

Pellissippi State Community College  
Master Syllabus

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**CRIMINAL LAW & PROCEDURE**  
**LAW 2120**

Class Hours: 3.0  
Laboratory Hours: 0.0  
Credit Hours: 3.0  
Revised: Fall 2011

Instructor:  
Office:  
Phone:  
E-mail:

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**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.

**Prerequisite; Corequisite:** LAW 1000

**Textbooks and Other Supplies:**

**Required Text:**

1. Bevans, 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.ussc.gov](http://www.ussc.gov) (U.S. Sentencing Commission)

**I. WEEK/UNIT/TOPICS:**

WEEK	UNIT	TOPIC
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 2	Arrest, Search and Seizure: 4th Amendment (1 hour); arrest, probable cause (1 hour); 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);

5	Chapter 6	paralegal's role (.25 hour); Interrogation, Confessions, Miranda: rights and exceptions (.5 hour); profiling, custody, privilege (.75 hour)
6	Chapter 7	Arraignment and Discovery: procedure (1 hour); plea bargaining (1 hour); discovery (.5 hour); pretrial motions (.5 hour)
7	Chapters 8-9	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)
8	Chapters 10-11	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)
9-10	Chapters 12-13	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)
11	Chapter 14	Trial: Constitutional guarantees (2 hours); procedures (2 hours); To Kill a Mockingbird (2 hours)
12	Chapter 15	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)
13		Sentencing and Appeal: Constitution, guidelines, probation, parole, appeal (3 hours)
14		Mock hearings: Initial appearance (preliminary hearing and bond hearing) (3 hours)
15		Mock hearings: Sentencing hearing and Appellate argument (3 hours) 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

### **III. EXPECTED STUDENT LEARNING OUTCOMES:**

The student 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)

### **IV. EVALUATION:**

#### **A. Testing Procedures:**

Students are evaluated primarily on the basis of tests.

#### **B. Laboratory Expectations: N/A**

#### **C. Field Work:**

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

#### **D. Other Evaluation Methods:**

1. 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.
2. All tests and papers will be graded for spelling and English usage in addition to content and format.
3. 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 Community College expects students to attend all scheduled instructional activities. As a minimum, students in all courses must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. (*Pellissippi State Online Catalog*)

### B. Academic Dishonesty:

Plagiarism, cheating and other forms of academic dishonesty are prohibited. A student guilty of academic misconduct, either directly or indirectly through participation or assistance, is immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions that may be imposed through the regular Pellissippi State procedures as a result of academic misconduct, the instructor has the authority to assign an F or a zero for the exercise or examination or to assign an F in the course. (*Pellissippi State Online Catalog*)

### C. Accommodation 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. Extended College Closure:

Pellissippi State Community College is committed to the educational process and student learning. In the event of a prolonged college closure (of at least a week), the educational process will continue through the use of the college's on-line learning environment (Desire2Learn). The instructor will post instructions, specific assignments, due dates, etc. in Desire2Learn (D2L). It is the student's responsibility to login to D2L and check posted instructions and assignments.