

CRIMINAL PROCEDURE: SURVEY SYLLABUS

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Required Texts:

LEADING CONSTITUTIONAL CASES ON CRIMINAL JUSTICE 2015 EDITION
Edited by Loyd L. Weinreb (Foundation Press ISBN 978-1-63459-391-5)

Class rules and information:

1. Regular and punctual class attendance is required. The attendance policy is governed by the Student Handbook. Late arrivals are not allowed.
2. A student's final grade will be primarily based on the quality of his or her final grade. In class "surprise" exams or assignments are also possible. I reserve the right to increase grades based on consistent and high quality class participation, and to lower grades (or give a failing grade) based on excessive lack of preparation or effort in class, or a lack of professional conduct or discourteous conduct. You are expected to be prepared every class.
3. Examination: There will be a final examination. You will be responsible for all issues raised in the assigned readings, whether or not they are discussed in class. You will also be responsible for all issues raised in class, whether or not they are covered in the assigned readings.
4. Etiquette: Students are expected to refrain from activities that could distract themselves or others from the discussion. These include, among others, e-mail and instant message communication, Internet browsing, side conversations, game playing, and eating. To facilitate compliance, I request that students turn off and put away all electronic devices before class begins. This prohibition includes but is not limited to laptop computers, cell phones, PDAs, and pagers.
5. Failure to complete or submit the entire exam will result in a failing grade in the course

The course will cover Constitutional Principles which confront both prosecution and defense attorneys. The area of criminal procedure is constantly changing and developing. We will explore those changes and developments with a particular focus on the Supreme Court's interpretations of the Fourth (search and seizures), Fifth (self-incrimination), and Sixth (right to counsel in the investigatory stage) Amendments.

Course Goals:

1. Pass Criminal Procedure portion of the Bar Examination
2. Improve skills in reading, writing and analyzing (RAP)
3. Exposure to basic Constitutional Law practice skills to think tactically and strategically
4. Go beyond mere memorization (“Imagination is more important than knowledge” Albert Einstein)

READINGS:

Topics covered :

Due Process

Fourth Amendment: Arrest and Search and Seizure

Electronic Surveillance: Agents and informers, and entrapment

The Right to Counsel

The Privilege Against Compulsory Self- Incrimination

Line-up and other forms of Identification

The readings are straight forward. We will attempt to cover five (5) cases per class. Simple read five cases from wherever we stop in the prior class.

NOTE: Readings outside the text book will be assigned