

## COURTS AND CRIMINAL PROCEDURE

CJ2394 • FALL 2017

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Professor: Dr. Travis Franklin  
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Classroom: Online  
Class Hours: Online  
Office Hours: Online (use email for *primary* contact and communication)

### REQUIRED READINGS

Hemmens, Craig, David C. Brody, & Cassia Spohn. (2017). *Criminal Courts: A Contemporary Perspective*, 3<sup>rd</sup> Ed. Thousand Oaks, CA: Sage Publications.

### COURSE DESCRIPTION

The purpose of this course is to provide students with an introductory understanding of criminal courts in America. In doing so, the course will address three broad issues: 1) the purpose and organization of courts in modern American society, 2) the nature of the courtroom workgroup (primarily judges, prosecutors, and defense attorneys) and their decision making, and 3) the processes and procedures responsible for producing “justice.” Addressing these three broad areas will allow students to get a sense of what the court system looks like in America, how the key players within the courts combine to produce important decisions (e.g., what charges to file, whether a plea bargain will be offered, what type of sentence is appropriate, etc.), and what the processes and procedures of justice look like.

### COURSE OBJECTIVES

1. To gain quality factual knowledge about the organization, structure, procedure, and “behavior” of criminal courts.
2. To think critically about issues related to the processing of defendants and the punishment of convicted offenders.
3. To develop a strong understanding of the criminal court workgroup and theories of criminal court decision making.

### ATTENDANCE POLICY

Participation in online discussions is especially important in this course, and as a result, students will not only be given a score grading the quality of their discussions, but also an “attendance” score for meeting each of the discussion deadlines. In the end, the attendance points will be the “easiest” to earn, and are designed to provide extra motivation to participate in each of the discussions.

## **COURSE REQUIREMENTS**

All students are expected to read the required reading assignments and participate in the online discussions for each course session. Since a substantial portion of this course will entail online discussion, it is especially important that students pay close attention to the readings to promote insightful interactions within the discussion forums. Students will be graded upon (1) class discussions, (2) a series of three exams, and (3) discussion attendance.

## **DISCUSSIONS**

Online forum discussions are a key component of the course, and this is where most of the “activity” will take place. Students are expected to participate in each of the discussions for the course sessions. Generally, students will be required to contribute their own original post to the discussion, but will also be required to respond to the posts of other students. Participating in both of these functions is imperative to creating quality discussions. Additional details about the online discussions will be available on the course website.

## **EXAMS**

There will be three exams in the course and each will consist of approximately 40-50 questions (either True/False or multiple choice). The exams will not be cumulative in nature, meaning they will only cover new material that students have not been previously tested on. Details about the administration of the exams will be provided online, but essentially, students will be required to take the exam during a specific window of time (see the schedule section of this syllabus), so be sure to plan accordingly throughout the semester.

## **MAKE-UP EXAM POLICY**

There will be **NO** make-up exams in the absence of an extreme documented medical or personal emergency. In the case of such an emergency, the professor must be notified prior to the date of the exam whenever possible. Early notification and/or proper documentation do not necessarily guarantee that a make-up exam will be granted. This decision will be at the discretion of the professor and in accordance with university policy.

## **GRADING POLICY**

Attendance (2.5 pts per discussion deadline)	35 points
Discussions (7 at 20 pts each)	140 points
Exam I	100 points
Exam II	100 points
Exam III	100 points
Total	475 points

### **ACADEMIC ETIQUETTE**

Students are expected to conduct themselves appropriately, respecting the opinions of others. Given that this course is being delivered in an online environment, try to be conscious of the fact that written comments run a higher risk of being taken out of context or misinterpreted than comments made in person.

### **ACADEMIC HONESTY**

Plagiarism or cheating of any kind will not be tolerated and students guilty of such behavior will receive a failing grade in the course. Since this course entails a written assignment, it is of *particular importance* that students fully understand what plagiarism is and how to avoid it. We will discuss plagiarism in detail at some point early in the course. Students can visit the Plagiarism.org website for valuable information concerning this issue. Further information concerning academic honesty is available at the following address:

[www.shsu.edu/dept/academic-affairs/aps/aps-students.html](http://www.shsu.edu/dept/academic-affairs/aps/aps-students.html)

### **CELL PHONE POLICY**

For information concerning SHSU's cell phone policy please see the following link:

[www.shsu.edu/dept/academic-affairs/aps/aps-curriculum.html](http://www.shsu.edu/dept/academic-affairs/aps/aps-curriculum.html)

### **DISABLED STUDENT POLICY**

Reasonable accommodations are available for students who have a documented disability. Please notify the professor during the first week of class of any accommodations needed for the course. Late notification may cause the requested accommodation to be unavailable. For further information concerning university policy see the following website:

[www.shsu.edu/dept/academic-affairs/aps/aps-students.html](http://www.shsu.edu/dept/academic-affairs/aps/aps-students.html)

### **RELIGIOUS HOLY DAY POLICY**

In accordance with SHSU policy 861001, students who wish to be absent from a scheduled class assignment on a religious holy day may provide a written statement to the instructor concerning their absence. If such a case arises, accommodations will be provided for the student. For additional information, please see the following: [www.shsu.edu/dept/academic-affairs/aps/aps-students.html](http://www.shsu.edu/dept/academic-affairs/aps/aps-students.html)

### **ADDITIONAL POLICIES**

1. Extra credit will NOT be made available on an individual basis (such assignments will only be made available to the class as a whole in the interest of fairness).
2. Emails to the professor must be written in a formal style to receive a response (this is simply for the purpose of adopting professional communication practices that will help you stand out in your future careers).
3. Any email requesting a higher grade for "trying hard" will be ignored (of course questions about grades are more than welcome).

## COURSE SCHEDULE

The following schedule may be modified with notice at the discretion of the instructor.

### PART I: THE PURPOSE AND STRUCTURE OF THE AMERICAN COURTS

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#### SESSION 1

8/23-8/27

#### **Course Overview, “Meet and Greet” Discussion and... Law and the Judicial Function**

**Readings:** Chapter 1

**Assignment:** “Meet and Greet” Discussion 1 (remains open all semester, but note the due dates below for earning your points)

**Due Dates:**

Self-introduction post for Discussion 1 due by midnight, **8/25**

Response posts for Discussion 1 due by midnight, **8/27**

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#### SESSION 2

8/28-9/3

#### **Sources of the Law**

**Readings:** Chapter 2

**Assignment:** Discussion 2 (opens 8/28 and closes by 9/3 at midnight)

**Due Dates:**

Original post for Discussion 2 due by midnight, **8/31**

Response posts for Discussion 2 due by midnight, **9/3**

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#### SESSION 3

9/4-9/10

#### **Types of Law**

**Readings:** Chapter 3

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#### SESSION 4

9/11-9/17

#### **Court Organization and Structure**

**Readings:** Chapter 4

**Assignment:** Discussion 3 (opens 9/11 and closes by 9/17 at midnight)

**Due Dates:**

Original post for Discussion 3 due by midnight, **9/14**

Response posts for Discussion 3 due by midnight, **9/17**

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**SESSION 5**

9/18-9/24

**EXAM I (opens Friday 9/22 and closes Sunday 9/24 at midnight)****Assignment:** Study for and complete Exam I

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**PART II: COURTROOM ACTORS AND THE COURTROOM WORKGROUP**

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**SESSION 6**

9/25-10/1

**Prosecutors****Readings:** Chapter 6

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**SESSION 7**

10/2-10/8

**Defense Attorneys****Readings:** Chapter 7**Assignment:** Discussion 4 (opens 10/2 and closes by 10/8 at midnight)**Due Dates:**Original post for Discussion 4 due by midnight, **10/5**Response posts for Discussion 4 due by midnight, **10/8**

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**SESSION 8**

10/9-10/15

**Judges****Readings:** Chapter 8

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**SESSION 9**

10/16-10/22

**Criminal Defendants and Crime Victims****Readings:** Chapter 9**Assignment:** Discussion 5 (opens 10/16 and closes by 10/22 at midnight)**Due Dates:**Original post for Discussion 5 due by midnight, **10/19**Response posts for Discussion 5 due by midnight, **10/22**

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**SESSION 10**

10/23-10/29

**The Jury****Readings:** Chapter 10

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**SESSION 11**

10/30-11/5

**EXAM II (opens Friday 11/3 and closes Sunday 11/5 at midnight)****Assignment:** Study for and complete Exam II

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### **PART III: COURT PROCESSES**

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**SESSION 12    Pretrial Procedures**  
11/6-11/12

**Readings:** Chapter 11

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**SESSION 13    The Criminal Trial**  
11/13-11/19

**Readings:** Chapter 12

**Assignment:** Discussion 6 (opens 11/13 and closes by 11/19 at midnight)

**Due Dates:**

Original post for Discussion 6 due by midnight, **11/16**

Response posts for Discussion 6 due by midnight, **11/19**

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**SESSION 14    Sentencing**  
11/20-11/26

**Readings:** Chapter 13

**THANKSGIVING BREAK** – Wednesday through Friday of this session

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**SESSION 15    The Appellate Process**  
11/27-12/3

**Readings:** Chapter 14

**Assignment:** Discussion 7 (opens 11/27 and closes by 12/3 at midnight)

**Due Dates:**

Original post for Discussion 8 due by midnight, **11/30**

Response posts for Discussion 8 due by midnight, **12/3**

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**SESSION 16    EXAM III (opens Wednesday 12/6 and closes Thursday 12/7 at midnight)**  
12/4-12/7

**Assignment:** Study for and complete Exam III

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