

Technical College of the Lowcountry
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CRJ 220
THE JUDICIAL PROCESS

Course Description

This course includes an overview of the lawmaking function of the courts, the growth of common law, the structure and organization of the courts, court processes and procedures involved in criminal and civil cases, and the question of reform for the administration of justice.

3 Cr (3 lect/pres, 0 lab, 0 other)

Course Focus

Students will examine the history, traditions, and philosophy underlying our system of justice as it is played out in the criminal court.

Text and References

America's Courts and the Criminal Justice System, 10th Edition, Neubauer, D.W. and Fradella, H.F., Cengage Learning ISBN 978-0-495-80990-6

Course Goals:

The following list of learning objective will be addressed in the course. These learning objectives are directly related to the course goals.

1. Be acquainted with the relationship of the courts with other components of the criminal justice system
2. Compare the types of courts in the US
3. Explain the steps in a felony prosecution
4. Understand the key characteristics of the common law
5. Argue some legal defenses in American law
6. Be acquainted with the major areas of civil law
7. Compare and contrast the tasks of trial and appellate courts
8. Evaluate the major problems facing the federal courts
9. Analyze the impact the federal courts have on the administration of criminal justice
10. Outline the four layers of a state court system
11. Recognize the key components of court unification
12. Describe discretion in the criminal courts
13. Understand and identify the strengths and weaknesses of speedy-trial laws
14. Analyze the principal factors affecting prosecutorial ethics
15. Provide two examples of the expanding domain of the prosecutor

16. List the agencies involved in prosecution in state courts
17. Argue the four major legal issues surrounding the right to counsel
18. Compare the importance of legal ethics to the defense of criminal defendants
19. Be acquainted with reasons why some lawyers do not represent criminal defendants
20. Describe the duties of state judicial conduct commissions
21. List three ways that judges are selected in the United States
22. Explain how witnesses and victims view the court process
23. Identify three types of victim and witness aid programs
24. List the four ways that criminals may be charged
25. Explain how arrests impact the criminal court process
26. Compare and contrast the difference between the due process and crime control models of justice
27. Recognize the effect of the bail system on the processing of criminal defendants
28. Evaluate whether the exclusionary rule should be abolished
29. Argue the impact of the *Miranda v. Arizona* decision on police interrogations
30. Explain the reasons why the process of discovery exists
31. Identify the importance of *Boykin v. Alabama*
32. Explain reasons for plea bargaining
33. Trace the history of trials by jury
34. Summarize the basic rules of evidence as it relates to trustworthiness and relevance
35. Recognize the steps in a criminal trial
36. Distinguish between the four major sentencing philosophies
37. Describe how the Court has narrowed the list of death-eligible cases
38. List three major alternatives to imprisonment
39. Outline how the Supreme Court has limited state sentencing guidelines
40. List two major factors related to disparities and sentencing
41. Compare and contrast the concepts of discrimination and disparity
42. Describe the two primary function of appeals
43. Analyze the reasons why most criminal appeals result in convictions being affirmed
44. Identify three types cases that the lower courts hear
45. Discuss the importance of the Supreme Court's decision in *North v. Russell*
46. Compare and contrast juvenile and adult courts
47. Discuss the child-saving movement

Student Contributions

Each student will spend at least 6 hours per week preparing for class. Attendance is critical in this class. There will be 5 Unit quizzes and 1 Final exam. Weekly discussion questions will also be posted. It is the responsibility of the student to take the quizzes, exam and answer the discussion questions within the specified due dates. **The syllabus is subject to change.** All changes will be discussed on-line and students will be accountable for such changes. PLEASE WATCH FOR ANNOUNCEMENTS TO UPDATE SYLLABUS.

Course Evaluation

JOURNAL

The paper assignment for this class will be the keeping of a journal. The journal must have at least 10 entries. The subject topics for your journal will be taken from the section "Law and Popular Culture" (Overview pg. 5) or you may choose any current TV show or movie about the legal system. Each chapter of the textbook focuses on a film or a television series that relates to the substance of that chapter. Review the section, "Law and Popular Culture", watch the movie/or TV show about the legal system and answer the questions in the "Law and Popular Culture" box in the corresponding chapter/topic. If you choose to watch another film or TV show not listed please enter a complete and thorough answer to the questions in the Overview box on pg. 6:

- 1) To what extent does the film or TV show stress flaws in the legal system? Who is at fault and why? As you compare various segments are the flaws similar or different?
- 2) To what extent does the film or TV show accurately depict the American legal system? To what extent does it distort reality?
- 3) In the end, is “justice” done and if so, how? Is the “justice” arrived at in this segment similar to or different from the “justice” arrived at in other segments”

TESTS

There are five unit quizzes and 1 final exam total. They consist of multiple choice and true/false. All tests are open note, open book.

WEEKLY DISCUSSION

Each week, a Discussion Study Question (DSQ) has been developed. This question is designed to help the students apply critical thinking techniques to the material learned through experience and readings. The DSQ are designed to give students direction in integrating old and new ways of thinking and to examine the relationship between theory and practice of sociology.

Each student will post his/her individual response to the DSQ on the discussion board each week AND/ OR respond to another students post throughout the week. The more you respond, the better the grade will be. Please note that the questions are comprehensive, requiring the base knowledge presented in the text before applying the analytical and critical evaluation necessary to meet program goals. **Grading expectations for Discussion Study Questions (DSQs) are as follows:**

The response should meet *all* of the following criteria. The student:

- Responds to all parts of the question correctly and thoroughly;
- Uses correct grammar and structure according to professional APA writing standards;
- Applies the material and response to personal practice when applicable;
- Responds to several other students’ replies and greatly aids in furthering the discussion on the topics.

GRADING PROCEDURE

Five Unit Quizzes – 30 %

Discussion Board - 25%

Journal – 25 %

Final Exam – 20%

The final grade will be determined by the combined scores and will be awarded as follows:

- 90 to 100 = A
- 80 to 89 = B
- 70 to 79 = C
- 60 to 69 = D
- Less than 60 = F

Approved by: Kenneth Flick Developed/Revised: 5/2013

Ken Flick, Division Dean for Business/Industrial Division

ADA STATEMENT

The Technical College of the Lowcountry provides access, equal opportunity and reasonable accommodation in its services, programs, activities, education and employment for individuals with disabilities. To request disability accommodation, contact the counselor for students with disabilities at (843) 525-8228 during the first ten business days of the academic term.

ACADEMIC MISCONDUCT

There is no tolerance at TCL for academic dishonesty and misconduct. The College expects all students to conduct themselves with dignity and to maintain high standards of responsible citizenship.

It is the student's responsibility to address any questions regarding what might constitute academic misconduct to the course instructor for further clarification.

The College adheres to the Student Code for the South Carolina Technical College System. Copies of the Student Code and Grievance Procedure are provided in the *TCL Student Handbook*, the Division Office, and the Learning Resources Center.

ATTENDANCE

The College's statement of policy indicates that students must attend ninety percent of total class hours or they will be in violation of the attendance policy.

- Students not physically attending class during the first ten calendar days from the start of the semester must be dropped from the class for NOT ATTENDING.
- Students taking an online/internet class must sign in **and** communicate with the instructor within the first ten calendar days from the start of the semester to indicate attendance in the class. Students not attending class during the first ten calendar days from the start of the semester must be dropped from the class for NOT ATTENDING.
- Reinstatement requires the signature of the division dean.

☒ In the event it becomes necessary for a student to withdraw from the course OR if a student stops attending class, it is the student's responsibility to initiate and complete the necessary paperwork. Withdrawing from class may have consequences associated with financial aid and time to completion.

☒☒ When a student exceeds the allowed absences, the student is in violation of the attendance policy. The instructor MUST withdraw the student with a grade of "W", "WP", or "WF" depending on the date the student exceeded the allowed absences and the student's progress up to the last date of attendance

or

o under extenuating circumstances and at the discretion of the faculty member teaching the class, allow the student to continue in the class and make-up the work. This exception must be documented at the time the allowed absences are exceeded.

☒☒ Absences are counted from the first day of class. There are no "excused" absences. All absences are counted, regardless of the reason for the absence.

- A student must take the final exam or be excused from the final exam in order to earn a non-withdrawal grade.

☒☒ A copy of TCL's STATEMENT **OF POLICY NUMBER: 3-1-307 CLASS ATTENDANCE (WITHDRAWAL)** is on file in the Division Office and in the Learning Resources Center.

HAZARDOUS WEATHER

In case weather conditions are so severe that operation of the College may clearly pose a hardship on students and staff traveling to the College, notification of closing will be made through the following radio and television stations: WYKZ 98.7, WGCO 98.3, WGZO 103.1, WFXH 106.1, WWVW 106.9, WLOW 107.9, WGZR 104.9, WFXH 1130 AM, WLVH 101.1, WSOK 1230 AM, WAEV 97.3, WTOC TV, WTGS TV, WJWJ TV, and WSAV TV. Students, faculty and staff are highly encouraged to opt in to the Emergency Text Message Alert System. www.tcl.edu/textalert.asp

Emergency Text Message Alert

Students, faculty and staff are highly encouraged to opt in to the Emergency Text Message Alert System. Participants receive immediate notification of emergency events and weather cancelations via text messaging on their cell phones. Participants can also opt in to receive non-emergency news and announcements. Go to www.tcl.edu. On the homepage, click on “emergency TextAlert at TCL” and fill out the form or go to www.tcl.edu/textalert.asp

