

**CALIFORNIA STATE UNIVERSITY, SACRAMENTO**  
**Criminal Justice Division**

**CrJ 175**  
**Structure and Function of the American Courts**  
**Summer 2009**  
**Hybrid/Online Course**

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**Office: Alpine 103**

**Required Texts:**                    America's Courts and the Criminal Justice System; Ninth Edition, by David W. Neubauer, West/Wadsworth Publishing Co., 2008.

Leading Cases on Criminal Justice; by Lloyd Weinreb, Foundation Press Inc., 2007.

**Grading & Examinations:**

The course grade is calculated on the basis of a mid-term examination (30%), a final examination (30%), court visitation project (40%). In addition students are required to participate in an online classroom utilizing SacCT. The exams are closed book and must be taken on campus. Exams may consist of a combination of multiple choice, true or false, or essay questions.

**Grading Scale:**

|    |        |    |       |    |       |    |       |
|----|--------|----|-------|----|-------|----|-------|
| A  | 93-100 | B  | 83-86 | C  | 73-76 | D  | 63-66 |
| A- | 90-92  | B- | 80-82 | C- | 70-72 | D- | 60-62 |
| B+ | 87-89  | C+ | 77-79 | D+ | 67-69 |    |       |

**Course Procedure:**

This course is an overview of the American court system. The material includes a study of the law as it relates to court procedure, the structure and function of courts and the various roles people play in the daily administration of courts. It requires significant outside reading and excellent note taking during class lecture and discussion. Students are required to participate in briefing cases in class and must prepare case briefs in advance of lecture to facilitate their participation.

**Student Assistance:**

The university has a Skills Center in Lassen Hall, available to assist you as needed with study skills – do not hesitate to take advantage of this resource if you feel you will need the help. There is also an English Writing Center in Calaveras Hall, room 128, where you can be assigned a tutor to help strengthen your writing skills. If you have a disability and require accommodations, you need to provide disability documentation to SSWD, Lassen Hall 1008, (916) 278-6955. Please discuss your accommodation needs with me after class or during my office hours early in the semester. Additional questions about courses or major requirements should be directed to the Criminal Justice Student Services Office in Alpine Hall, Room 114.

**Plagiarism**

Students in this course will be held to the highest standard of personal accountability with regard to issues of plagiarism and cheating. *If you engage in either plagiarism or cheating on course work or examinations you will fail this course and will be referred to the Office of Student Affairs for University level discipline.*

**The learning objectives of this course are as follows:**

Upon conclusion of the course and diligent study of the assigned material, successful students will be able to demonstrate a thorough understanding of the structure and function of the American Courts. The course is inclusive of both the federal and state systems. You will develop a detailed knowledge of the Bill of Rights as it relates to constitutional criminal procedure. The particular subject matter is outlined below in each specified reading assignment. Student writing skills should be enhanced through the preparation of case briefs, participation in predominantly essay format exams, and completion of a court visitation assignment with a report. The specific objectives include but are not limited to:

1. Demonstrate analysis of complex law cases together with logical reasoning requisite to their application to legal contextual situations.
2. Demonstrate a thorough understanding of the structures and functions of the American Court System(s).
3. Describe our common law heritage together with state-federal sources of law, jurisdiction, venue, civil law and civil liability concepts in criminal justice, state and federal court organization, judicial administration and the hierarchy of courts.
4. Express an understanding of the courthouse workgroup, roles of the prosecutor, defense attorney, judge, probation officials, victims and witnesses.
5. Conduct and report observations of criminal court proceedings in order to garner an understanding of the courtroom, arraignments, preliminary hearings, trials, motions, jury selection, bail and pre-trial release, discovery, pleas, negotiated justice, sentencing decisions, appeals as a right and a matter of judicial discretion.
6. Identify the usage of the Grand Jury at federal and state levels together with its advantages disadvantages.
7. Demonstrate knowledge and understanding of Constitutional Rights associated with criminal legal process including juvenile courts i.e. those engendered by the Fourth, Fifth, Sixth, Eight, and Fourteen Amendments.

**Class Assignments and Exams by Week:**

This schedule is intended as a guide and is subject to change by the instructor as necessary.

For Book: *T* = Neubauer text book and *C* = Weinreb case book.

| <u>Week</u> | <u>Chapter</u> | <u>Book</u> | <u>Video</u> | <u>Topic/Case</u>  |
|-------------|----------------|-------------|--------------|--|
|             |                |             |              | INTRODUCTION   |
| 1           | 1              | T           |              | Crime, Courts & Controversy  |
|             | 2              | T           |              | Law & Crime  |
|             |                | C           |              | Bill of Rights   |
| 2           | 3              | T           |              | The Federal Courts   |
| 3           | 4              | T           |              | The State Courts   |
|             | 5              | T           |              | The Courthouse and People Who Work There   |
|             |                | C           |              | <b><i>Barker v. Wingo</i></b>  |
| 4           | 6              | T           |              | Prosecutors, Discretion Immunity, etc.   |
|             |                | C           |              | <b><i>U.S. v. Armstrong</i></b>  |
| 5           | 7              | T           |              | Defense Attorneys, Right to Counsel, etc.  |
|             |                | C           |              | <b><i>Gideon v. Wainwright</i></b><br><b><i>Douglas v. California</i></b><br><b><i>Faretta v. California</i></b><br><b><i>Ross v. Moffit</i></b> |
| 6           |                |             |              | <b>Monday, July 13, 2009 – Mid-Term Exam,</b><br>11:00am-12:00pm, Alp. 144   |
| 7           | 8              | T           |              | Judges   |
|             | 9              | T           |              | Defendants & Victims   |
| 8           | 10             | T           |              | Arrest to Arraignment  |
|             |                | C           |              | <b><i>Coleman v. Alabama</i></b><br><b><i>Gerstein v. Pugh</i></b><br><b><i>County of Riverside v. McLaughlin</i></b>                            |
| 9           | 11             | T           |              | Bail Issues  |
|             |                | C           |              | <b><i>Stack v. Boyle</i></b><br><b><i>U.S. v. Salerno</i></b>  |
|             |                |             |              | <b>COURT VISITATION PROJECT DUE</b><br>BY 4:00PM TO Alpine 137 ON 8/3/09!!!  |
| 10          | 12             | T           |              | Disclosing & Suppressing Evidence  |
|             |                | C           |              | <b><i>Mapp v. Ohio</i></b><br><b><i>Chimel v. CA</i></b><br><b><i>Maryland v. Buie</i></b>   |
| 11          | 13             | T           |              | Negotiated Justice   |
| 12          |                |             |              | <b>Final Examination – Monday, August 17, 2009</b><br>11:00am-1:00pm, Alp. 144   |

**COURT VISITATION ASSIGNMENT – Must be delivered or  
postmarked on Monday, 8/3/09!!!**

**Court Visitation Assignment**

Refer to the end of this syllabus for assignment details. Students are required to attend and report on a variety of different types of court proceedings. This assignment is intended to give the student an opportunity to see the practical application of concepts learned in class lecture and assigned readings. Students are required to attend three (3) separate court sessions. Each of the three sessions must last at least 2 hours. If necessary, multiple visits to the court can be combined to make up the 2 hours for each type of proceeding. Note also that some counties (Sacramento included) offers “night court” proceedings which may enable students to complete some of the visitation after hours. Visit the website for the court you plan to visit in advance to ensure that they will be in session and also check to see if a court calendar is available.

**EVERY student must visit:**

1. Arraignments

**Choose any two of the following for your other two court visits (you must choose two different types):**

2. Preliminary Hearings (probable cause hearings)
3. Jury Selection
4. Trial Proceedings (including any part of a trial from opening statements to sentencing hearings)
5. Motion Arguments in a criminal case (i.e. motion to suppress evidence)
6. Appellate Arguments in a criminal case (Cal. 3<sup>rd</sup> District Court of Appeal is located in Sacramento).

There are centrally located courts at both the federal and state level here in Sacramento. The Clerk's or Master Calendar's Office for the court you are visiting can tell you when certain proceedings are held so that you can plan your schedule. You should begin the visitation component of this project immediately. The visitation must be complete and the project which is required to meet the format requirements listed at the end of this syllabus is due no later than **Monday, August 3, 2009 and must be delivered to the CJ office in Alpine Hall room 137. Do NOT visit civil proceedings - only criminal proceedings will satisfy the requirement for the project.**

For each of the three types of proceedings you are required to visit for this project you must prepare a separate summary to be included in your project. For each type of proceeding you must begin by doing the following:

1. Utilize **Lexis-Nexis** or another online database to search for a law review article. Find and select a law review article about the proceeding you visited. **Choose an article published after 1998.** A law review article is distinguishable from other periodicals by looking at its title or citation. An example of a law journal title would be “Cleveland State Law Review” and it would be abbreviated “Clev. St. L. Rev.” in the citation to the article. If the article comes from a news media source – it is NOT a law review article. You can find law review articles using cites such as [www.findlaw.com](http://www.findlaw.com), but the largest database you have access to is Lexis-Nexis through the CSUS library. In the video taped lecture for week 4 of the course, I provide a demonstration on how to search using Lexis-Nexis.
2. Review the chapter in the text which describes the type of proceeding you plan to visit ahead of time (Chapter 10 of the Neubauer text is a good start!).

## **Required Format:**

Using the information acquired during your visit and through your readings prepare a report summarizing each court visit.

### **Your Court Visitation Report MUST be written according to the following requirements:**

For each of the three court visits, the following 3 sections must be included:

1. A heading including the name & address of the courthouse, and department number where the proceeding(s) took place, and the name of the judge who presided over the session. (Do not treat this as a “heading” for APA journal article writing purposes).
2. A summary of the proceedings describing what you observed (note: you should be writing in past tense)
3. An evaluative comparison of your experience and the readings you prepared ahead of time. This is an analysis of the readings you have chosen for each visit, and a detailed discussion of how they compare to the observations you have made in court. Was your visitation experience similar or different from your expectations? What opinions did you garner from the visit? Describe the quality of the proceedings and the participants. Your comparison **MUST utilize APA Citation Rules** – be careful to cite when necessary to avoid plagiarism!) It is appropriate to write in “first person” when describing your observations in court.

## **Format & Page Limits:**

Your papers must each be entirely your own work. The paper must have a title page and a listing of references for each text chapter and law review article you cite. The paper must be type written and use 12 point font with no larger than 1" page margins. Your entire project (all three summaries) must be a minimum of 12 pages. Please do not print the paper on both sides of the paper. Submit the paper in a lightweight folder or simply stapled – no large binders please.

## **Important Criteria:**

You paper will be graded on preparation of the project, your use of an appropriate source for your research component and your use of the text. You will also be graded on your thoughtful assessment of the proceeding itself as well as your completion of the visitation description (court, address, etc.) **You are required to include the title page and properly formatted references.** You will also be graded on your college level writing skills including organization, neatness, spelling and Standard English grammar and usage.

## **Submission of Paper:**

You may submit the paper in person to the Criminal Justice Office (Alpine Hall, room 137) by 4:00pm on Monday, August 3, 2009 or you may submit your paper via U.S. Mail with a postmark date of 8/3/09 sent to:

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