



TEXAS A&M UNIVERSITY
SAN ANTONIO

Professor: Dr. Sarah Harper, Assistant Professor

Preferred Titles: Dr. Harper; Professor Harper

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Office Hours: TR 11A-1P, or online by appointment

Preferred Pronouns: She/Her/Hers

Courts & Criminal Procedure (CRIM 3388)

CRN 13142

Madla 224 | TR 2:3:15PM

3 Credit Hours

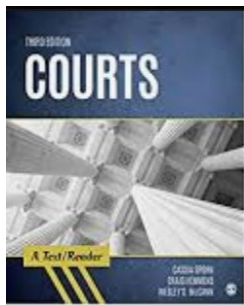
College of Arts & Sciences

Department of Criminology & Criminal Justice

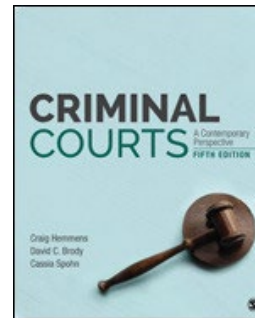
Textbook options (choose one):

Spohn, Hemmens, &
McCann (2018)

*Courts: A
Text/Reader, 3rd
Edition.*



OR



Hemmens, Brody, &
Spohn (2022)
*Criminal Courts: A
Contemporary Perspective,
5th Edition.*
ISBN: 9781071833872

Course Description

This course will introduce students to the American court system. It will focus on the role of the courts in the criminal justice system, the major components of the American court system, and the actors in this system. In addition, the course will cover the criminal court process and the interaction of the members of the court with each other and various other criminal justice agencies.

Student Learning Objectives & Outcomes

This course has several learning objectives, all of which aim to develop students intellectually, academically, and professionally. At the conclusion of the course, the student should be able to:

- Describe the foundations of law and structure of the American judicial system
- Retrieve public information related to state court systems and case processes
- Explain the role of key judicial actors and appraise their qualifications
- Diagram the general judicial process and interpret basic filings in criminal cases
- Discuss the dual systems of courts and how they relate to access to justice
- Critically analyze the relationship between the courts and society
- Discuss major challenges (e.g. ethical issues) faced by modern courts and parties

Course Structure & Grading

Learning through lectures and readings will be a big part of this course. I record audio lectures over the slides that you really, really should listen to in order to understand the material. However, this course will also utilize other methods for learning the material, such as discussion, films, actual court documents/recordings, and visual aids. The schedule is at the end of this document.

Exams: 80 points each, 20% of total grade

There will be three (3) multiple-choice and open-ended question exams given at the end of each set of three chapters. These exams will cover material from the class lectures, discussions, and textbook readings from the section of the course covered. In other words, the exams will be unique from each other/not cumulative. Each exam will be worth 80 points. **These exams will be provided during the class period indicated in the schedule.** I conduct a review session during the class period before, and you can use quizzes, class notes, the textbook, and other materials to help you prepare. However, you may not use those aids during the exam.

Quizzes: 20 points each, 4% of final grade

Six (6) quizzes will be completed on Blackboard. The dates of these quizzes are indicated in the tentative schedule below, due on Tuesday night. The quiz material will be based on information from lectures, readings, and PowerPoints. They are designed to help you assess your understanding of the material before exams, as well as help me see what I may need to review with the class. **Quizzes will open on Blackboard at 12:01AM Central Time Monday and will be open until 11:59PM Central Time Tuesday.** No extensions will be given. There will be NO make-ups for missed quizzes, and students who require different time to take the quiz must make arrangements with the instructor in advance.

In-Class Activities: 30-50 points each, 22% of final grade

You will have four Major Activities and two Bookend Activities. The prompts will be provided in class. ***If you do not participate in the first Bookend Activity and attend classes prior to the Census Date, you may be withdrawn.*** I expect you to participate meaningfully in these activities to complete the worksheets in Blackboard and Perusall. **These assignments will be due before 11:59PM Thursday in the modules for which they are assigned.** You will be provided the worksheets in class and expected to complete your tasks in Perusall. I will provide some workshop time in class.

You are expected to give substantive commentary or responses to your classmates. "I agree/great post/I liked how you..." format of responses will legitimately make me cry into my ramen. ***Please do not do this.*** I will give guidance for what to address in your responses. I know it is tempting to default to these kinds of responses, but it does not contribute meaningfully or illustrate you thought critically about the content--ESPECIALLY if you're looking towards grad/law school and are seeking a letter of recommendation or endorsement from me, this is the place where you illustrate your skills in written communication, time management, and critical thinking.

Better Know a Court Assignment: 100 points, 8% of final grade

This assignment will give you an opportunity to get familiar with an assigned state court system and processes, as well as the Texas state courts. This is a project that will have several components and require you to retrieve publicly available information about a state court system that I will assign to you and the Texas state court system. You will provide a reference and note sheet in Perusall before the full project deadline, then submit the final product as a PowerPoint, infographic, short video, podcast, or some other audio/visual media.

Case Updates, 60 points each, 25% of final grade

Students will be assigned to teams where they will follow the progression of a real criminal case by retrieving and reviewing court documents and other information related to the case. These updates correspond to the units

we had covered to that point and will be conducted in Perusall. Each teammate will provide their own unique contribution related to a specific element of that phase in the case, but the rest of the team will not be penalized for a teammate's failure to complete their assigned portion.

Attendance and Participation, 250 total points, 21% of final grade

There are specific attendance and participation activities for each class meeting to reflect that you were present in class. You will be given time to complete it during our class meeting, plus 15 minutes and 5 minutes before and after class, respectively.

Grading

Assignment Category	Number	Points Per	Total Points
Exams	3	80	240
Quizzes (6, drop 1)	5	10	50
Major Activities	4	50	200
Bookend Activities	2	30	60
Case Updates	5	60	300
Better Know a State Court Project	1	100	100
Attendance & Participation	25 (3 flex)	10	250
Total			1200

Course Specific Policies

Attendance, Absences, and Missed Assessments:

Attendance will be taken in every class by completing attendance/participation activities in Perusall, which you access in Blackboard. However, students will NOT earn credit for an exam, quiz, or assignment that was missed in due to absences if you have not been in contact with the professor. In these cases, the student **SHOULD** notify the professor for advance approval so a make-up content can be arranged.

Contact the professor **within two (2) business days** after the absence to be considered for an alternative assignment. Alternative assignments and make-ups for non-university excused absences are rarely, if ever, given due to the ability to drop quizzes and availability of extra credit activities. NO make-ups will be given for missing an exam, quiz, or activity due to tardiness, non-university excused class absence, lack of preparation, or awareness of the assignment. Make-up exams may be fill-in-the-blank and essay, must be taken within one week of the original exam date, and will not be given before the original exam.

Professionalism and Respect

1. I expect you to treat me, this course, and your classmates with respect.
2. **You should expect to log in to Blackboard at least 2-3 times weekly and attend the class meetings for this course in order to participate.** You cannot pass this class without participating in class meetings. There will be weekly readings, discussions, and lectures for which I am putting in the time and effort to create, grade, and provide feedback. In return, I ask that you take the assignments and readings seriously to understand the course material. I have prepared materials for your use, and I expect you to use it. I will not accept an excuse about missing assignments or not understanding what is being asked of you if I notice that you have not checked the syllabus or consistently attended before contacting me.

3. Respect each other. Everyone should be comfortable sharing their ideas or perspectives directly related to the course. It is important to have reputable source information to support your perspective and why you came to that conclusion.
4. I realize this course is offered online and requires a certain awareness of the online learning system Blackboard; however, you are an adult learner and thus capable of locating the guides and resources available via TAMUSA to help you use email, Blackboard, Word, and other software. If you have difficulty accessing the internet at some point, please notify me ASAP. The library has laptops you can check out for class meetings.
5. Some students will find this class easy, others may struggle. If you put forth the effort and ask for help, I will bend over backwards to assist. It is ultimately up to you.

Technology

Students can email me directly. Please avoid using Blackboard messages because I do not always get alerts for that. I ask that your emails are formatted professionally since this is a habit that should be developed before you hit the job market. Dr. or Professor Harper are both acceptable honorifics. Please: *sign your emails!*

Blackboard and Perusall (accessible in Blackboard) will be the primary platform for all assignments, quizzes, grades, and the most up-to-date syllabus. If you need help learning how to perform various tasks related to this course or other courses being offered in Blackboard, consult the Blackboard help guides. You may also TAMUSA's ITS department.

Class Notes and Tape Recordings

Any student who wishes to save recorded class lectures MUST first get permission. *No student has permission to sell or distribute any recording or material made in the course. This includes Coursera or similar course material exchanges online.*

Personal Emergency-Related Matters

There are demands of us and our attention as instructors, students, employees, parents, children, caregivers, spouses, and all roles that we may fill. As a parent and employee, I realize that we may have our attention in every direction besides school. I strongly encourage you to be in regular contact with me if you foresee any issues with things that affect your ability to work on this course as you need to. I have done what I can to ensure that you can access course materials offline where possible (recordings, namely) and do work offline.

Modifications to Course Schedule

While care and effort have been taken to delineate the lectures and assignments throughout the semester, I reserve the right to modify the syllabus and course schedule as needed. Such modifications can occur at any time and as many times during the semester as deemed necessary.

IMPORTANT UNIVERSITY POLICIES AND RESOURCES

Academic Accommodations for Individuals with Disabilities:

Texas A&M University-San Antonio is committed to providing all students with reasonable access to learning opportunities and accommodations in accordance with The Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act. If you experience barriers to your education due to a disability or think you may have a disability, Disability Support Services is located in the Central Academic Building, Suite 210. You can also contact us via phone at (210) 784-1335, visit us <https://www.tamusa.edu/Disability-Support-Services/index.html> or email us at dss@tamusa.edu. Disabilities may include, but are not limited to, attentional,

learning, mental health, sensory, physical, or chronic health conditions. All students are encouraged to discuss their disability-related needs with Disability Support Services as soon as possible.

Academic Learning Center:

The Academic Learning Center provides free course-based tutoring to all currently enrolled students at Texas A&M University-San Antonio. Students wishing to work with a tutor can make appointments through the Brainfuse online tutoring platform. Brainfuse can be accessed in the Tools section of Blackboard. You can contact the Academic Learning Center by emailing tutoring@tamusa.edu, calling (210) 784-1307, or visiting the Central Academic Building, room 202.

Counseling/Mental Health Resources:

As a college student, there may be times when personal stressors interfere with your academic performance and negatively impact your daily functioning. If you are experiencing emotional difficulties or mental health concerns, support is available to you through the Student Counseling Center (SCC). To schedule an appointment, call 210-784-1331 or visit Madla 120.

All mental health services provided by the SCC are free and confidential (as the law allows). The Student Counseling Center provides brief individual and group therapy, crisis intervention, consultation, case management, and prevention services. For more information on SCC services visit

<http://tamusa.edu/studentcounseling>

Crisis support is available 24/7 by calling the SCC at 210-784-1331.

Additionally, the TELUS Student Support App provides a variety of mental health resources to including support for in the moment distress, an anonymous peer-to-peer support network, mental health screenings, podcasts, and articles to improve your mental wellbeing.

Emergency Preparedness:

JagE Alert is Texas A&M University-San Antonio's mass notification. In the event of an emergency, such as inclement weather, students, staff and faculty, who are registered, will have the option to receive a text message, email with instructions and updates. To register or update your information visit: <https://tamusa.bbcportal.com>

More information about Emergency Operations Plan and the Emergency Action Plan can be found here:

<https://www.tamusa.edu/about-us/emergency-management/>

Download the SafeZone App (<https://safezoneapp.com/>) for emergencies or call (210) 784-1911. Non-Emergency (210) 784-1900.

Financial Aid and Verification of Attendance:

According to the following federal regulation, 34 CFR 668.21: U.S. Department of Education (DoE) Title IV regulation, a student can only receive Title IV funds based on Title IV eligibility criteria which include class attendance. If Title IV funds are disbursed to ineligible students (including students who fail to begin attendance), the institution must return these funds to the U.S. DoE within 30 days of becoming aware that the student will not or has not begun attendance. Faculty will provide the Office of Financial Aid with an electronic notification if a student has not attended by the published Census Date (the first week of class). Any student receiving federal financial aid who does not attend prior to the published Census Date (the first week of class) will have their aid terminated and returned to the DoE. Please note that any student who stops attending at any time during the semester may also need to return a portion of their federal aid.

Writing, Language, and Digital Composing Center:

The Writing, Language, and Digital Composing Center supports graduate and undergraduate students in all three colleges as well as faculty and staff. Tutors work with students to develop reading skills, prepare oral presentations, and plan, draft, and revise their written assignments. Our language tutors support students enrolled in Spanish courses and students composing in Spanish for any assignment. Our digital studio tutors support students working on digital projects such as eportfolios, class presentations, or other digital multimedia projects. Students can schedule appointments through JagWire under the Student Services tab. Click on “Writing, Language, and Digital Composing Center” to make your appointment. The Center offers face-to-face, synchronous online, and asynchronous digital appointments. More information about what services we offer, how to make an appointment, and how to access your appointment can be found on our website at <https://www.tamusa.edu/academics>.

Meeting Basic Needs:

Any student who has difficulty affording groceries or accessing sufficient food to eat every day or who lacks a safe and stable place to live, and believes this may affect their performance in the course, is urged to submit a CARE referral (<https://www.tamusa.edu/university-policies/Student-Rights-and-Responsibilities/file-a-report.html>) for support. Furthermore, please notify the professor if you are comfortable in doing so. This will enable them to direct you to available resources.

Military Affairs:

Veterans and active-duty military personnel are welcomed and encouraged to visit the Office of Military Affairs for any question involving federal or state VA Education Benefits. Visit the Patriots’ Casa building, room 202, or to contact the Office of Military Affairs with any questions at military.va@tamusa.edu or (210)784-1397.

Religious Observances:

Texas A&M University-San Antonio recognizes the diversity of faiths represented among the campus community and protects the rights of students, faculty, and staff to observe religious holidays according to their tradition. Under the policy, students are provided with an opportunity to make up any examination, study, or course work requirements that may be missed due to a religious observance provided they notify their instructors before the end of the second week of classes for regular session classes.

The Six-Drop Rule:

Students are subject to the requirements of Senate Bill (SB) 1231 passed by the Texas Legislature in 2007. SB 1231 limits students to a maximum of six (6) non-punitive course drops (i.e., courses a student chooses to drop) during their undergraduate careers. A non-punitive drop does not affect the student’s GPA. However, course drops that exceed the maximum allowed by SB 1231 will be treated as “F” grades and will impact the student’s GPA.

Statement of Harassment and Discrimination:

Texas A&M University-San Antonio is committed to the fundamental principles of academic freedom, equal opportunity, and human dignity. To fulfill its multiple missions as an institution of higher learning, A&M-San Antonio encourages a climate that values and nurtures collegiality and the uniqueness of the individual on our campus and within our state, nation, and world. All decisions and actions involving students and employees are to be based on applicable law and individual merit. Texas A&M University-San Antonio, in accordance with applicable federal and state law, prohibits discrimination, including harassment, on the basis of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, or

pregnancy/parenting status. Individuals who believe they have experienced harassment or discrimination prohibited by this statement are encouraged to contact the University's Civil Rights Officer at 210-784-2061 or titleix@tamusa.edu.

Texas A&M University-San Antonio faculty are committed to providing a safe learning environment for all students and for the university as a whole. If you have experienced any form of sex- or gender-based discrimination or harassment, including sexual assault, sexual harassment, domestic or dating violence, or stalking based on sex, know that help and support are available. A&M-San Antonio's Title IX Coordinator can support those impacted by such conduct in navigating campus life, accessing health and counseling services, providing academic and housing accommodations, and more. The university strongly encourages all students to report any such incidents to the Title IX Coordinator. Please be aware that all A&M-San Antonio employees (other than those designated as confidential resources such as counselors and trained victim advocates) are required to report information about such discrimination and harassment to the university. This means that if you tell a faculty member about a situation of sexual harassment, sexual violence, or other related sex-based misconduct, the faculty member must share that information with the university's Title IX Coordinator (titleix@tamusa.edu, 210-784-2061, CAB 439K). If you wish to speak to a confidential employee who does not have this reporting requirement, you can contact the Student Counseling Center at (210) 784-1331 or visit them in Madla 120.

Pregnant/Parenting Students:

Texas A&M-San Antonio does not require a pregnant or parenting student, solely because of that status or issues related to that status, to (1) take a leave of absence or withdraw from their degree or certificate program; (2) limit the student's studies; (3) participate in an alternative program; (4) change the student's major, degree, or certificate program; or (5) refrain from joining or cease participating in any course, activity, or program at the University. The university will provide such reasonable modifications to pregnant students as would be provided to a student with temporary medical condition that are related to the health and safety of the student and the student's unborn child. These could include maintaining a safe distance from substances, areas, and activities known to be hazardous to pregnant individuals and their unborn child; excused absences because of illness or medical appointments; modified due dates for assignments; rescheduled tests/exams; taking a leave of absence; and being provided access to instructional materials and video recordings of lectures for excused absences, if these would be provided to any other student with an excused absence. Pregnant/parenting students are encouraged to contact the Title IX Coordinator with any questions or concerns related to their status (titleix@tamusa.edu; 210-784-2061; CAB 439K). Texas A&M-San Antonio has also designated the Title IX Coordinator as the liaison officer for current or incoming students who are the parent or guardian of a child younger than 18 years of age. The Title IX Coordinator can provide students with information regarding support services and other resources.

Young Jaguars:

This program can support parenting students with daycare who meet this criteria: Must be enrolled in classes at TAMUSA in the current semester. Must be Pell eligible or a single parent. They serve children ages 3 to 12-years-old. Children must be enrolled in Pre-K-3 through 6th grade.
youngjaguars@tamusa.edu (210) 784-2636

Students' Rights and Responsibilities:

The following statement of students' rights and responsibilities is intended to reflect the philosophical base upon which University Student Rules are built. This philosophy acknowledges the existence of both rights and

responsibilities, which is inherent to an individual not only as a student at Texas A&M University-San Antonio but also as a citizen of this country.

Students' Rights

1. A student shall have the right to participate in a free exchange of ideas, and there shall be no University rule or administrative rule that in any way abridges the rights of freedom of speech, expression, petition and peaceful assembly as set forth in the U.S. Constitution.
2. Each student shall have the right to participate in all areas and activities of the University, free from any form of discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, gender identity, gender expression, and pregnancy/parenting or veteran status in accordance with applicable federal and state laws.
3. A student has the right to personal privacy except as otherwise provided by law, and this will be observed by students and University authorities alike.
4. Each student subject to disciplinary action arising from violations of university students' rules shall be assured a fundamentally fair process.

Students' Responsibilities

1. A student has the responsibility to respect the rights and property of others, including other students, the faculty, and administration.
2. A student has the responsibility to be fully acquainted with the published University Student Rules found in the Student Handbook, Student Code of Conduct, on our website, and University Catalog, and to comply with them, as well as with federal, state, and local laws.
3. A student has the responsibility to recognize that student actions reflect upon the individuals involved and upon the entire University community.
4. A student has the responsibility to recognize the University's obligation to provide a safe environment for learning.
5. A student has the responsibility to check their university email for any updates or official university notifications.

We expect that students will behave in a manner that is dignified, respectful, and courteous to all people, regardless of sex, ethnic/racial origin, religious background, sexual orientation, or disability. Conduct that infringes on the rights of another individual will not be tolerated. Students are expected to exhibit a high level of honesty and integrity in their pursuit of higher education. Students engaging in an act that violates the standards of academic integrity will find themselves facing academic and/or disciplinary sanctions. Academic misconduct is any act, or attempt, which gives an unfair advantage to the student. Additionally, any behavior specifically prohibited by a faculty member in the course syllabus or class discussion may be considered as academic misconduct.

For more information on academic misconduct policies and procedures please review the Student Code of Conduct (<https://www.tamusa.edu/university-policies/student-rights-andresponsibilities/documents/Student-Handbook-2022-23.pdf>) or visit the resources available in the OSRR website (<https://www.tamusa.edu/university-policies/student-rights-and-responsibilities/academicintegrity.html>).

Use of Generative AI Permitted Under Some Circumstances or With Explicit Permission

CRIM 3388 assumes that all work submitted by students will be generated by the students themselves, working individually or in groups. Students should not have another person/entity do the writing of any portion of an

assignment for them, which includes hiring a person or a company to write assignments and/or using artificial intelligence (AI) tools like ChatGPT, NotebookLM, Elicit, Co-Pilot, Claude, Gemini, Perplexity. Use of any AI-generated content in this course qualifies as academic dishonesty and violates Texas A&M-San Antonio's standards of academic integrity.

There are situations and contexts within this course where you may be asked to use artificial intelligence (AI) tools to explore how they can be used. Outside of those circumstances, you should not use AI tools to generate content (text, video, audio, images) that will end up in any student work (assignments, activities, discussion responses, etc.) that is part of your evaluation in this course. Any student work submitted using AI tools should clearly indicate with attribution what work is the student's work and what part is generated by the AI. In such cases, no more than 25% of the student work should be generated by AI. If any part of this is confusing or uncertain, students should reach out to their instructor for clarification before submitting work for grading. Use of AI-generated content without the instructor's permission and/or proper attribution in this course qualifies as academic dishonesty and violates Texas A&M-San Antonio's standards of academic integrity. NOTE: Guidance for how to cite AI-generators, like ChatGPT, can be found here <https://apastyle.apa.org/blog/how-to-cite-chatgpt>

Important Dates: Fall 2025 Regular 16-Week Session

August 25 First day of class

September 1 Labor Day Holiday – No classes

September 10 Census Date

November 14 Last day to drop with an automatic "W"

November 25 Last day to withdraw from the University

November 26 Study Day – No classes

November 27-29 Thanksgiving Holiday – No classes

December 4 Last day of classes

December 5 Study Day – No classes

December 6-12 Final exams

December 16 Commencement

The complete academic calendar is available online:

<https://www.tamusa.edu/academics/academiccalendar/index.html>

Module	Content	Day	Date	Due	Hemmens	Spohn
Introduction	Syllabus, Intro, What Do We Know?	Tuesday	8/26		Ch. 1	Ch. 1
		Thursday	8/28	Intro Card		
1	Overview, Structure of Courts	Tuesday	9/2	Quiz 1	Ch. 2, 3, 4	Ch. 2
		Thursday	9/4			
2	Historical & Current Perspectives, Sources of Law	Tuesday	9/9	No class meeting, lecture online; Quiz 2	Ch. 5, 6	Ch. 3
		Thursday	9/11	No class meeting		
3	Prosecutors & Defense Attorneys	Tuesday	9/16	Self-Representation		
		Thursday	9/18	Case Update 1		
Exam 1		Tuesday	9/23	Exam 1 Review		
		Thursday	9/25	Exam 1		
4	Judges, Juries, and Misconduct	Tuesday	9/30	Quiz 4	Ch. 7, 9	Ch. 4
		Thursday	10/2			
5	Pretrial & Trial Process	Tuesday	10/7	Quiz 5	Ch. 10, 11	Ch. 5
		Thursday	10/9			
6	Plea Bargains, Trial Dynamics	Tuesday	10/14	Judicial Misconduct		Ch. 6
		Thursday	10/16	Case Update 2		
Exam 2		Tuesday	10/21	Extra Credit: Library, Exam 2 Review		
		Thursday	10/23	Exam 2		
What's Next & Courts in Film/TV		Tuesday	10/28	Tropes in TV/Film		
		Thursday	10/30	No Stupid Questions		
		Sunday	11/1	Discussion Response		
Better Know A State Court Project Final Workshopping		Tuesday	11/4			
		Thursday	11/6	Case Update 3		
		Sunday	11/9	BKASC Project		
7	Sentencing, Death Penalty	Tuesday	11/11	No class meeting, lecture online; Quiz 7	Ch. 12	Ch. 7
		Thursday	11/13	No class meeting		
8	Appeals	Tuesday	11/18	Quiz 8	Ch. 13	Ch. 8
		Thursday	11/20	Case Update 4		
Fall Break: Eat Every Mashed Potato You Can Find						
9	Specialty Courts and Current Trends in Courts	Tuesday	12/2		Ch. 14	Ch. 9
		Thursday	12/4	Specialty Courts Activity		
The End	Bringing in All Together	Thursday	12/11	Case Update 5, Revisions Due		

Unit One: Introduction to Courts and Case Processing

- Role of Courts in CJ System
 - Adjudication Oversight
 - Structure and Jurisdiction of US Courts
 - Historical Overview
 - Federal Courts
 - District Courts
 - Courts of Appeals
 - SCOTUS
 - State Courts
 - Courts of limited jurisdiction
 - Courts of general jurisdiction
 - Appellate Courts
 - State Supreme Courts
 - Juvenile Courts
 - Courtroom Workgroup (Criminal Courts)
 - Judge
 - Prosecutor
 - Defense Attorney
 - Jurors
 - Others
 - Overview of the Process
 - Pretrial Proceedings
 - Pretrial Motions
 - Jury Selection
 - The Trial
 - Sentencing
 - Appeals
 - Packer's Model of Crime Control & Due Process
-

Unit Two: Historical and Contemporary Perspectives on Law and Courts

- What is the law?
 - How do judges make it?
 - Common Law System
 - Precedent
 - State decisis
 - Judicial Review
 - Rule of Law
 - Contemporary Sources
 - Sources of individual rights
 - The Constitution
 - Bill of Rights
 - Due Process (14th Amendment)
 - Criminal Law
 - What is a crime?
 - Sources of criminal law
 - Limitations of criminal law
 - Elements of criminal liability
 - Liability without fault
 - Inchoate Crimes
 - Defenses to Criminal Liability
 - Alibi
 - Differences between criminal and civil law
-

Unit Three: Prosecutors & Defense Attorneys

- The Adversarial System
 - Prosecutors versus defense attorneys
 - Prosecutors
 - Charging Decisions and Discretion
 - Factors affecting prosecutors' charging decisions
 - Constraints on prosecutorial discretion
 - Changing role of the American prosecutor: community prosecution
 - Defense Attorneys
 - The Right to Counsel
 - Quality of Legal Representation: Indigent representation
 - Public defender caseloads
 - Constraints on Defense Attorneys
 - Prosecutorial Misconduct
-

Unit Four: Judges & Juries

- Fact Finding and Applying the Law
- Judges
 - Constraints on Judges
 - Politics of Judicial Selection
 - Demography on the Bench
 - Does it make a difference?
 - Nonlawyer Judges
- Jurors and Jury Decision-making
 - Issues in jury selection
 - Jury consultants
 - Factors affecting decision making
 - Requirement of unanimity
 - Hung juries; jury nullification

Unit Five: Pretrial & Trial Processes

- The Pretrial Process
 - Arrest
 - Booking
 - Information
 - Indictment
 - Initial Appearance
 - Bail and pretrial release
 - Issues with PTD and PTR
 - Arraignment
 - Discovery
 - Pretrial Motions
 - Jury Selection
 - Plea Bargaining
 - The Trial Process
 - Opening Statements
 - Presentation of Evidence
 - Calling Witnesses
 - Evidence and Rules of Evidence
 - Closing Arguments
 - Instructing the Jury
 - Jury Deliberation and Verdict
 - Announcing the verdict
-

Unit Six: Plea Bargaining & Trial Dynamics

- What is plea bargaining?
 - Effective assistance of counsel during plea negotiations
 - *Ad hoc* plea bargaining
 - Arguments for and against plea bargaining
 - Attempts to restrict or ban plea bargaining
 - Predictors of plea bargaining decisions: does race matter?
 - Courtroom Workgroup
 - Local legal culture
 - workgroup circumvention of policy changes
 - Media influence in criminal trials
 - Social media and criminal trials
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Unit Seven: Sentencing

- Goals of Sentencing
 - Why punish?
 - How much punishment is enough?
 - Judge's options at sentencing
 - The death penalty
 - incapacitation
 - Probation
 - Intermediate sanctions
 - Future of intermediate sanctions
 - Federal sentencing reform
 - How do judges decide--the sentencing process
 - Offense seriousness and prior record
 - Offender characteristics
 - Characteristics of the victim
 - Case-processing factors
 - Legal aspects of sentencing
-

Unit Eight: The Appellate Process

- The Appellate Courts
 - State appellate courts
 - Federal appellate courts
 - Underlying Concepts
 - Direct and indirect appeals
 - Precedent and stare decisis
 - Judicial review
 - The "Right" to Appeal
 - Protections afforded to appellants
 - Appealing to a higher court
 - Pre- and postadjudication appeals
 - How do appellate courts decide?
 - The Appellate Court's Options
 - Appealing the Sentence
 - Writ of *Habeas Corpus*
 - Origins of *habeas corpus*
 - Postconviction review through *habeas corpus*
 - Expanding and restricting *habeas corpus*
 - Considering clemency
 - Appellate review of the death penalty
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Unit Nine: Specialized Courts & Other Trends in Adjudication

- Problem-Solving Courts
 - Origins
 - Distinguishing features of problem-solving courts
 - Restorative justice and problem-solving courts
 - Drug Treatment Courts
 - Key elements of drug courts
 - Do they work?
 - How to measure performance...
 - Domestic Violence Courts
 - Victim safety and offender accountability
 - Do DV courts work?
 - Other problem-solving courts
 - Juvenile Courts
 - jurisdiction and operation of the juvenile courts
 - Transfer of juveniles to criminal courts
- JJ and SCOTUS