

PELLISSIPPI STATE COMMUNITY COLLEGE  
MASTER SYLLABUS

**CRIMINAL LAW & PROCEDURE  
LAW 2120**

**Class Hours: 3.0**

**Credit Hours: 3.0**

**Laboratory Hours: 0.0**

**Date Revised: Fall 2011**

**Catalog Course Description:**

Survey of state and federal law of crimes and criminal procedure; the legal assistant's role in criminal cases.

**Entry Level Standards:**

College-level competencies in logic, reading, and English are required.

**Prerequisites:**

LAW 1000

**Co-requisites:**

None

**Textbook(s) and Other Course Materials:**

**Required Text:**

1. Bevens, Neal, *Criminal Law and Procedure for the Paralegal*, (Thomson Delmar Learning, 2000)
2. *My Little Red Book*, 2010 (available from professor for \$6)

**Recommended Sources:**

1. *Tennessee Rules of Criminal Procedure*
2. Shapiro & Ames, *Tennessee Criminal Procedure* (in library)

**Useful Websites:**

- [www.fd.org](http://www.fd.org) (Office of Defender Services)
- [www.scotusblog.com](http://www.scotusblog.com) (Supreme Court blog)
- [www.supremecourt.gov](http://www.supremecourt.gov) (Supreme Court website)
- [www.tned.uscourts.gov](http://www.tned.uscourts.gov) (District Court website)
- [www.uscc.gov](http://www.uscc.gov) (U.S. Sentencing Commission)

**I. Week/Unit/Topic Basis:**

<b>Week</b>	<b>Chapter</b>	<b>Topic</b>
1	Chapter 1	Introduction to Criminal Law; paralegals in criminal law practice; foundations of criminal law; what constitutes a crime (.5 hour); the Criminal Trial: distinction between criminal law and civil law (.5 hour); participants: (defendants, police, judges, prosecutors, attorneys, clerks, paralegals, probation officers, other) (1 hour); federal v. state (.5 hour); common law v. statutory (.25 hour); ethical considerations (.5 hour)
2	Chapter	Arrest, Search and Seizure: 4th Amendment (1 hour); arrest, probable cause (1 hour);

2		warrants (1 hour)
3	Chapter 3	Post Arrest and Grand Jury: initial appearance, preliminary hearing (1 hour); prosecutor's office, staff, perspective (1 hour); grand jury, indictment (.75 hour); paralegal's role (.25 hour)
4	Chapters 4-5	Evidentiary Issues in Prosecution: admissibility, classifications of evidence (.5 hour); DNA, fingerprints, blood, polygraphs, voice testing (.5 hour); exclusionary rule, chain of custody (.5 hour); paralegal's role (.25 hour); Interrogation, Confessions, Miranda: rights and exceptions (.5 hour); profiling, custody, privilege (.75 hour)
5	Chapter 6	Arraignment and Discovery: procedure (1 hour); plea bargaining (1 hour); discovery (.5 hour); pretrial motions (.5 hour)
6	Chapter 7	Principals, Accessories and Attempt: first degree, second degree (.5 hour); before the fact, after the fact (.5 hour); conspiracy (1 hour); solicitation (.5 hour); ethical considerations (.25 hour); paralegal's role (.25 hour)
7	Chapters 8-9	Crimes Against the Person: components of a crime: mens rea, actus reus (.5 hour); proof, motive, degrees of murder (.75 hours); crimes that may also be torts (.25 hour); sex-related crimes (.5 hour); rape, sodomy, incest, etc. (1 hour)
8	Chapters 10-11	Crimes Against Property: Burglary, theft, receiving stolen property, robbery, fraud, forgery (1.25 hours); paralegal's role (.25 hour); Crimes Against Public Order and Morality, and Health: pornography, prostitution, drug crimes, DUI, invasion of property, concealed weapons, jury tampering, terrorism, vagrancy, cruelty to animals (1.25 hours); ethical considerations (.25 hour)
9-10	Chapters 12-13	Trial: Constitutional guarantees (2 hours); procedures (2 hours); To Kill a Mockingbird (2 hours)
11	Chapter 14	Defenses: presumption of innocence, burden of proof (.5 hour); affirmative defenses (1 hour); alibi, self-defense, other defenses (.5 hour); insanity (.75 hour); paralegal's role (.25 hour)
12	Chapter 15	Sentencing and Appeal: Constitution, guidelines, probation, parole, appeal (3 hours)
13		Mock hearings: Initial appearance (preliminary hearing and bond hearing) (3 hours)
14		Mock hearings: Sentencing hearing and Appellate argument (3 hours)
15		Final Examination

## II. Course Goals\*:

The course will:

- A. Expand student understanding of legal ethics. I, III, IV
- B. Develop awareness of basic legal principles when assisting an attorney within the area of criminal law. I, II, III, V
- C. Introduce students to the elements of various criminal offenses and defenses. I, II, III,

IV, V

- D. Foster the ability of students to develop an adequate understanding of the procedures by which criminal litigation is conducted in the state and federal systems. III, V
- E. Enhance students' skills to prepare basic forms and documents used in the criminal practice. I,II,III,IV,V
- F. Enhance student understanding of legal terminology. I, II, III, IV

\*Roman numerals after course objectives reference goals of the Paralegal program (Career Program Goals and General Education Goals are listed

[http://www.pstcc.edu/departments/curriculum\\_and\\_instruction/syllabi/](http://www.pstcc.edu/departments/curriculum_and_instruction/syllabi/) )

### **III. Expected Student Learning Outcomes\*:**

Students will be able to:

1. Recognize and avoid acts that constitute the unauthorized practice of law. (A)
2. Identify and use basic terminology of criminal law. (B, C, D, E,F)
3. Recognize and explain the function and purpose of motions to suppress. (B,F)
4. Identify the function of various federal and state courts having criminal jurisdiction. (B,C,D,E)
5. Draft a Motion to Suppress Evidence. (B,D,E,F)
6. Draft a Rule 16 discovery motion. (B,D,E,F)
7. Assist in pre-trial litigation and research. (B,C,E,F)
8. Recognize potential witnesses. (B)
9. Interview witnesses. (B, C)
10. Prepare exhibits. (B,C,D,E,F)
11. Understand rules and state statutes governing appeals in criminal actions.(B,C,D,E,F)

\* Capital letters after Expected Student Learning Outcomes reference the course goals listed above.

### **IV. Evaluation:**

A. Testing Procedures:

Students are evaluated primarily on the basis of tests.

B. Laboratory Expectations:

NA

C. Field Work:

Students will complete a Criminal Systems folder which will include various motions, pleadings, and other written assignments.

D. Other Evaluation Methods:

Class participation, group work, and homework will also comprise the final grade for the course. The instructor will provide full details the first week of class via a syllabus supplement.

All tests and papers will be graded for spelling and English usage in addition to content and format.

Any student encountering academic difficulty during the term is strongly encouraged to meet with the instructor to discuss options and solutions.

E. Grading Scale:

A	93-100
B+	88- 92
B	83- 87
C+	78- 82
C	73- 77
D	65- 72
F	64 and below

**V. Policies:**

A. Attendance Policy:

Pellissippi State expects students to attend all scheduled instructional activities. As a minimum, students in all courses (excluding distance learning courses) must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. Individual departments/programs/disciplines, with the approval of the vice president of the Learning Division, may have requirements that are more stringent. In very specific circumstances, an appeal of the policy may be addressed to the head of the department in which the course was taken. If further action is warranted, the appeal may be addressed to the vice president of the Learning Division.

B. Academic Dishonesty:

Academic misconduct committed either directly or indirectly by an individual or group is subject to disciplinary action. Prohibited activities include but are not limited to the following practices:

- Cheating, including but not limited to unauthorized assistance from material, people, or devices when taking a test, quiz, or examination; writing papers or reports; solving problems; or completing academic assignments.
- Plagiarism, including but not limited to paraphrasing, summarizing, or directly quoting published or unpublished work of another person, including online or computerized services, without proper documentation of the original source.
- Purchasing or otherwise obtaining prewritten essays, research papers, or materials prepared by another person or agency that sells term papers or other academic materials to be presented as one's own work.
- Taking an exam for another student.
- Providing others with information and/or answers regarding exams, quizzes, homework or other classroom assignments unless explicitly authorized by the instructor.
- Any of the above occurring within the Web or distance learning environment.

C. Accommodations for disabilities:

Students who need accommodations because of a disability, have emergency medical information to share, or need special arrangements in case the building must be evacuated should inform the instructor immediately, privately after class or in her or his office. Students must present a current accommodation plan from a staff member in Services for Students with Disabilities (SSWD) in order to receive accommodations in this course. Services for Students with Disabilities may be contacted by going to Goins 127, 132, 134, 135, 131 or by phone: 539-7153 or TTY 694-6429. More information is available at [www.pstcc.edu/departments/swd/](http://www.pstcc.edu/departments/swd/).

D. Other Policies: