

SYLLABUS
MCJ 6210 (Seminar: Judicial Administration)

Fall 2013
Online Class

Professor: David Lynch, J.D., Ph.D.

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Online Office Hours: MWF, 11:00am-12:00 noon; Tu/Th, 3:00-4:00; or by appointment

Textbook: Spohn, Cassia and Craig Hemmens. "Courts: A Text/Reader, 2nd edition. (2012). Los Angeles: Sage Publications.

Course Description:

This course will expose students to the dynamics of the American criminal courthouse. Students will examine how defense attorneys, defendants, prosecutors, judges, juries and others interact and contribute to America's version of criminal case disposition. The course will examine the mechanics of criminal case processing, as well as how the system is supposed to work, how it really does work, and the implications for American democracy.

Please **DO NOT** use Canvas mail. Submit all written assignments (and general email inquiries) directly to: dlynch@weber.edu. Special Note: I have been told that Internet Explorer does not work well with Canvas! Google Chrome or Firefox work much better. Try to use one of those while navigating inside Canvas. Of course, assignments will be emailed directly to me anyway so this should not be too big an issue as far as submitting assignments to me goes.

Course objectives

Students taking this course will:

1. Familiarize themselves with the professional lives and duties of defense attorneys, prosecutors, and judges, and understand how these professionals interact with one another both formally and (especially) behind the scenes.
2. Learn about the system's heavy reliance on plea bargains instead of trials, the unfulfilled promise of an "adversarial system" of justice, and the reality instead of a system of justice based upon the so-called "courtroom work group."
3. Review how jury trials are conducted.
4. Learn about the dynamics of courtroom sentencing.

Course Mechanics in a Nutshell (See Course Schedule below for details):

This course involves basically four types of activities (there will be no exams or quizzes):

1. Read those materials of the course textbook as requested according to the schedule (see Course Schedule below). The name of the textbook is listed

near the top of this syllabus. The textbook is actually a combination textbook and depository for scholarly articles (a so-called “Text/Reader”).

2. Submit each week your written answers to certain “Discussion Questions” based on the assigned course book readings for that week. Your answers will be graded. Each answer should be about a small paragraph in length. These answers will be due each week by Friday at 11 pm. You are to email these answers to: dlynch@weber.edu.
3. OK, here is the creative part of the course: You are to have a 20 minute one-on-one telephone conversation with the course instructor each week (at your convenience) to discuss the reading topic(s) of that week. You will need to have read the assigned textbook readings (but not necessarily to have submitted your answers to the Discussion Questions yet)

due; a week in October when the instructor is at a conference; and the week that includes Thanksgiving.

COURSE SCHEDULE

MODULE 1

Week 1 (week of Monday, August 26)

Assignments:

1. Email Dr. Lynch at dlynch@weber.edu as early in the week as you can—or even before the course starts if you’d like-- and let him know your quick contact information: your best telephone number and preferred email address.
2. Read the “Introduction” (pages 1-26) in the course textbook “Courts: A Text Reader, 2nd Edition,” (2012), by Cassia Spohn and Craig Hemmens.
Answer the 10 “Discussion Questions” found on p.27 of this textbook.
Email your answers (about a small paragraph per answer) to

2. Read the scholarly article, “The Process is the Punishment” found in the course book on pages 46-54.
Answer the 7 Discussion Questions on pages 54-55 of the book. Email these answers by Friday, 11pm to dlynch@weber.edu
3. Telephone Dr. Lynch for one-on-

4. Telephone Dr. Lynch for one-on-one telephone chat at the designated time and day you set up with him previously.

Week 5 (week of Monday, Sept 23)

Assignments:

1. No Readings for this week. Instead, work on your 7-8 page paper due Saturday by noon.
2. NO Telephone Chat this week since there are no readings.
3. *** Paper (7-8 pages long) due by Saturday, noon. Submit your paper directly to: dlynch@weber.edu (do not use Canvas mail).

Instructions for Paper: Using materials found in your textbook and helpful information you can find on the internet, write a 7-8 page paper describing modern day prosecutors and defense attorneys. In your paper, be sure to answer the following questions (don't forget to cite websites and other sources whose ideas you use):

What are the various duties and roles of prosecutors? What are the various duties and roles of criminal defense attorneys? Whom do you admire more, prosecutors or criminal defense attorneys (explain)? If you had to be one, would you rather work as a prosecutor or as a criminal defense attorney (why)? Who has the harder job in your opinion (explain)? What personality traits should a person wanting to be a prosecutor possess? What personality traits should a person wanting to be a criminal defense attorney possess? Is it ethical, in your opinion, for criminal defense attorneys to represent someone whom they know for a fact is guilty? Is it ethical for prosecutors to initially overcharge people in order to get a fair plea bargain in the end? Are prosecutors and defense attorneys sufficiently adversarial when it comes to processing cases?

(Once again, email your paper (7-8 pages total) by Saturday, 12:00 noon, directly to dlynch@weber.edu)

MODULE 2

Week 6 (week of Monday, Sept 30)

Assignments:

1. Read the scholarly article, "Prosecutorial Discretion in Seeking Death" on pages 164-173.

Answer the 7 Discussion Questions on page 174. Email these answers by Friday, 11 pm to dlynch@weber.edu

3. *** Paper (7-8 pages long) due by Saturday, noon. Do not use Canvas mail. Submit your paper directly to: dlynch@weber.edu.
Instructions for Paper:
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Answer the 6 Discussion Questions on page 465. Email these answers by Friday, 11 pm to dlynch@weber.edu

3. Telephone Dr. Lynch for a one-on-one chat at the designated time and day you set up with him previously

Week 13 (week of Monday, Nov 18)

Assignments:

1. Read textbook discussion “Beyond Conviction and Sentencing” on pages 495-505.
Answer the 5 Discussion Questions on page 505. Email these answers by Friday, 11 pm to dlynch@weber.edu
2. Read the scholarly article, “The Federal Habeas Corpus Process: Unraveling the Issues” on pages 506-521.
Answer the 3 Discussion Questions on page 521. Email these answers by Friday, 11 pm to dlynch@weber.edu
3. Read the scholarly article, “Criminal Justice System Reform and Wrongful Conviction” on pages 521-538.
There are no Discussion Questions associated with this article to answer. Instead, write a 1-2 page summary of this article’s key findings in your own words. Email this summary by Friday, 11 pm to dlynch@weber.edu
4. Telephone Dr. Lynch for one-on-one chat at the designated time and day you set up with him previously.

Week 14 (week of Monday, Nov 25)

Special Note: Thanksgiving Break is Thurs/Fri of this week. Consequently, there will be no one-on-one chat this week with the Professor!!! Nor will there be office hours (via telephone or otherwise) on Thurs/Fri.

Assignments:

1. Read the textbook discussion on “Specialized Courts and Other Trends in Adjudication” on pages 539-549.
Answer the 4 Discussion Questions on page 549. Email these answers by Friday, 11 pm to dlynch@weber.edu
2. Read the scholarly article, “The Baltimore Drug Treatment Court” on pages 550-563.

Answer the 4 Discussion Questions on page 563. Email these answers by

THIS COMPLETES THE THREE MODULES AND ALL OF THE WORK NECESSARY FOR THIS COURSE. Thanks for all of your good efforts!