

SYLLABUS

CJ294.01

THE COURTS AND CRIMINAL PROCEDURE

FALL 2007

Professor: Kelly T. Weeks, J.D.
Board Certified-Criminal Law
Texas Board of Legal Specialization
Office: CL23
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Class Hours: Wednesday 6-8:50 p.m.
Classroom: A213
Office Hours: Monday & Wednesday 1:00-4:00p.m. and Tuesday 9:00-12:00 p.m. and 1:00 to 4:00 p.m. or by appointment

TEXTBOOKS: Introduction to Criminal Evidence and Court Procedure by Julian R. Hanley, Wayne W. Schmidt and Ray K. Robbins (5th edition); Criminal Laws of Texas (TDCAA) 2005-2007. This book can only be purchased at Bearkat Books

COURSE DESCRIPTION AND OBJECTIVES

A. COURSE DESCRIPTION

This course examines the substantive law of evidence in Texas relating to criminal trials, as well as procedural matters from pretrial proceedings to trials and concluding with jury verdicts. We will also review arrest, and search and seizure law using the Texas Code of Criminal Procedure and the rules of evidence

B. COURSE OBJECTIVES:

The student will possess a basic understanding of:

1. the role of trial and appellate courts
2. the role of the public prosecutor
3. the role of the defense attorney
4. the pretrial release system
5. the formal charging process
6. the criminal trial process
7. the rules of courtroom evidence
8. search, seizure and arrest procedures

ATTENDANCE POLICY:

Attendance will be recorded pursuant to University policy. **MORE THAN TWO (2) ABSENCES WILL RESULT IN FAILURE OF THE COURSE.**

This rule applies to all absences, excused and unexcused. It is the responsibility of the student to sign the roll sheet. Failure to sign the roll sheet will be considered as an absence. Falsely signing the roll sheet will result in an automatic failure of the course.

REQUIRED READING MATERIAL:

The material in this course is cumulative. To fully understand one issue, the student must master the preceding material. Students should complete the reading assignments by the dates specified in the course schedule in order to participate meaningfully in class discussion.

GRADING POLICY:

Exam 1	100 points
Exam 2	100 points
Exam 3	100 points
Exam 4	100 points

Class participation will be considered

Total	400 points
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A	90-100	360-400
B	80-89	320-359
C	70-79	280-319
D	60-69	240-279
F	59 or below	below 240

ANNOTATED OUTLINE OF TOPICS TO BE COVERD FOR EACH CLASS MEETING:

Class meeting will be a mixture of lecture and class discussion. Other reading assignments will be assigned in class or posted on the blackboard. The topics examined will be as follows:

Note: CH references are to the Hanley, et al.. textbook. CCP references are to the Texas Code of Criminal Procedure. Evid. References are to the Texas Rules of Evidence.

OUTLINE OF TOPICS

Aug. 22	Introduction to course procedures The American and Texas Court Systems	CCP Chap.1,2.01-2.11 Chap.1, Chap. 2
Aug. 29	Search and Seizure Arrest	CH 3, Chapter 14,15 18 of CCP

	Warrantless Arrest	Art. 38.23 of CCP
Sept. 5	Confessions Exclusionary Rule	CH 4 Art. 38.22 of CCP
Sept. 12	Test & Review	
Sept. 19	Grand Jury Charging Decision	Chapter 19, 20, 21 of CCP Chapter 21 of CCP CH 5
Sept. 26	Pretrial release-bail Pretrial motions and practice	CH 5,6.1-6.7, Art. 39.14, 32.26 of CCP Chapter 17, 27 & 28 of CCP
Oct. 3	Pleas and Trial Overview	Chapters 33 through 37 of CCP CH 7.4,8
Oct. 10	The Real Deal- What really happens In court – Prosecution and Defense	CH 7
Oct. 17	Review & Test	
Oct. 24	Rules of Evidence	Chapter 9, 38 of CCP Evid. 401 to 407; 412; 105 to 107
Oct. 31	Hearsay Physical & Scientific Evid.	Evid. 801-806 CH 11, 13
Nov .7	Review and Exam	
Nov. 14	Witnesses, Opinions, Documentary And Privileges	Evid. 501; 503;504;505;508; 509;511; 601;602; 607; 608; 609 ;613; 701 through 705 CH 6.10-6.18,1011.1-11.9

Nov. 28 Mitigation, Sentencing and Appeals

CH 15

Art. 37.071 and 37.0711 of
CCP

Chapter 44 of CCP

Rules of Appellate Procedure 21
to 23 and 31

Dec. 5 Special Issues, Discussion and Review

Dec. 12

8p.m.-10 p.m. Final Exam

ACADEMIC HONESTY: This course will be conducted pursuant to the University rules regarding academic honesty which can be read at the following web address:

<http://www.shsu.edu/administrative/faculty/sectionb.html#dishonesty>

DISABLED STUDENT POLICY: Students with a disability which affects their academic performance are expected to arrange for a conference with the instructor in order that appropriate strategies can be considered to ensure that participation and achievement opportunities are not impaired. Please refer to the following website for additional information:

<http://www.shsu.edu/~counsel/sswd.html>

SERVICES FOR DISABLED STUDENTS: <http://www.shsu.edu/~counsel/sswd.html>

RELIGIOUS DAYS: see the following website:

<http://www.edu/catalog/scholasticrequirements.html#holyday>