

San José State University
College of Applied Sciences and Arts/Justice Studies Department
Justice Studies 103, Courts and Society, Fall 2015

Instructor: Margaret (Peggy) Stevenson
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Office hours: Tuesdays & Thursdays 10:30 – 11:45 a.m. and by arrangement
Class Days /Time: Tuesdays & Thursdays 12:00 – 1:15 p.m.
Classroom: MH 520
Prerequisites: Upper Division standing, 100W
Competency area: A – Theories

Course Description: JS 103

The catalog description: Structure and functions of the court system. Emphasizes attorneys' and judges' roles and the court process. Examination of federal and state legislative, executive and judicial branch actions, including Supreme Court decisions in civil and criminal cases.

Course Goals and Course Learning Outcomes

This class covers the structure and functions of the court system. It focuses on the ways in which courts influence society -- and vice versa -- in the context of civil and criminal cases. The course involves lectures, guest speakers, class participation, court observations, reporting on current court actions, and general reflection on justice issues.

By the end of the course, generally 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. More specifically, upon successful completion of this course, you should achieve the following course learning outcomes (CLOs):

CLO 1: Understand the constitutional structure and function of civil and criminal judicial processes from pretrial through litigation and appeal in the United States. Compare the state and federal courts.

CLO 2: Identify and understand the roles played by participants in the United States justice system, including judges, attorneys, parties, witnesses and jurors.

CLO 3: Critically analyze how developments in society can affect court decisions and the impact of court decisions on society.

CLO 4: Read, write, and contribute to discussion with understanding and skill.

Required Texts/Readings

There is no textbook. A photocopied 600-page course reader will be available at Maple Press, 481 E. San Carlos St, San Jose (408) 297-1000; approximate cost: \$ 45.

Course website:

Course materials including the syllabus, readings, class notes, resources and other materials are found on the course website on Canvas. <http://www.sjsu.edu/at/ec/canvas/index.html> . Log in at <https://sjsu.instructure.com> Your username is your nine digit SJSU student ID number. (Your password is the same one you use for your SJSU One account.) All your courses will appear once you log in, click on JS 103 for this course. The course is organized into “Modules.” Click on each Module for the readings for the specific unit.

Classroom Protocol

Students are expected to attend and participate in all classes, complete all reading and writing assignments (text and website), and take assigned quizzes a final exam. See the Tentative Course Calendar, following, for more detail and due dates. If you have to miss a class, please ask a classmate or check the website if you are missing information.

Check the course website at least once a week for updates. Make sure you are receiving updates from Canvas via email. (If you are not, check the email you have listed on your SJSUOne account and adjust to make sure you get notifications of announcements, schedule changes, guest speakers, etc.) *Please* respond promptly when requested.

Please save your texting, emailing, web-surfing and non-class-related communications for after class. If your laptop is open during class, I will assume you are on the class website and will ask for information regarding the posted material. For guest speakers, please demonstrate courtesy by paying attention and keeping the cell phones and laptops closed and out of sight. If you need to receive a phone call or text during class, please step outside the classroom to handle it.

Dropping and Adding

Students are responsible for understanding the policies and procedures about add/drops, academic renewal, etc. Information on add/drops is at <http://info.sjsu.edu/web-dbgen/narr/soc-fall/rec-298.html>. Information about late drops is at <http://www.sjsu.edu/sac/advising/latedrops/policy/>. Students should be aware of the current deadlines and penalties for adding and dropping classes.

Assignments and Grading Policy

Grading is based on a point system, as outlined in the following table.

| Activity | CLO | # per semester | pts for each | total pts | % of Total |
|------------------------------------|-----|----------------|--------------|-----------|------------|
| Analysis of news report – civil | 1-4 | 1 | 8 | 8 | 5 |
| Analysis of news report - criminal | 1-4 | 1 | 8 | 8 | 5 |

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|-------------------------------------|-----|---|----|------------|------------|
| Analysis of news report – USSC case | 1-4 | 1 | 8 | 8 | 5 |
| Courtroom observations | 1-4 | 3 | 12 | 36 | 23 |
| Quizzes | 1-4 | 2 | 25 | 50 | 31 |
| Final exam | 1-4 | 1 | 50 | 50 | 31 |
| Total | 1-4 | | | 160 | 100 |

Total points:

Points are posted on the course website. Please check to assure that the points posted accurately reflect the 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.

Grades are calculated based on the percentage of points earned, superimposed on a rough curve. There is no set percent of grades in each category (thus not a strict curve). As a starting point, those who earn 90 percent and above likely will get an A, 80 – 89 percent likely will get a B, 70 – 79 percent likely will get a C, 60 – 69 percent likely will get a D and those below 60 percent likely will get an F. However, I likely will adjust grades upward, depending on how the class does as a whole at the end of the class.

Written assignments. There are six written assignments due in this class: three news reports (one on a civil case, one on a criminal case and one on a current or recent US Supreme Court case) and three court observations. A separate memo is posted on the website in the “Course Description” module on the Canvas website regarding the requirements for these written assignments and information about finding courtrooms to observe. Some samples are posted as well.

Please turn in written assignments via email by the end of the day that they are due. Please submit both to Margaret.stevenson@sjsu.edu and to the TA. Do not turn in assignments via Canvas. Keep a copy of all your work in case of loss.

Because there are many students and many assignments, I cannot individually confirm receipt of your assignments. Periodically I will send an email stating that I believe that I am caught up in grading. At that point, if you have turned in an assignment but not received credit for it on the class website, please get in touch and send me the document you previously submitted, with an indication of when you turned it in.

Quizzes and final exam: Quizzes and the final exam are in-class. Limited notes are allowed. The format for quizzes and final will be multiple choice, matching, brief answers and short essays. The brief answer questions ask students to comment on a topic and to supply facts, examples or explanations of the answer. Essays ask students to analyze a topic related to something we have covered in class or readings. A separate memo posted on the website in the “Background” module discusses quizzes and the final exam in greater depth.

Late / missed work, quizzes or exam: The syllabus (following) and the website list the dates that work is due. All work is expected to be completed on time so that lectures are more meaningful, 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.

No late work is accepted, unless the student has good cause for missing the assigned due date (e.g., illness, serious family emergency). Speak to me about this as soon as possible if you are unable to turn an assignment in on time because of an emergency.

Periodically we will post an announcement on Canvas saying that we are caught up on grading. It is the students' responsibility to assure that you have received points on Canvas for assignments you have submitted, once the announcement regarding points being entered is posted. If you find points are missing, in order to get credit, please send the original submission to TA Brittany and me within one week from the time we post the announcement that we are caught up.

During the semester we will have guest speakers. While your timely arrival is requested for all classes, for guest speakers please be particularly conscientious of being ready to start on time and courteous by keeping cell phones and computers off and put away.

Problems or issues: 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. Since problems are best dealt with early on, getting in touch sooner rather than later is best.

Tentative Course Calendar and Assignments

Standard university policy provides the following: SJSU classes are designed such that in order to be successful, it is expected that students will spend a minimum of forty-five hours for each unit of credit (normally three hours per unit per week), including preparing for class, participating in course activities, completing assignments, and so on. More details about student workload can be found in [University Policy S12-3](http://www.sjsu.edu/senate/docs/S12-3.pdf) at <http://www.sjsu.edu/senate/docs/S12-3.pdf>.

NOTE that University policy F69-24 provides, "Students should attend all meetings of their classes, not only because they are responsible for material discussed therein, but because active participation is frequently essential to insure maximum benefit for all members of the class. Attendance per se shall not be used as a criterion for grading."

Background documents regarding the course and many 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.

The syllabus is subject to change. As soon as I know of a change in the syllabus, I will post an announcement on the Canvas website.

Additional readings are assigned beyond those in the syllabus. As the semester progresses, I will post new readings from current events on the course website.

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 to be

skimmed provides a deeper explanation of what is covered in lecture, or a sampling of related material. You will not be responsible for understanding the details of the content of skimmed material, but should understand the general concepts involved.

Justice Studies reading and writing philosophy

It is departmental policy to include the following paragraph in every JS course syllabus:

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes academic, critical, and creative engagement with language (i.e., reading and writing) throughout its curriculum. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within the span of a specific course, semester, or academic program but also over the span of a lifetime.

University Policies

Academic Integrity

The University's Academic Integrity Policy is available at http://www.sa.sjsu.edu/download/judicial_affairs/Academic_Integrity_Policy_S07-2.pdf. Your own commitment to learning, as evidenced by your enrollment at San José State University and the University's 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 (see http://www.sa.sjsu.edu/judicial_affairs/index.html.)

Academic dishonesty -- cheating and plagiarism (presenting the work of another as your own, or the use of another person's ideas without giving proper credit) – is unacceptable. I will report every suspected instance of plagiarism to the Academic Integrity office for resolution. Violations of the academic integrity policy will result in a failing grade and sanctions by the University. Violations of academic integrity rules may affect your graduation and career plans. Please scrupulously observe all academic integrity requirements.

For this class, all assignments are to be completed by you, for this class. If you would like to use for this class any material that you have submitted, or plan to submit, for another class, please note that SJSU's Academic Policy F06-1 requires approval of instructors. If you submit something as if it were for this class that either is not your work or was not done for this class, I will report it to the Academic Integrity office for resolution.

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need to make 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 the DRC (Disability Resource Center) to establish a record of their disability.

Student Technology Resources

The University would like you to know that computer labs for student use are available in the Academic Success Center located on the 1st floor of Clark Hall and on the 2nd floor of the Student Union. Additional computer labs may be available in your department/college. Computers are also available in the Martin Luther King Library. A wide variety of audio-visual equipment is available for student checkout from Media Services located in IRC 112. These items include digital and VHS camcorders, VHS and Beta video players, 16 mm, slide, overhead, DVD, CD, and audiotape players, sound systems, wireless microphones, projection screens and monitors.

Learning Assistance Resource Center

The university would like you to know that the Learning Assistance Resource Center (LARC) is located in Room 600 in the Student Services Center. It is designed to assist students in the development of their full academic potential and to motivate them to become self-directed learners. The center provides support services, such as skills assessment, individual or group tutorials, subject advising, learning assistance, summer academic preparation and basic skills development. The LARC website is located at <http://www.sjsu.edu/larc/>.

SJSU Writing Center

The SJSU Writing Center is located in Room 126 in Clark Hall. It is staffed by professional instructors and upper-division or graduate-level writing specialists from each of the seven SJSU colleges. Our writing specialists have met a rigorous GPA requirement, and they are well trained to assist all students at all levels within all disciplines to become better writers. The Writing Center website is <http://www.sjsu.edu/writingcenter/about/staff/>.

Peer Mentor Center

The Peer Mentor Center is located on the 5th floor of MacQuarrie Hall and 1st floor of Clark Hall in the Academic Success Center. The Peer Mentor Center is staffed with Peer Mentors who excel in helping students manage university life, tackling problems that range from academic challenges to interpersonal struggles. On the road to graduation, Peer Mentors are navigators, offering “roadside assistance” to peers who feel a bit lost or simply need help mapping out the locations of campus resources. Peer Mentor services are free and available on a drop –in basis, no reservation required. The Peer Mentor Center website is <http://www.sjsu.edu/muse/peermentor/>.

General Education Guidelines

Students should be aware of SJSU General Education Guidelines, listed at <http://www.sjsu.edu/senate/S09-2.htm> . Courses to meet Areas R (Earth and Environment), S (Self, Society & Equality in the US), and V (Culture, Civilization & Global Understanding) of SJSU Studies must be taken from three different departments, or distinct academic units.

Class schedule

The following is subject to change.

| Cls # | Date | Topic | Reading assignment / Website | Written assignments due |
|-------------|------|--|--|---------------------------------|
| Week / date | | * = non-class time, optional | Assignments due via email by midnight to Margaret.stevenson@sjsu.edu and TA | |
| 1 | 8.20 | Introductions Description of course Overview of the legal system | Description of Course module (skim for later reference except read Greensheet carefully) Overview of the Legal System module Skim Constitution | |
| 2 | 8.25 | Overview of the legal system (cont'd) Criminal law and procedure | Criminal law module Follow the links to the District Attorney's office's brochure (if problem, check your pop-up blocker) | |
| 2 | 8.27 | Criminal law and procedure (cont'd) | | |
| 3 | 9.1 | Civil law and procedure | Civil law module | |
| 3 | 9.3 | Guest speaker: invited Civil law and procedure (cont'd) | | |
| 4 | 9.8 | Attorney ethics Jurisdiction | Attorney ethics module Jurisdiction module | |
| 4 | 9.10 | Jurisdiction | | News report 1 - civil law topic |
| 5 | 9.15 | ADR, plea or settlement Guest speaker: Anky van Duersen, Paul Hebert, Project Sentinel | ADR module | |
| 5 | 9.17 | Review / prep for quiz | | Court observation 1 |

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| 6 | 9.22 | Quiz 1 | Review "Overview of the Legal System" powerpoint from first week | |
| 6 | 9.24 | Guest speaker: invited Trial | Trial module | |
| 7 | 9.29 | Trial | | |
| 7 | 10.1 | Trial Sentencing | Sentencing module | |
| 8 | 10.6 | Sentencing | | |
| 8 | 10.8 | Sentencing | | News report 2 – criminal law topic |
| 9 | 10.13 | Specialized courts | Specialized courts module | |
| 9 | 10.15 | Judges | Judges and Judging module (note: there is significant reading this week) | |
| 10 | 10.20 | Judges | | |
| 10 | 10.22 | Appeals | Appeals module | Court observation 2 |
| 11 | 10.27 | Anderson tattoo case and the use of precedent | | |
| 11 | 10.29 | Quiz 2 prep | | |
| 12 | 11.3 | Quiz 2 | | |
| 12 | 11.5 | US Supreme Court | US Supreme Court module | |
| 13 | 11.10 | US Supreme Court Using courts for rights claims | | |

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|----|--|--|--|---|
| 13 | 11.12 | Guest speaker: Using courts for rights claims | | |
| 14 | 11.17 | Using courts for rights claims | | |
| 14 | 11.19 | Using courts for rights claims Balance of Power | Review Jurisdiction module (week 4) Balance of Power module | News report 3 - USSC current or recent case |
| 15 | 11.24 | Balance of power | | |
| 15 | 11.26 | THANKSGIVING HOLIDAY – no class | | |
| 16 | 12.1 | Guest speaker: Balance of power | | Court observation 3 |
| 16 | 12.3 | Catch-up lecture | | |
| 17 | 12.8 | Course review - final exam prep | | |
| | FRI 12.11 9:45 a.m. – 12:00 noon | FINAL EXAM | | |
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