

## CRIMINAL COURTS CRJU 3300

Course Title:	Criminal Courts
Course Number:	CRJU 3300 / 02; CRN: 80199
Instructor's Name:	<p>Dr. Christopher Totten, J.D., LL.M.            Assoc. Prof. of Criminal Justice (Law)            (please do not use the email function within Desire2Learn to contact the instructor; instead, please use KSU email address listed below)            Email: ctotten@kennesaw.edu            Social Science Classroom Building, Room #4069            Office Phone: 770-420-4413</p> <p>Office Hours: Mon. 2:30 – 4:30 P.M. &amp; Wed., 2 to 3 P.M. and by appointment</p>
Date:	August 2013 – December 2013
Course Length:	16 Weeks
Course Schedule:	Mondays and Wednesdays: 12:30 p.m. – 1:45 p.m.
Classroom:	Prillaman Health Sciences - 1103
Course Description / Course Goals:	<p><b><u>Course Description:</u></b></p> <p>This course examines the history, development, structure, operation and organization of criminal court systems in federal and state courts in the United States. Emphasis is given to juvenile courts and court administration. Other topics include the roles of major professional and non-professional courtroom participants; stages in the process of adjudication of criminal cases from initial charging through post-conviction review; and an introduction to the constitutional rights of the accused.</p> <p><b><u>Course Goals:</u></b></p> <p>By the end of the course, students should be able to:</p> <ol style="list-style-type: none"> <li>1. Explain what "law" is and what "courts" are, and why we have them;</li> <li>2. Discuss the role courts play as institutions of formal social control;</li> </ol>

	<p>3. Explain the basic structure of our federal and state court systems;</p> <p>4. Explain what judges, lawyers, witnesses, and litigants do - and do not do - in our criminal court systems;</p> <p>5. Identify the various criminal pre-trial and trial processes and the order in which they occur;</p> <p>6. Explain the role of the jury;</p> <p>7. Explain the process of appeal and collateral attack on final judgment;</p> <p>8. Identify the basic theories of judicial decision-making, law and justice;</p> <p>9. Deconstruct the difference between "law on the books" and "law in reality" in light of both sociological, philosophical and ethical factors; and</p> <p>10. Analyze the mechanisms through which law evolves via the processes of adjudication.</p>
Prerequisites:	CRJU 1101
Co-requisites:	None
Textbook(s):	America's Courts and the Criminal Justice System, 11 <sup>th</sup> Edition, by David W. Neubauer & Henry F. Fradella, Cengage (Wadsworth) 2014

Instructional Methods:	Lectures and demonstrations, classroom discussions and critiques, handouts, presentations, and written assignments will assist in the critical analysis of the course content.
Attendance and Participation:	All students are expected to come to each class prepared to discuss the assigned readings and participate in class exercises, including small group exercises as well as quizzes. Furthermore, in each class, any student can expect to be called upon to lead the discussion on one or more of the readings and to answer questions posed by the instructor and other students. <b>Class attendance and participation may count toward the final grade in the class (see "Grading" section below for further explanation).</b> In addition, attendance and participation enhances learning, including active classroom learning. This means that when you are absent and/ or fail to participate, you are affecting adversely the learning of others. <b>For these reasons, attendance is mandatory.</b> Only <u>three</u> unexcused absences will be tolerated. <u>Students who miss more than the allowable three absences (e.g., four or more absences) may have to complete additional assignments, including special written and oral assignments, at the</u>

	<p><u>professor's discretion. Failure to complete these additional assignments will result in a determination that the particular student is not in compliance with the course attendance and participation policy, and thus not eligible for any course credit related to this component of the final grade (please see Grades/ Course Assessment section below).</u> Students are warned that the quantity of class participation is not determinative of a student's ability to earn credit for class participation; rather, the <i>quality</i> of participation is also taken into account. Examples of "quality," or "meaningful," class participation include but are not limited to: (1) actively and frequently participating in class discussions, class exercises and small group exercises; (2) being prepared for class; (3) keeping informed of news and events in criminal justice, courts and law, and sharing this news with the class; (4) discussing all assigned readings each class session; and (5) taking and completing any quizzes. In this regard, you are expected to attend every scheduled class, to arrive on time, and to remain for the entire class period. <b>It is a disruption to the instructor and the class when you are late (or when you leave early).</b> <u>Arriving to class late or leaving the class early constitutes an absence for that day for purposes of the attendance and participation policy.</u></p> <p>Only those absences that result from "extraordinary circumstances" or university business that can be supported by documentation will be excused. Examples of such extraordinary circumstances include, but are not limited to, medical problems that require bed care or surgery (including yourself and immediate family members), subpoena for court or jury duty, and in-service/job training. Examples of university business include, but are not limited to, conferences, in-service/job training, and away-games if you play sports for the University. Work, routine doctor visits, oversleeping, traffic, flat tires, headaches and other personal "events" do not qualify. <i>All excused absences must be made known to the instructor PRIOR to the event, preferably by email. Documentation will ordinarily be required to confirm the nature of the absence. This documentation ordinarily must be received within one (1) week of the qualifying absence.</i> <u>The instructor reserves the right to exercise discretion in this matter so that individual predicaments may be considered.</u></p> <p>If you miss class due to a serious illness or emergency, ask a classmate to assist you with missed notes and other class materials. In this regard, try to identify a classmate early in the semester who you can rely upon for notes and materials in the event of an illness/emergency.</p>
Term Paper & Classroom Presentation:	<b>Term Paper:</b>

(1) Case Analysis: Students will select, in consultation with the professor, a specific and different court case discussed in class or mentioned in the textbook. Students will then prepare a detailed case analysis, including in this analysis the following components: (a) the key facts of the case; (b) the legal issue(s) under consideration; (c) the decision, or holding, of the court on the issue (s); (d) the rationale of the majority decision along with any related principles, guidelines or rules created by the majority; (e) the perspective of the dissent (if any); (f) the judicial philosophy of the judge who wrote the majority opinion; (g) any criminological, sociological, historical, political, economic, or cultural trends or events at the time of the case that may have influenced the judges' decision. (h) student opinions related to the decision; and (i) related issues raised by the professor and other students. This analysis should be four (4) pages (double-spaced) in length. This analysis should include at least three (3) sources in addition to the judicial case under analysis. These sources should, at a minimum, address matters of judicial philosophy and criminological, social, ethical, philosophical, political, and/ or historical trends and events affecting the legal decision.

Special note about course written submissions:

All written submissions in this course must conform to the directions related to formatting and content provided in this syllabus, to directions given by the professor in class, and to selected provisions of a scholarly accepted source/ system of citation. In addition, **a rubric** will be provided in advance of the submission deadline for written assignments. The rubric will inform the student of the grading criteria to be used for the particular assignment. Students should consult the rubric for additional requirements related to the particular assignment.

**Classroom Presentation:**

Students will select, in consultation with the professor, a specific and different court case discussed in class or mentioned in the textbook. Students will then present the case for approximately 7 to 8 minutes in front of the class. The rest of the class will be expected to be generally familiar with the opinion, and should be prepared to ask questions of the presenter. Students will present on the following matters: (a) the key facts of the case; (b) the legal issue(s) under consideration; (c) the decision, or holding, of the court on the issue (s); (d) the rationale of the majority decision along with any related principles, guidelines or rules created by the majority; (e) the perspective of the dissent (if any); (f) student opinions related to the decision; and (g) related issues raised by the professor and other students (i.e., in the form of questions posed or statements made to

	<p>the presenter).</p> <p>Classroom Presentations must conform to the directions related to formatting and content provided in this syllabus and to directions given by the professor in class. In addition, <b>a rubric</b> will be provided in advance of the submission deadline for the Classroom Presentation. The rubric will inform the student of the grading criteria to be used for the assignment. <u>Students should consult the rubric for additional requirements related to the particular assignment.</u></p>
Exams:	<p>There will be two (2) substantial course exams consisting of objective questions (multiple-choice, etc.), short answers and/ or essays. “Pop” quizzes may be given from time to time, in particular when the professor believes these are necessary to verify student understanding of the assigned readings. “Pop” quizzes may also be given if the professor notices that a student or group of students is violating classroom norms and policies (see section below for a complete list of these norms and policies). The quizzes will cover the assigned reading for that particular day or from the previous class. <i>Be sure to keep up with all assigned readings.</i> The quizzes will be administered at the beginning of class. As such, if you are late or absent, <b>the quiz cannot be made up.</b></p> <p>There will be two exams. <b>NO LATE OR MAKE UP EXAMS WILL BE GIVEN!</b> You must be on-time for class to take the exam. Please mark your schedule now for examination days:</p> <p style="padding-left: 40px;">EXAM #1: 9/25/13*** EXAM #2: 12/4/13***</p> <p>Examinations will cover material combined from <b>required readings, classroom lectures, classroom discussions, and educational videos</b>. I do not cover all the material in your required readings and as such, <u>you are responsible for your own reading</u>. Furthermore, the lecture and class discussions include material not in your required reading; thus, your attendance and participation is of utmost importance.</p>
Grading:	<p>Student performance will be based upon the following criteria:</p> <p>Exam #1: 25% Exam #2: 25% Classroom Presentation: 25% Term Paper (“final exam”): 25% Attendance/ Participation: See Below ( **)</p>



	<p>should never quote more than three sentences at a time. Instead, paraphrase the information in your own words, being sure to provide a proper citation for any ideas that are not your own. The key to avoiding plagiarism is to remember the following: if it is not common knowledge or your idea, you must credit the source by providing a proper citation. Plagiarism, such as verbatim copying from a source without any citation, will most likely result in a grade of ZERO (0) on the assignment.</p>
Students with Disabilities:	<p>Any student with a documented disability needing academic adjustments must notify the instructor as soon as possible. Verification from KSU disabled Student Support Services is required. All discussions will remain confidential.</p>
Dress Code:	<p>Since students are preparing for life in the working world, appropriate dress is both expected and required. Except for religious headwear, hats or other head coverings, as well as sunglasses, are prohibited. Students should dress as if they were in the work place. While this does not require "coat and tie" wardrobe, it should be borne in mind that campus is a place of learning, not a recreational area.</p>
Classroom Norms and Policies	<p>It is the purpose of the University to provide a campus environment that encourages academic accomplishment, personal growth, and a spirit of understanding and cooperation. Belligerent, abusive, profane, threatening and/or inappropriate behavior on the part of students is a violation of the Kennesaw State University Student Code of Conduct. Inappropriate behavior shall result, minimally, in a request to leave the class.</p> <p>Please turn off all cellular phones, pagers, etc., before entering the classroom. Ringing beepers and telephones constitute a disruption of class, a violation of the University's student Code of Conduct. If it is necessary to answer a call, the student should exit the classroom to take the call. The use of cell phones during testing is strictly prohibited.</p> <p>The use of musical devices (CD Players, MP3 Players, etc.) is not permitted during class.</p> <p>Use of tape recorders, other types of recorders and/ or cameras are not permitted during lectures except by permission of the instructor.</p> <p>Please refrain from sending/receiving text messages, email messages or any other forms of communication during class. <b>**Note**:</b> <b>LAPTOP COMPUTERS MAY BE USED IN THE CLASSROOM FOR <u>COURSE-RELATED PURPOSES ONLY</u>. LAPTOP COMPUTERS MAY NOT BE USED DURING THE ADMINISTRATION OF COURSE EXAMS. THE USE OF LAPTOPS OR SIMILAR DEVICES TO ACCESS THE INTERNET OR ELECTRONIC MAIL DURING CLASS IS GENERALLY PROHIBITED.</b></p>

Check the Desire2Learn / D2L regularly throughout the semester for announcements/material.

There will be no make-up exams or late papers in absence of a bona fide/verified emergency.

On class days when exams / grades are returned (normally the next scheduled class following the exam), students **MUST** return the exam and all accompanying exam / grading materials **TO THE PROFESSOR** by the end of the class that day. **FAILURE TO RETURN THESE DOCUMENTS (E.G., THE EXAM) WILL RESULT IN THE STUDENT RECEIVING A GRADE OF ZERO ("0") ON THE EXAM** (notwithstanding any grade already earned).

Technology problems (broken printers, computers, etc.) are **NOT** an excuse for late assignments, papers, etc. Also, students should **not** save their work to KSU computers. Rather, save it to a flash drive or send it to an email account. Having a KSU computer crash or having work erased or corrupted if it is saved on a KSU lab or classroom computer is not an acceptable excuse for late assignments.

Opinions, counterpoints and contributions of other class members will be respected at all times. Respect and courtesy will be shown by actively listening when others are speaking and by refraining from "chit chatting" on the side. Please refrain from dominating class discussions by giving everyone a chance to speak and by raising your hand.

Inappropriate and/or offensive comments based on sex, color, religion, etc., will not be tolerated.

On exam days, no permission to leave the room will be granted once the exam begins.

Please do not arrive to class late or leave class early as this is a disruption to the entire class, peers and instructor.

Please do not rumble/move your backpacks, papers, etc., before class is dismissed as this constitutes a disruption to the learning environment. Your instructor knows the time and will dismiss you accordingly.



Instructional Methods/ Activities	Lectures and demonstrations, classroom discussions and critiques, question and answer sessions, small group work, handouts, presentations, educational videos, and written and oral assignments will assist in the critical analysis of different theories, ideas, principles and processes.

Course Schedule(see**)	(**)The following is a <b>tentative schedule</b> regarding the materials and topics we will cover. We may <b>vary</b> from this schedule depending upon the time the class and/or the instructor feel we need to spend on any topic. Therefore, use this outline with the caveat that it may be <b>changed</b> by the instructor in any given class session.
	Weeks 1 & 2 Introduction and Class Expectations Chapter 1 Courts, Crime, And Controversy Chapter 10 Arrest and Bail To Arraignment
	Week 3 Chapter 10 Arrest and Bail To Arraignment (Continued) Chapter 2 Law And Crime
	Week 4  Chapter 2 Law And Crime (Con.) Chapter 3 Federal Courts
	Week 5  Chapter 3 Federal Courts (Con.) Chapter 4 State Courts
	Week 6  Chapter 5 The Dynamics Of Courthouse Justice (selected pages)  <b>Exam 1: 9/25/13</b>
	Week 7  Chapter 5 The Dynamics Of Courthouse Justice (con.) Chapter 6: Prosecutors
	Week 8  Chapter 6: Prosecutors (con.) Chapter 7 Defense Attorneys

	<p>Week 9</p> <p>Chapter 7 Defense Attorneys (con.) Chapter 8: Judges</p>
	<p>Week 10</p> <p>Chapter 8: Judges (con.) Chapter 9 Defendants and Victims (selected pages)</p>
	<p>Week 11</p> <p>Chapter 9 Defendants and Victims (con.) Chapter 11 Disclosing and Suppressing Evidence</p>
	<p>Week 12</p> <p>Chapter 11 Disclosing and Suppressing Evidence (con.) Chapter 12 Negotiated Justice And The Plea Of Guilty (selected pages)</p>
	<p>Week 13</p> <p>Chapter 12 Negotiated Justice And The Plea Of Guilty (con.) Chapter 13 Trials And Juries</p>
	<p>Week 14</p> <p>Chapter 13 Trials And Juries (con.) Chapter 14 Sentencing Option</p>
	<p>Week 15</p> <p>Chapter 14 Sentencing Option (con.) Chapter 15 Sentencing Decisions</p>
	<p>Week 16</p> <p>Chapter 16 Appellate and Habeas Corpus Review (selected pages) Chapter 17 Juvenile Courts (selected pages)</p>

**Exam #2:** 12/4/13

Final Examination: Term paper due (exact date "TBA" in class and on D2L)