

The Criminal Justice System Spring 2019
PSC 362
Tuesdays 6pm-9:15pm
April 2 – June 5th

I. General Information

Professor: Daniel J. Hanichak
Cook County State's Attorney's Office
Assistant State's Attorney
Criminal Prosecutions Bureau
Felony Trial Division

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Office hours are by appointment. The best way to reach me is by email listed above.

II. Text

America's Courts & the Criminal Justice System

David W. Neubauer & Henry F. Fradella

Topical photocopied materials will be provided and distributed in class or available for download on D2L.

The tenth edition is the best version of the text. You may purchase the ninth or eighth editions instead to save on costs, however it will be more difficult to follow some of the readings and lectures if content has changed. You will be responsible for all material covered in class, which will be based on the tenth edition.

III. Attendance/Participation/Weekly Assignments

Attendance and participation is heavily factored into your final grade. (50% of final grade) Students may miss one class for any reason, excused or unexcused. If there is an assignment/exercise due that class the student is responsible for making arrangements PRIOR TO CLASS with me to turn in that assignment. Any missed assignment or exercise will result in a "0" unless arrangements are made with me in a timely manner. Each week you will be required to submit your assignment by 6pm to the D2L drop box. Details will be provided each week as to the specifics of each assignment.

Students may miss one additional class for an ***emergency or excused*** absence, however to avoid losing all points for that class the student must make similar arrangements as above AND must visit any local criminal court and then write a 2 page (double spaced) observation response paper discussing what you observed. The student must contact me prior to attending court so that I can give them instructions on when court starts and to provide the best opportunity to see “action” in court.

For each missed class after the second your grade will drop one level (A to an A-) and you will get “0” for all assignment and exercises due that class. Assignments will not be accepted via email or by alternate arrangements for students who have missed more than 2 classes.

IV. Desire2Learn

I will frequently post announcements & assignments there for which you will be responsible. There may be downloaded readings and materials posted as well. As stated above, your weekly assignments will also be due to be submitted to the D2L dropbox by 6pm each Tuesday.

V. Electronic Devices

The use of cell phones during class is prohibited and all cell phones must be turned off during class. If there is an emergency situation, which requires your phone to be set on vibrate, please inform me prior to the beginning of class. The use of laptop computers is permitted for class work. Refrain from texting or using facebook, or other services that could be distracting during class. If you receive a call or text that needs attention please step out of class. I reserve the right to bar individual use of laptop computers by any student who abuses this policy. The use of any photographic or recording device is strictly prohibited without prior consent.

VI. Grading

96-100: A

90-95: A-

86-89: B+

83-85: B

80-82: B-

76-79: C+

73-75: C

70-72: C-

69-0: NP

The grades will be determined as follows:

50% Class Exercises: Your class exercises will be graded 1-20 for each assignment. The grade will be based upon preparation, participation and your success in using the lecture & required reading to craft an effective strategic position for the class exercise. Your class participation grades will be made available to you upon request.

50% Midterm & Final Exams:

Midterm Exam: The midterm will be given **April 30th** during the first half of the class. Format of the exam will be provided the week prior.

Final Exam: The final exam will be given **June 5^h**. The final exam will NOT be cumulative, but rather will be an exam testing the materials covered after the midterm. Format of the exam will be provided in a class session prior to the final.

VII. Weekly Schedule – The following is a TENTATIVE schedule of each class and assignment. Pending class progress this may change. I reserve the right to alter this schedule at any time. All students will be put on notice of any changes and will be responsible for those changes.

April 2 Class 1

Lecture Topic: Introduction to the Class

Overview of the Criminal Justice System
Bond Hearings

Reading for Next Class: Chapter 1 Courts, Crime & Controversy
 Chapter 10 pages 234-242 Arrests
 Chapter 11 Bail
 Class Handouts

Exercise for Next Class: Prepare arguments for the Prosecution & Defense as to the bond/bail hearing as assigned. Submit your preparation to D2L prior to class.

April 9 Class 2
Exercise: Bond Hearings

Break

Lecture Topic: Preliminary Hearings & Grand Jury Indictments

Reading for Next Class: Chapter 10 pages 242-255
Class Handouts

Exercise for Next Class: Prepare preliminary hearing questions as Prosecutor and Defense as assigned. Submit your preparation to D2L prior to class.

April 16 Class 3
Exercise: Preliminary Hearings

Break

Lecture Topic: Discovery, Pretrial Motions, Search and Seizure

Reading for Next Class: Chapter 12 Disclosing & Suppressing Evidence
Chapter 13 Negotiating Justice & the Plea of Guilty

Exercise for Next Class: Prepare ruling on Motion to Quash & Suppress Evidence. Submit your ruling to D2L prior to class.

April 23 Class 4
Exercise: Discussion on rulings on Motion to Quash & Suppress

Lecture Topic: Plea Negotiations & Midterm Review

Reading for Next Class: No Reading Assigned – just prepare for midterm

April 30 Class 5

Midterm Exam

Reading for Next Class: Chapter 14 Trials & Juries

May 7

Class 6

No Exercise

Lecture Topic: Trials, Jury Selection & Opening Statements

Reading for Next Class: Opening Statement Handouts

Exercise: Prepare Opening Statements for Trial. Submit your opening statement to D2L prior to class.

May 14 Class 7

Exercise: Opening Statements

Break

Lecture Topic: Role of the Prosecutor, Direct & Cross Examinations

Reading for Next Class: Chapter 6 Prosecutors
 Class Handouts on Direct and Cross Examinations

Exercise: Prepare a Direct and Cross Examination as assigned. Submit your preparation to D2L prior to class.

May 21 Class 8

Exercise: Direct & Cross Examinations

Break

Lecture Topic: The Role of Defense Attorneys, Closing Arguments

Reading for Next Class: Chapter 7 Defense Attorneys
 Class Handouts on Closing Arguments

Exercise: Prepare a Closing Argument as assigned. Submit your closing argument to D2L prior to class.

May 28 Class 9

Exercise: Closing Arguments

Lecture Topic: Sentencing of the Convicted

Reading for Next Class: TBD

June 4th Class 10

TBD

June 11th FINAL EXAM