

**Criminal Procedure**  
**Political Science 4720**  
**Fall 2016**  
**2 :30-3:20 pm MWF**  
**Peabody 220**

**Instructor**

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**Office Hours**

Monday 11am – 12pm and by appointment

**Course Description**

This course examines the constitutional policy making of the United States Supreme Court in the area of criminal procedure. We will primarily be exploring some of the basic protections that the Bill of Rights affords citizens against the government in the sphere of criminal justice. We will also examine and discuss other salient issues in contemporary criminal justice, social policy, and legal discourse. The course syllabus is only a general plan for the course; I reserve the right to deviate from this plan – any such changes will be announced either in class or through other methods of communication.

**Required Text**

Lloyd Weinreb, *Leading Constitutional Cases on Criminal Justice* 2015 Edition (Foundation)

**Course Requirements**

The assignments listed below are intended to provide each student with several opportunities to demonstrate achievement of the course objectives. Specific requirements are as follows:

1. Midterm Exam	30 percent
2. Final Exam	30 percent
3. Class Participation	15 percent
4. Hypotheticals	15 percent
5. Moot Court	10 percent

**Description of Course Requirements**

*Midterm exam* (30%) - The first examination will be given after the 6<sup>th</sup> week of class unless otherwise noted in class. Thus, your midterm will happen around late September/ early October (date TBA). Students are responsible for all background and related material offered in the text and lectures. **Students who have a**

**legitimate reason for missing the exam must notify the professor before the exam and provide the professor with validating evidence (e.g., note from doctor).** Students with a valid excuse will be allowed to makeup the first exam during the professor's office hours no later than one week after the regularly scheduled examination date. Be forewarned: I will make exceptions under only the most unusual of circumstances.

*Final Examination (30%)* - There will be a non-comprehensive final examination. It will cover all course reading assignments, class lectures, and class discussions beginning at the midterm. As for the midterm, make-up examinations will be permitted under only the most extraordinary circumstances.

*Class Participation (15%)*: You should attend class, as much as possible, all of the time. That's a good general rule to follow for all of your classes, not just mine. It ensures that you don't waste your money, or your parent's money, or the money you've earned with all of your high school diligence. Still, you should do more than simply "show-up." Participation represents an integral part of this course, and attendance will be observed (and also formally taken) in all classes. Participation points are partly based upon regular attendance. The other portion of the grade is derived from actual class participation. To receive an A or B for class participation you must attend all classes, discuss the assigned reading and cases, and participate daily in class discussions and class activities, including moot court simulations. Class prep should include reading and "briefing" cases prior to class. While at first, briefing cases may seem tedious or overkill, with practice it will become easier.

*Hypotheticals (15%)*: Hypothetical questions are those in which you are given a case scenario and expected to compose an attorney's argument in response to the case described. No notes/ texts are allowed. They will be given on assigned days.

*Moot Courts (10%)*: Students will be given actual cases on the current SCOTUS docket to simulate the process of oral argument and decision making in the Court. As such, each student will act as attorney, justice, or amicus in one of these cases. Students who sign-up as attorneys will work as a team to research the relevant case law, develop written briefs to assist presentation, and participate in oral argument before the court. Students who participate as justices will act as a justice during oral argument, conference, and decision on the merits. Students who participate as amicus will write an amicus brief to be turned in to the professor and the justices before the case is scheduled for argument. Students will have an opportunity to sign up for their preferred case and role as the semester progresses. Anyone who misses the deadline for sign-ups will be assigned a case and role by the professor.

## **GRADING**

A	94-100	C+	77-79
A-	90-93	C	73-76
B+	87-89	C-	70-72
B	83-86	D	60-69
B-	80-82	F	below 60

## **ACADEMIC HONESTY AND PROFESSIONALISM**

*Standards of Conduct for Students:* Students should behave in a professional manner at all times. It is essential that the environment in this classroom and any other classroom be conducive to learning and tolerant of all races, ethnic groups, and gender. Any student behaving in a manner that is in any way disruptive or inappropriate to the professor or to other students in the class will be referred to the appropriate authority.

*Academic Honesty:* All students are responsible for maintaining the highest standards of honesty and integrity in every phase of their academic careers. For related information on University policy, see *A Culture of Honesty at the University of Georgia* issued by the Office of the Vice President for Instruction.

## **COURSE OUTLINE**

Specific reading assignments will be announced in class. I have provided below a useful outline of what we will cover in this course with approximate times. If you miss a day, then you should contact a classmate to get the notes for the missed class and to get the assignment for the next class.

- Week (1) The Criminal Justice System, Courts, and Sources of Rights
- Weeks (2/3) Fourth Amendment: Search
- Week (4) Fourth Amendment: Probable Cause and Warrants
- Week (5) Exclusionary Rule
- Week (6) Fourth Amendment: Arrests
- Week (7) Fourth Amendment: Arrests
- Week (8) Interrogation, Confessions, and Admissions
- Week (9) Interrogation, Confessions, and Admissions
- Week (10) Right to Counsel and Effective Assistance
- Week (11) Pre-trial Rights
- Week (12) A Defendant's Rights at Trial
- Week (13) Sentencing
- Week (14) Moot Court/ Review

## **Dates to Remember**

- Sept 5 LABOR DAY, NO CLASS
- Nov 21-25 THANKSGIVING BREAK, NO CLASS
- Nov 28-Dec 2 MOOT COURTS
- Dec 7 FINAL EXAM

Midterm Exam- DATE TBA

Hypotheticals- DATES TBA