
Analyses of news reports	3	15	45	9	
Class presentations of news report	1	15	15	3	
Courtroom observations	3	40	120	24	
Class presentation of courtroom observation	1	15	15	3	
Open-book quizzes	3	40	120	24	
Project	1	40	40	8	
Final exam	1	70	70	14	
<i>Extra credit:</i> total points					25
Extra courtroom observation	1	20			20
Posting courtroom observations on website	3	1			3
Commenting on other's posts on website	2	1			2
			500	100	

Total points: 500, with up to 25 extra credit points available as explained following.

For exceptional quality, I may add one or two points to totals for regular activities or assignments. I will post points on the course website.

Grades are calculated as follows. Initially I will assign tentative grades based on the 500 total points (that is, not counting extra credit). I expect roughly 90 percent (450 - 500) and above in the A range, 80 – 89 percent (400 - 449) in the B range, 70 – 79 percent (350 – 399) in the C range. As I understand it, the university grading system does not give course credit for grades of C- and below. I will adjust the grade ranges somewhat from these percentages, according to class distribution of points.

Once initial grades have been determined based on the total points, I will review extra credit points. If adding extra credit points brings the student up to the next grade level according to the distribution of points in the class, then I will adjust the grade a half grade upward. (The 25 extra credit points are worth approximately 5 percent of the total points in the class.)

Point totals are calculated and posted on the course website. Please check each week that your totals are accurate in terms of assignments you have turned in. The totals are calculated automatically, but please double-check the accuracy of the calculations. It is your responsibility to assure that you are meeting class requirements.

Quizzes and final exam

Quizzes and the final exam will be open notes, open book but closed computer. The format for quizzes and final will be “True / False / Comment” and short essay. The True / False / Comment questions ask students to indicate whether a statement is true or false and to supply brief facts,

examples or explanations of the answer. Short essays ask a student to discuss a topic related to something we have covered in class or readings. A separate memo posted on the course website discusses quizzes and the final in greater depth.

The final exam will be held at the scheduled time on Tuesday, May 20 from 5:15 – 7:30 p.m.

Late / missed work, quizzes, exam or project:

All work is expected to be completed on time. Everyone in class should make an effort to that end, so that class sessions can be based on common knowledge (and consequently be more interesting and informed), and so that no one benefits from additional time that others did not have.

Therefore, in fairness to your classmates who turn in assignments and take tests on time, a five-point deduction will be taken for written work for each week that it is late, unless the student has good cause for missing the assigned due date (e.g., illness, serious family emergency). If you miss the in-class project which is scheduled for specific dates, we will determine how, if at all, any points can be made up.

Some Thoughts Regarding This Class

Almost three hours is a long time to be in class! Therefore we will take a couple breaks, generally dividing the class into thirds.

Throughout the semester we will have several guest speakers. Most of them will be speaking at the beginning of class. While your timely arrival is requested for all classes, in classes where a guest is speaking, please be particularly conscientious of being ready to start at 5:30.

Student participation is encouraged; indeed points are awarded for thoughtful class participation. Please extend courtesy and respect to each other. We can learn a significant amount from perspectives different from our own. The class environment should be one where we all feel comfortable expressing our ideas, asking questions and challenging ourselves to critically evaluate what we read and hear.

This section differs from other sections in that we will look at civil as well as criminal courts. While hopefully this will be of interest to you even if you are certain you will be working only in criminal law, if you do not want to include a civil component in your Courts and Society class, you may wish to enroll in a different section.

This section involves a significant amount of writing. In addition to weekly reading assignments, there are written assignments due almost every week. You should benefit from help with your writing (I have been editing for over 30 years). If you dislike writing, *don't* enroll in another section – you'll get better at it here!

Please check with me if you experience or anticipate any problems or issues coming up with regard to the class. I will try to balance individual situations with fairness to the class as a

whole, since many people face multiple challenges in their lives. Problems are best dealt with early on, however, so getting in touch sooner rather than later is best.

Students with Disabilities

University policy states that if you need course adaptations or accommodations because of a disability, or if you need special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 requires that students with disabilities requesting accommodations must register with DRC to establish a record of their disability.

Academic Integrity

University policy states that your own commitment to learning, as evidenced by your enrollment at San José State University, and the University's Academic Integrity Policy requires 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 policy on academic integrity and plagiarism can be found at http://sa.sjsu.edu/student_conduct. Needless to say, you will not get credit for turning in work that is not your own.

Awareness of University and Departmental Policies

You are responsible for understanding the policies and procedures about add/drops, academic renewal, withdrawal, etc. found at http://sa.sjsu.edu/student_conduct, as well as other university policies and publications on administrative processes. Since I am relatively new to San José State and unfamiliar with such policies, please look out for these dates and issues on your own and don't rely on me.

Tentative Course Calendar and Assignments

Occasionally additional readings will be assigned. Check the course website for notices and readings every week.

In some areas, the reading assignment is to skim material. I will lecture on the same topic as the reading. You will be responsible for the understanding the information conveyed in lecture. For some people the reading will be review in parts; for others it will be new. The material in the text to be skimmed provides a deeper explanation of what is covered in lecture. However, there is material there which you will not be responsible for understanding (though of course increased knowledge is a reward in itself!)

Background documents regarding the course and some reading assignments are posted on the course website. Among documents posted, for example, are descriptions of the writing assignments, leading class discussions, finding courts to observe, quizzes, locating legal documents, class notes and other material. Please familiarize yourself with the website right away and check it at least weekly, though preferably more often!

Thank you for enrolling in Section 3. I am looking forward to an interesting and enjoyable semester with you.

Class #	Date	Topic	Reading assignment / Judicial Process Text	Reading assignment / Articles [posted on course website or distributed in class]	Written assignment / quizzes / project
1	1.29	Introductions Description of course Overview of the legal system	skim chapters 3 & 4 after class	syllabus, written assignments, project description and other docs	turn in "student profile" form
2	2.5	Criminal record clearance process Interviewing		training materials on record clearance process	
3	2.12	Attorneys and criminal litigation <i>Guest speaker, DA's or PD's office</i>	252-256; 258-262; skim rest of chapter 8	Bus & Prof Code 6068; How a Criminal Case Moves Through Court; Role of criminal attys: excerpt from <i>US v Wade</i>	turn in news report on criminal law topic
4	2.19	Attorneys and civil litigation <i>Guest speaker Kyra Kazantzis, Public Interest Law Firm</i> Outline of advocacy in context of record clearance process	131-142, 146-165; 323-332; Table 11.1 on 347; 348-354	Legal Aid and Other Lawyers in California; Links to websites with statistics re attorneys	turn in rough draft of record clearance petition via email
5	2.26	How cases are presented Where "the law" comes from	377-396; 399-402; 38-51	Advocate appearance: law school faculty listserve excerpts; Exec Order 9066 – Japanese Relocation	turn in news report on civil law topic
6	3.4	Judges and Judging	173-202; 478-488	Calif Code of Judicial Conduct (skim); Excerpts from Calif Code Civil Procedure 170-170.6; <i>Changing the Color of the California Bench</i>	quiz 1 + turn in final draft of record clearance petition via email
7	3.11	Ending the case before trial: remedies, ADR, plea or settlement	332-334 (ADR); Civil: 354-365 Criminal: TBD	TBD	turn in court observation 1

8	3.18	Trial: judgment, verdicts and sentencing	Civil: (website materials) Criminal: 284-296 & skim the rest of chapter 9 116-120 (drug courts)	TBD; credibility studies: law school faculty listserve excerpts; summary of federal sentencing guidelines; Calif sentencing guidelines Calif Rules of Court re sentencing: objectives, selection of term, aggravating & mitigating circumstances	turn in news report 3
	3.25	SPRING BREAK – NO CLASS			
9	4.1	Appeals	409-434		quiz 2
10	4.8	Using courts for rights claims	430 (<i>Goodridge v. Dept of Public Health</i>);488-494;297 (<i>Roper v. Simmons</i>)	Irons, <i>Michael Bowers v. Michael Hardwick</i> ; excerpts from <i>Bowers v. Hardwick</i> and <i>Lawrence v. Texas</i> decisions. <i>Roper v. Simmons</i> summary <i>Rivera v. Bd of Review</i> (skim)	turn in court observation 2
11	4.15	How cases get into court. <i>Guest speaker</i>	213-235	" <i>Every Vote Counts: ACLU-NC Campaign Seeks to End Felony Disenfranchisement</i> "; quickly skim the two pleadings and one decision at the links at the end	
12	4.22	ATTEND COURT – Park Center Plaza			
13	4.29	Balance of power: legislative v. executive v. judicial	17-20, 263, 46	<i>Constitution & Bill of Rights</i> <i>Bush v. Gore</i> summary Levels of scrutiny Ways branches limit others	quiz 3 + turn in project paper
14	5.6	Guest speaker <i>Judge Edward Davila, Santa Clara County Superior Court</i> Special court proceedings: juvenile, family	107-109 (juvenile) 363-365 (family)		turn in court observation 3
15	5.13	Your role in the justice system Summary of course	502-509	Stoddard, <i>Bleeding Heart</i> , and Hunter, <i>Lawyering for Social Justice</i>	
	5.20	FINAL EXAM @ 5:15 p.m.			