



# Criminal Law

Criminal Justice 1330, Fall Semester 2006  
Location: Udvar-Hazy 242  
Day/Time: Wednesdays 5:00 p.m. – 7:20 p.m.  
Instructor: Brian G. Filter, Esq.  
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## SYLLABUS\*

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### TEXTBOOK

· Roberson, Cliff, Criminal Procedure Today: Issues and Cases, Prentice Hall; 2<sup>nd</sup> Edition (July 2002)

### OTHER READINGS

Utah Code Sections

Handouts and assignments as provided

### COURSE DESCRIPTION/OBJECTIVES

Criminal Law and Procedure is intended for students interested in a career in law enforcement, adult or juvenile corrections, law, private or industrial security, counseling or criminology and persons interested in the functioning of the criminal justice system of the United States. This course provides an overview of criminal law and procedures. Covering the history, organization and terminology of the criminal justice system, the elements of specific offenses, and Constitutional Rights. A variety of teaching methods, including lecture, videos, guest lecturers and assigned text study may be employed. This course prepares students for the Criminal Justice associate degree and for bachelors work.

### EXPECTATIONS

In addition to respecting the instructor and fellow students, college students in Criminal Justice 1330 are expected to:

1. Attend all classes;
2. Arrive on time, remain for the entire class and be attentive in class;
3. Be prepared – including but not limited to having read the assigned materials, participating intelligently in class discussion, and submitting assignments on time;
4. Bring appropriate textbooks, assignments, and other materials;
5. Maintain respect and civility toward instructor and fellow students;
6. Refrain from receiving cellular telephone calls or similar electronic interruptions during class;

### GRADING

The following items will comprise a final grade:

Midterm examination –	20% of final grade;
Final examination –	30% of final grade;
Moot Court –	20% of final grade;
Quizzes –	20% of final grade;
Class participation –	10% of final grade.

## QUIZZES

There will be a quiz given in every classes noted on the class schedule *infra*. There will be 12 Quizzes in all. Each quiz will consist of 5 questions, 2 points each for 10 possible points. Your ten highest grades from those quizzes will totaled (100 points possible) and factored into your final grade. Should you miss a quiz you may NOT make it up, NO exceptions.

## MIDTERM EXAM

The Midterm Examination will be given in the testing center from **October 18- 22, 2006**. It will consist of multiple choice, true/false and essay questions. You will need scantron and a blue book, please bring your own scantron sheet and blue book.

## FINAL EXAM

The final exam will be held in class on **December 13, 2006**. It will consist of multiple choice, true/false and essay questions. You will need scantron and a blue book, please bring your own scantron sheet and blue book. The final examination will be **comprehensive** covering materials throughout the term.

## SCOPE OF EXAMINATIONS:

The student will be responsible for all materials assigned in the book through the date of the examination, lectures, guest lecturer's presentations, any materials distributed in class and/or placed on reserve, as well as the content of any video or other multi-media presentation in class. If you fail to attend a class session please contact a fellow student or the instructor to ascertain what material may have been missed.

## MOOT COURT

Students will participate in a Moot Court exercise. There will be two portions to this project. First, students will research and write a legal brief. Secondly students will participate in an oral argument in Moot Court.

Students will work in teams of two. One student will be "lead counsel" for the writing of the brief and one "lead counsel" for the oral argument. However, both students must participate in both the research/writing of the brief and the oral argument and both students will receive one grade for the overall project.

Each team will be given a fact scenario and procedural history of a fictitious case. They will be assigned a side (Gov't or Defendant) and then will research and write an argumentative brief in support of their position. They will then participate in a moot court in class making argument to the "Supreme Court". Further details will be provided in class.

The brief must be no less than 5 and no more than 10 pages, typewritten, double spaced, typeface no larger than 12 point, and margins all around no larger than one inch. It must contain at least 5 legal citations from at least 3 different cases or statutory provisions.

The brief is **due**, at the **beginning of class**, on **November 1, 2006**. Briefs turned in after the beginning of class on that date will be penalized one full grade and an additional full grade for each day of tardiness thereafter – **NO EXCEPTIONS**. The brief may NOT be turned in electronically via email or otherwise, it must be a "hard copy". Final warning, if you may be late, ill, have car trouble, computer trouble, a

sick pet, or the like, do yourself a favor and turn in your brief at the previous weeks class. If for whatever reason you are not giving the paper to me in class you must either leave it with the department secretary or the receptionist at my office (Washington County Attorney's Office, 178 North 200 East, St. George) and make sure it is date stamped!

Each student must then participate in the Moot Court, making argument before the "court". Students will be expected to wear appropriate dress and act in an appropriate manner as if before a real court. The argument must be no less than 5 minutes and not longer than 10 minutes; the attorneys may be interrupted by the Court with questions. Again students will be graded on the information contained in the argument as well as the quality of the argument itself. A portion of the grade may be based on fellow student's evaluations of the arguments. Court dates will be assigned.

## **CLASS PARTICIPATION**

Students are expected to attend classes, be prepared (have read the assigned materials), and participate in class discussions. Student participation grades will be based not only on attendance and quantity of participation but on quality of participation.

## **SCHEDULE**

<b><u>Class Date</u></b>	<b><u>Reading</u></b> (to be completed prior to that class)
August 23	First class
August 30	Chapters 1 and 2
September 6	Chapters 3 and 4– QUIZ 1
September 13	Chapter 5 – QUIZ 2
September 20	Chapters 6 and 7 – QUIZ 3
September 27	Chapters 8 and 9 – QUIZ 4
October 4	Chapters 10 and 11 – QUIZ 5
October 11	Chapter 12 - QUIZ 6
October 18	Midterm Exam Review & Begin Utah Code
October 18 - 22	MIDTERM EXAMINATION (Testing Center)
October 25	Utah Code – QUIZ 7
November 1	Utah Code – Brief Due -QUIZ 8
November 8	Utah Code – QUIZ 9
November 15	Utah Code– Moot court – QUIZ 10
November 22-24	Thanksgiving Break
November 29	Utah Code - Moot Court QUIZ 11
December 6	LAST CLASS! Exam Review – QUIZ 12
December 13	FINAL EXAMINATION – In Class

Guest lecturers may be visiting class during the semester. Video and other presentations may also be made. Therefore, class discussions will not necessarily cover all materials in the book, however you are responsible for all assigned readings whether covered in class or not. Regardless of guest speakers or multi-media presentations, you are required to have completed all the readings according to the above schedule and be prepared to discuss the materials required through that date in class. You will note that the reading schedule is intensive at times; I suggest that you read ahead during breaks etcetera.

## **ACADEMIC DISHONESTY**

No form of academic dishonesty will be tolerated. This means no “cheating” will be tolerated. Cheating includes, but is not limited to, copying another student’s answers, consulting “crib sheets”, consulting with another student or any other act or attempted act seeking to gain unfair advantage. All work submitted must be the student’s own work. Plagiarism (the unattributed inclusion of another’s work as the student’s own), in whole or in part, will likewise not be tolerated and constitutes academic dishonesty. Any academic dishonesty will result in the student receiving a failing grade for the course.

## **IMPORTANT NOTES:**

1. A person missing an Examination or Quiz or not turning in a Paper will receive a 0% grade on that Examination, Quiz or Paper. Only under the most extraordinary of circumstances will a make-up examination be given for a student who was absent. Should such an extraordinary circumstance arise, contact the instructor as soon as possible to explain the reason for your absence. Proof of the underlying cause may be required. It will be at the instructor’s sole discretion as to whether to allow a make-up exam. Under no circumstances will a make-up Quiz be given.
2. This class involves the study of crime and criminal law. The subject matter and or materials presented may be graphic on occasion and disturbing to some. If at any time you are so affected and wish to leave class for that reason please feel free to do so.
3. I will on occasion refer to actual cases in which I have been involved. If you, a family member, or friend were also involved in a case discussed, be it as a victim, defendant, or otherwise, please let me know. Certainly no offense or desire to embarrass is intended.

## **DISABILITIES**

If you are a student with a medical, psychological, or learning disability and would like accommodations, contact the Disability Resource Center (652-7516) in the Student Services Center. The Disability Resource Center will determine the eligibility of a student requesting special services and determine the appropriate accommodations related to their disability.

\*The instructor specifically reserves the right to amend this syllabus at any time if he deems it necessary or appropriate to do so.