COURSE DESCRIPTION AND LEARNING OUTCOMES

The purpose of this course is to critically examine the process of criminal adjudication. Adjudication is the legal process of resolving a dispute. The course consists of three units. Unit I examines the nature of justice and the evolution of law and courts. This unit also discusses the structure of American courts and provides a primer on doing legal research. Unit II focuses on those who work within criminal courts—prosecutors, defense attorneys, judges, and others. Unit III discusses pretrial processes and the adjudication of cases by plea or trial. Guest speakers who work in criminal adjudication will make presentations throughout the semesters and class discussions will be used to examine certain controversies in adjudication. Students should leave this course with a thorough understanding of the process of adjudicating criminal cases in the American criminal justice system. Students will also learn to do legal research and further hone academic research skills.

TEXTBOOK AND READING ASSIGNMENTS


This text will be necessary to follow along in class, complete study guides, and prepare for exams. Note that the textbook serves as a supplement to, but not a substitute for, the material presented in lecture.

Reading Assignments: Unit I: Chapters 1 to 4 Unit II: Chapters 5 to 9 Unit III: Chapters 10 to 13

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1. Overview of the American Legal System/Law and the Judicial Function

2. Sources and Types of Law

3. Basic Terms and Concepts
3. The Court System: Organization and Structure

4. Courtroom Actors: Prosecutors; Defense Attorneys; Defendants and Victims; Judges; Juries; Court Personnel

5. Court Processes: The Anatomy of a Criminal Trial; Pretrial Procedures; Trials; Dispositions; Appeals

6. Specialized Courts

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TESTS, QUIZZES, LEGAL RESEARCH ASSIGNMENT

Three tests consisting of a combination of true/false, multiple choice, and short answer questions will be administered during the course of the semester. Each test is worth 100 points. The third test will be administered during Finals Week. Quizzes will also be administered throughout the semester.

Students will also be required to complete at least one research assignment. This exercise is a legal research exercise that includes writing a paper, demonstrating the student’s ability to research, comprehend and synthesize legal sources. More information about this assignment will be provided early in the semester.

ATTENDANCE

Students will also be graded on attendance and participation. Students are expected to attend all classes, as attendance and engagement are essential to a student’s success. Attendance will be taken throughout the semester. Students are expected to have read the relevant material before each class and are encouraged to participate regularly.

GRADING

Students’ grades will be based on the number of points earned throughout the semester. Grades will be distributed based on the percentage of points received using a +/- grading scale (see below). In the case a student is on the cusp of a better or worse grade, the instructor reserves the right to increase or decrease his or her grade based on semester long attendance, participation, and overall performance.

A: 93+   A-: 92-90   B+: 89-87   B: 86-83   B-: 82-80   C+: 79-77

C: 76-73   C-: 72-70   D+: 69-67   D: 66-63   D-: 62-60   F: >60

A FEW OTHER CLASS POLICIES
If a student will not be able to take a test on time, prior notification of the professor is required. A message can be left on voice mail or email 24 hours a day. Failure to provide prior notification can result in the student receiving zero points for that exam. In the case of an illness (verified by a doctor’s note) or other unforeseen emergencies where the student is unable to take the test before or on the day of the exam, a short answer exam will be given.

The University of Montana assures equal access to instruction through collaboration between students with disabilities, instructors, and Disability Services for Students. If you think you may have a disability adversely affecting your academic performance, and you have not already registered with Disability Services, please contact Disability Services in Lommasson Center 154 or 406.243.2243. I will work with you and Disability Services to provide an appropriate modification.

All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. All students need to be familiar with the Student Conduct Code. The UM Student Conduct Code is available at: http://www.umt.edu/vpsa/policies/student_conduct.php.

CLASSROOM ETIQUETTE

Teaching and learning are most likely to take place where the classroom environment is one characterized by mutual respect and freedom from unnecessary distractions. Below are some comments regarding the responsibilities of instructors and students in maintaining a good classroom environment. The instructor and teaching assistant, and preceptor will work hard to adhere to these guidelines and students will be expected to do likewise. Vital to the whole notion of a university is the free exchange of ideas. Such an exchange is more likely in an atmosphere free from ridicule, insults, or personal attacks. Instructors must deal with their students in a respectful fashion. Likewise, students must demonstrate respect in their communications with instructors, guest speakers, and other students.

Late arrivals and early departures decrease the learning time available, interrupt the flow of class, and are distracting to all. Both the instructor and the student need to be in the classroom and ready to begin class at the scheduled starting time. Except in the case of sudden illness or other emergency, early departures should be avoided. If because of extraordinary circumstances, a student knows that he or she has to leave early, that student should let the instructor know before class and sit in a location where he or she can depart with minimal interruption. The instructor should be careful to avoid keeping the students in class past the scheduled ending time. In turn, students should refrain from packing up their belongings and/or leaving prior to being dismissed by the instructor.

It is also distracting when students engage in private conversations, use cell phones, listen to headphones, surf the internet on laptop computers or other devices, or read the newspaper or
other non-class materials during class. Cell phones, pagers, and similar devices must be adjusted so that they do not ring, beep, or buzz audibly during class. The exercise of common courtesy on the part of both the instructor and the students will enhance the success of this class.

Distance learning and online instruction presents challenges for both students and instructors alike. Our best efforts, and positive attitudes, will provide for a meaningful educational experience. Together we will make this work!