

**CRIMINAL COURTS**  
**CRJU 3300 SEC 02; CRN: 81299; 3.0 Credit hours**  
**FALL SEMESTER 2015**

**Mondays and Wednesdays- 2:00-3:15 pm**  
**Burruss Building, Room 117**

**Instructor: Dr. Bess L. Walthour, J.D., LL.M.**

**Asst. Prof. Of Criminal Justice (Law)**

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**Office Hours: Mon. 3:30-5:00 pm and Wed. 3:30-5:00 pm and by Appointment**

### **COURSE DESCRIPTION**

This course provides an in-depth look into the history, development, framework, operation, and organization of the criminal court systems on both the federal and state levels in the United States. The similarities, as well as, the differences of both court systems will be explored. The unique court jargon will be introduced and the functional administration of justice under the systems will be examined. Special emphasis will be given to the quasi-criminal system in the juvenile courts, and the attention and special consideration given to its youthful offenders. This course will further identify and examine the varied roles and responsibilities of the major professional and non-professional participants in the criminal court systems. The philosophical and historical development of the criminal court system will be explored in light of the required application of state and federal laws, which provide for the protection of the rights of the accused and the responsibilities of the administrators of those laws. This course will cover all phases of the court process from the initial charge through post-conviction review. The critical constitutional protections and rights of the accused will be a primary focus, since it is the cornerstone of fairness in the court systems in the United States.

### **COURSE OBJECTIVES**

Upon completion of the course the student will be able to:

1. Describe how the courts are related to the other components of the criminal justice system.
2. Discuss the role and need of the courts in a civilized society.
3. Identify the major participants in the criminal courthouse and their roles and responsibilities.
4. Explain the basic constitutional rights and protections in the criminal court systems. Know the four amendments of the Bill of Rights that specifically deal with the criminal process.

5. Describe the difference between "law on the books" and "law in reality" in light of sociological, philosophical and ethical factors.
6. Explain the right of appeal in a criminal case and when that right can be exercised.
7. Discuss the processes and phases of a criminal case through the court system.
8. Explain the differences between the federal and state criminal court systems.
9. Explain what "jurisdiction " means in the court system and how it is established.
10. Analyze the importance of legal ethics to the defense of criminal defendants.

### **TEXTBOOK REQUIRED**

The required textbook for the course is **America's Courts and the Criminal Justice System**, 11th Edition, by David W. Neubauer and Henry F. Fradella, Wadsworth Cengage Learning (2014)

### **INSTRUCTIONAL METHODS**

Lectures and demonstrations, classroom discussions and critiques; presentations, handouts, written and oral assignments; small group work, role play exercises, question and answer sessions that will assist in the critical analysis of the course content.

### **ATTENDANCE AND CLASS PARTICIPATION**

**Attendance is mandatory. Only three(3) unexcused absences will be tolerated.**

All students are expected to come to each class prepared to discuss the assigned readings and participate in class exercises, including but not limited to small group work and quizzes. Each student must be prepared to be called upon to lead the discussion on the assigned reading and answer questions posed by the instructor or other students in each class. **Class attendance and participation may count toward the final grade in the class as discussed in the Grading Section below.** Furthermore, attendance and participation in class greatly adds to the learning process of everyone. You are expected to be prepared, present and on time for each class. **It is disruptive to the instructor and the class when you are late to class or leave early. Please note that arriving late to class or leaving the class early will constitute an unexcused absence for the day for purposes of the attendance and participation policy.**

Only absences that result from "extraordinary circumstances " or university business that can be supported by documentation will be excused. All excused absences must be made known to the instructor, if at all possible, Prior to the event, preferably by email. This documentation should be provided within one (1) week of the qualifying absence. The instructor reserves the right to exercise discretion in this matter so that individual predicaments may be considered.

If you miss class due to an emergency or serious illness, secure the assistance of a classmate for missed notes and other class materials. In this regard, it is advisable to identify a classmate early in the semester who you can rely upon for notes, etc. in the event of an emergency or illness.

## **CLASSROOM PARTICIPATION**

You are expected to participate in class discussions and interact with classmates when small discussion groups are utilized to encourage more in-depth examination of case materials. **A modified Socratic method will be used**, which would necessitate students to be more attentive to complete all reading assignments carefully. You will be randomly called on to present case facts, issues present in the case and the court's holding. You will be required to answer questions related to the case.

This method is valuable in teaching the student to be prepared, which is the foundation for becoming an effective legal professional. You are encouraged to volunteer during classroom presentations. **If you are not prepared for a class, please advise me prior to class. You will not be called on during the class period. You will be allowed only one use of this opt-out tool during the semester.** This method of discussion is designed to facilitate your development of a better oral communicator.

## **COURTROOM VISIT AND WRITTEN OBSERVATION REPORT**

Each student will be required to visit and observe a criminal proceeding in a local State, Superior or Federal Court during the semester by the end of the twelfth (12th) week of the semester by 5:00 pm. After the visit, you will be required to submit a short review of your visit with all pertinent identifying information. Identify all major participants. Discuss how the process flowed. Note any unusual happenings or observations. Discuss the issues involved, theories of law, charges, defenses, outcome of adjudication determination and sentence if applicable. This review should be a minimum of two pages. Email to my university email address at [bwaltho2@kennesaw.edu](mailto:bwaltho2@kennesaw.edu). ; or deliver by hand by the end of the Wednesday class period.

## **CLASSROOM PRESENTATIONS**

Students will work in small groups to present a court case selected by the group with instructor consultation and approval. The small group will present the case as a role-play exercise in front of the class for a ten (10) minute presentation. The rest of the class will be expected to ask questions of the presenters. The presentation will consider the following aspects of the courtroom process: key facts and issues in the case; the charges and defenses involved; evidence present to support both sides; the decision of the trier of facts; the rationale or support for the decision; any post-judgment actions available.

## **EXAMS**

**There will be two (2) substantial course exams consisting of objective questions (multiple choice, etc.), short answers and essays.** Pop quizzes may be given from time to time to verify the students understanding on particular concepts and theories in assigned readings. Pop quizzes will cover the assigned readings for that particular day or from the previous class. All quizzes will be administered at the beginning of the class. **A quiz cannot be made up.**

There will be two comprehensive exams. **NO LATE OR MAKE UP EXAMS WILL BE GIVEN.** You must be on time for class to take the exam. **ALL EXAMS WILL END AT THE END OF THE CLASS TIME. NO EXCEPTIONS.**

Exams will cover materials from required readings, classroom lectures, classroom discussions, and prior pop quizzes. Lectures may not cover all required readings, as such, you are responsible for your own reading. Since the lectures and class discussions may include material not in your required readings, your class attendance and participation is critical and of the utmost importance.

## **GRADE DETERMINATION**

Your performance in the course will be determined by the following criteria:

Exam #1 (Mid-term)----25%

Exam #2 (Final)----25%

\*Class Participation and Quizzes----25%

Courtroom observation and report----25%

\*Classroom attendance and participation is mandatory. However, students who attend class, as required, participate in classroom and small group exercises and discussions in a meaningful manner frequently and complete all administered quizzes may be rewarded by having a border-line final grade increased to the next highest grade. The instructor reserves the right to move a border-line grade at her discretion; at no time will the discretion be used to lower a final grade. In other words, a lack of classroom participation will never be used to lower a final grade.

The Grading scale is the same weighted scale as used and identified by KSU in its Handbook.

<b>A</b>	90-100
<b>B</b>	80-89
<b>C</b>	70-79
<b>D</b>	60-69
<b>F</b>	Below 60

### **INCOMPLETES:**

The grade of "I" denotes an Incomplete grade for the course and may be given Only when the student has done satisfactory work up to the last two weeks of the semester, but for nonacademic reasons beyond his/her control, is unable to meet the full requirements of the course.

### **ACADEMIC INTEGRITY STATEMENT**

Every KSU student is responsible for upholding the provisions of the Student Code of Conduct, as published in the Undergraduate and Graduate Catalogs. Section 5c of the Student Code of Conduct addresses the University's policy on academic honesty, including provisions regarding plagiarism and cheating, unauthorized access to university materials, misrepresentation/ falsification of university records or academic work, malicious removal, retention, or destruction of library materials, malicious/intentional misuse of computer facilities and/or services, and misuse of student identification cards. Incidents of alleged academic misconduct will be handled through the established procedures of the Department of Student Conduct and Academic Integrity (SCAI), which includes either an "informal " resolution by a faculty member, resulting in a grade adjustment, or a formal hearing procedure, which may subject a student to the Code of Conduct's minimum one semester suspension requirement

### **DISRUPTION OF CAMPUS LIFE STATEMENT**

It is the purpose of the institution to provide a campus environment, which encourages academic accomplishment, personal growth, and a spirit of understanding and cooperation. An important part of maintaining such an environment is the commitment to protect the health and safety of every member of the campus community. Belligerent, abusive, profane, threatening and/or inappropriate behavior on the part of students is a violation of the Kennesaw State University Student Conduct Regulations. Students who are found guilty of such misconduct may be subject to immediate dismissal from the institution. In addition, these violations of state law may also be subject to criminal action beyond the university disciplinary process. Inappropriate behavior in the classroom shall result, minimally, in a request to leave the class.

## **STUDENTS WITH DISABILITIES**

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.

## **USE OF ELECTRONIC DEVICES IN CLASS**

The use of cellphones during class time and testing is strictly prohibited. All cellular phones, pagers, etc. must be turned off before entering the classroom. Ringing, beeping and all alerts of the devices constitute a disruption of class and a violation of the University's Student Code of Conduct.

The use of any musical device is not permitted during class. The use of tape recorders, cameras of any kind is not permitted during class time.

Please refrain from sending/receiving text messages, emails or any other form of communication during class. All such activity is strictly prohibited.

**LAPTOP COMPUTERS/TABLETS may be used in the classroom for *course-related purposes only*. LAPTOP COMPUTERS/TABLETS MAY NOT BE USED DURING THE ADMINISTRATION OF COURSE EXAMS. THE USE OF LAPTOPS OR SIMILAR DEVICES TO ACCESS THE INTERNET OR EMAIL DURING CLASS IS PROHIBITED.**

Please check the D2L regularly during the semester for any announcements or materials.

All graded exams and/or grading materials must be returned to the instructor by the end of the class day when distributed. **FAILURE TO RETURN THESE DOCUMENTS (EXAMS) TO THE INSTRUCTOR WILL RESULT IN THE STUDENT RECEIVING A GRADE OF ZERO ON THE EXAM, REGARDLESS OF ANY GRADE ALREADY EARNED.**

**NOTE: Technology problems, of any kind, are not an acceptable excuse for late assignments, papers, etc. it is the responsibility of the student to ensure that all assignments are completed and turned in on time.**

## **COURSE SCHEDULE**

The following course schedule is a **tentative schedule** regarding the materials and topics which will be covered. It may be modified, with sufficient notice, as needed during the semester. All modifications to the schedule will be announced in class and posted on-line. It is your responsibility to be aware of these changes.

The mid-term exam will be given during the eighth week the semester. The final will be given during the College's Final Exam Schedule. **THERE WILL BE NO MAKE UP EXAMS OR LATE PAPERS IN THE ABSENCE OF A BONA FIDE/VERIFIED EMERGENCY.**

Week One	Introductions and Class Expectations Handout copies of the Syllabus, requirements and discussion of pertinent matters  Chapter 1- Courts, Crimes and Controversy
Week Two	Chapter 2- Law and Crime
Week Three	Chapter 3- Federal Courts  Chapter 4- State Courts
Week Four	Chapter 5- The Dynamics of Courthouse Justice  Chapter 10- From Arrest and Bail Through Arraignment
Week Five	Chapter 6- Prosecutors  Chapter 7- Defense Attorneys
Week Six	Chapter 8- Judges  Chapter 9- Defendants and Victims
Week Seven	Chapter 11-Disclosing and Suppressing Evidence

**Mid-term Exam    09-30-15**

Week Eight Chapter 12-Negotiated Justice and the Plea of Guilty

Week Nine Chapter 13-Trials and Juries

Week Ten Chapter 13-Trials and Juries  
Chapter 14- Sentencing Options

Week Eleven Chapter 14- Sentencing Options  
Chapter 15- Sentencing Decisions

Week Twelve Chapter 15-Sentencing Decisions

**Courtroom visits and Observation Reports are due by end of Class Period**

Week Thirteen Chapter 16- Appellate and Habeas Corpus Review

Week Fourteen Chapter 16- Appellate and Habeas Corpus Review  
Chapter 17-Juvenile Courts

Week Fifteen Chapter 17-Juvenile Courts and Review for Exam

**Final Exam -Wednesday, 12-09-15**



**SYLLABUS RECEIPT**

COURSE: CRIMINAL COURTS  
INSTRUCTOR: Dr. Bess L. Walthour

CLASS MEETING: Mondays and Wednesdays, 2:00-3:15 pm.  
Fall Semester: August 17-December 7, 2015

I have received a written copy of the course and classroom requirements and expectations , and have full knowledge of the course assignments, classroom rules and other necessary information as set forth in this syllabus. I have read this Syllabus and familiarized myself with its contents.

**PRINTED NAME:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_

**NOTE: This Syllabus Receipt must be printed, signed and dated. Bring this Syllabus Receipt with you to class and give to the instructor no later than the end of the second class meeting.**