

**San José State University**  
**CASA/Justice Studies Department**  
**JS-103, Courts and Society, Spring 2019**

**Course and Contact Information**

<b>Instructor:</b>	Elizabeth Tejada
<b>Office Location:</b>	This course occurs entirely via Canvas. Check module link.
<b>Email:</b>	<a href="mailto:elizabeth.pacheco@sjsu.edu">elizabeth.pacheco@sjsu.edu</a> (all contacts for this course should occur via Canvas)
<b>Office Hours:</b>	<p>This is an online course. Virtual office hours will be held one hour per week. By appointment, I can be available by telephone, Zoom meetings, and live-chat.</p> <p>Additionally, for questions regarding <b>general</b> course policies, schedule, and assignments, post your question for the class on the “Discussion” link in Canvas. For contacts specifically regarding you (not the course generally) including your grade, etc. contact me via Canvas “mail.”</p>
<b>Class Days/Time:</b>	1/23/20 – 5/11/20
<b>Prerequisites:</b>	Prerequisite: Upper division standing. Note: A grade of "C" or better is required for graduation.

**Course Description**

Structure and functions of the court system. Emphasizes attorneys' and judges' roles and the court process. Examination of federal and state legislative, executive and judicial branch actions, including Supreme Court decisions in civil and criminal cases.

**Course Goals**

This course is an in-depth examination of the structure and process of the judicial system in the United States, both at the federal and the state levels. Topics to be discussed include: roles and behavior of various actors within the judicial system, the process of criminal law as compared to civil law, and the interrelationship between political and social impact on the judiciary.

***Using learning modules, you will explore:***

- Introduction to Courts and Society
- The Purpose and Role of Courts in Society
- The Structure of the Judiciary
- The Adversarial System
- Participants in the Courtroom
- Courts as “Interpreters” of the Law
- Adjudication of Claims: The Process of Deciding Cases
- Appeals
- Controversies and Injustices – Is Justice Possible

- Controversy – Changed Forms of “Justice”: Grand Jury, Plea Bargains, Mandatory Sentencing, and Jury Nullification
- Efforts to Limit the Judiciary: Restrictions Imposed by Each of the Courts and Legislature
- Trends and Reforms: Alternative Dispute Resolution, Alternative Systems
- Concluding Thoughts: A Call to Justice

The legal system is a sum of its parts. So we approach this subject not as isolated concepts. This course challenges you to review critically the themes and strategies involved in all aspects of the judiciary. You will gain a realistic sense of what it is like to work in and be a part of the criminal justice system. You will extend beyond identifying the roles and responsibilities of the major courthouse players, to examine how decisions are actually reached despite conditions of uncertainty, disagreement, and limited resources. From it, you will come to appreciate how the judiciary creates justice and its potential for change.

## **Required Texts/Readings**

### **Required Textbooks**

- (1) *Judicial Process: Law, Courts, and Politics in the United States*, 7<sup>th</sup> ed. by: David W. Neubauer; Stephen S. Meinhold, Publisher: Cengage Learning; Print ISBN: 9781305506527, 1305506529; eText ISBN: 9781337025942, 1337025941

Various options exist to purchase or rent the textbook. Shop around, as the prices range as low as about \$28. Remember you will need the textbook for the whole semester. But you can rent or buy an electronic copy, as you do not need to bring the textbook to class.

**Note:** You are not assessed on your ability to memorize any particular textbook, nor are you expected to just adopt the viewpoints of one author. Instead, this course seeks to challenge you to examine your own beliefs and opinions as supported by course materials. So each learning module in Canvas gives you a variety of materials on the topic. To accommodate different learning preferences, you are given a combination of handouts, videos, podcasts, and links to supplemental resources.

## **Course Learning Outcomes (CLO)**

Upon successful completion of this course, students can:

- CLO 1: Understand the constitutional structure and function of civil and criminal judicial processes from pretrial through litigation and appeal in the United States. Compare the state and federal courts.
- CLO 2: Identify and understand the roles played by participants in the United States justice system, including judges, attorneys, parties, witnesses and jurors.
- CLO 3: Critically analyze how developments in society can affect court decisions and the impact of court decisions on society.
- CLO 4: Read, write, and contribute to discussion with understanding and skill.

## **Course Format**

### **Reading**

This course covers a complex legal and procedural concepts. The learning modules are designed so you are not given a long list of seemingly unrelated terms and concepts to memorize. Instead, as outlined above, each learning module involves an aspect of the judiciary’s impact on justice. Since your grade is based on your ability to formulate and explain a position on these concepts, each learning module gives you a variety of materials. The materials present you with the viewpoints and theories involved in the topic. You will use the materials for the argument and theories to use in your

analyses in the discussion, assignments, and final report. This class is not assessing you on your ability to memorize any particular textbook. Instead, you must be able to analyze each topic using specifically cited examples from course materials to support your opinion.

So this course is reading and writing intensive. But you will notice that not all the reading is to be closely and meticulously reviewed. Each student takes this course with different goals and interests. To cater to the differences, each learning module includes a variety of materials to accommodate learning preferences. There are videos, handouts, and audio recordings.

On Canvas you are given suggestions for how to approach the topics. You will see, though, that you are not expected to memorize or retain all the material in detail. Some materials are labeled as “optional,” which you can review to the extent it is helpful to you. Some materials are “supplemental resources,” which is provided for those personally or professionally curious about the topic. The learning modules are scheduled to account for the complexity of the corresponding reading and subject.

This course is cumulative, so your success depends on your ability to keep up with the reading. If you do not keep current with the reading, you will not have the framework for the course lectures and discussion. Students know their study needs and pace. But suggested approaches are provided and discussed in Canvas. To help budget your time, a schedule is provided. Try to get ahead and read as much as possible during the first weeks.

### **Online Courses - All Communications, Assignments/Quizzes, and Exams Through Canvas**

**This course is administered entirely online.**

#### *Programs*

You need a computer and reliable internet connectivity to run Canvas and its programs. Assignments, quizzes, and/or exams require that the submission be in word-processing software (.doc or .docx), and software and hardware requirements that meet Canvas platform needs.

You must also have the related software and hardware requirements to access and download readings from the SJSU library, and related websites, including but not limited to Adobe Acrobat Reader or equivalent.

Course lessons and videos require that you have access to mp4 and media player, Youtube, Zoom and other conferencing programs. So you must have access to computer microphone and speakers.

#### *Course Materials-*

Updates and supplementary course materials - such as syllabus, handouts, notes, assignment instructions, readings, etc. – will frequently be posted for the course. It will be posted on either: (a) posted on Canvas and/or (b) a hyperlink link will be given on Canvas to where it can be accessed.

Canvas website is <http://sjsu.instructure.com>. You must regularly check Canvas and the email address associated with your MySJSU account at <http://my.sjsu.edu> to learn of any updates. Any difficulty accessing the materials must be reported to me before the deadline.

#### *Course Communication –*

All communication with me must be sent through Canvas. My announcements will be sent to you in Canvas. Make sure Canvas has your current contact information and that you set Canvas to send you immediate notifications of updates.

If you have general questions regarding the course, policies, and schedule, post it on the course’s Q&A Discussion board.

#### *Course Assignment, Quiz, and Exam Submissions*

Class assignments, quizzes, and exams are submitted in Canvas; no email submissions accepted. Submissions must be completely uploaded to Canvas by the due date and time; “late” submissions (meaning one minute or more) are subject to the “Late Policy” reduction below.

**Technical difficulties are your responsibility** (e.g. personal computer glitches, poor internet connection, software compatibility, etc.). So you must have a computer and reliable internet connectivity to run Canvas and its programs.

If a Canvas outage occurs, students must do each of: 1) take a screen shot to document the difficulty 2) submit a request to Canvas for help (keep written request of the request), and 3) immediately send me an email of the issue. I must receive notice of the Canvas outage before the due date and time. This course’s Canvas page has information and links to Canvas guides and tutorials.

See University Policy F13-2 at <http://www.sjsu.edu/senate/docs/F13-2.pdf> for more details.

### **Student Technology Resources**

Computer labs for student use are available in the Academic Success Center located on the 1st floor of Clark Hall and on the 2nd floor of the Student Union. Additional computer labs may be available in your department/college. Computers are also available in the Martin Luther King Library. A wide variety of audio-visual equipment is available for student checkout from Media Services located in IRC 112. For more information on student resources see the course’s module on Canvas has links and information to assist you with this.

### **Justice Studies Reading and Writing Philosophy**

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes *academic, critical, and creative engagement with language (i.e., reading and writing) throughout its curriculum*. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within a specific course, semester, or academic program but also over a lifetime.

### **Credit Hour Requirement**

SJSU classes are designed so to succeed students must spend **at least forty-five hours for each unit of credit**. For this three unit course, you must complete approximately 135 hours of study this semester (approx. 9 hours per week). This includes preparing for class, participating in course activities, completing assignments, and so on. More details about student workload can be found in University Policy S12-3 at <http://www.sjsu.edu/senate/docs/S12-3.pdf>.

- **Attendance and Participation**

Even though this is an online course, attendance and active participation is still required. According to University policy:

“Students are expected to attend all meetings for the courses in which they are enrolled as they are responsible for material discussed therein, and active participation is frequently essential to ensure maximum benefit to all class members. In some cases, attendance is fundamental to course objectives; for example, students may be required to interact with others in the class. Attendance is the responsibility of the student.”

<http://www.sjsu.edu/senate/docs/F15-3.pdf>

This course requires you to critically analyze the issues as specifically supported by the course lessons and discussions. You cannot benefit from these lessons and discussion if you are not monitoring Canvas and actively

participating in the activities. Failure to login to Canvas, timely and/or meaningfully participate in the activities will result in reduced grade penalty (up to 3%) and even result in being dropped from the class.

## Course Requirements and Assignments

The course consists of 100 total points/percentage. To determine your course progress, you just manually add up the points already earned.

<u>Final grades are based on :</u>	Category Total
Peer Discussions (choose 3 total, 2points each)	6%
Reading Quizzes (choose/take only 6 quizzes)	30%
Brief Assignment Choice (choose 3, 4 points each)	12%
Module Analysis Report (choose 3 total, 7 points each)	21%
Final Analysis Report (due uploaded by Mon. 5/14 10PM)	10%
Final Multiple Choice Exam (due completed by Fri. 5/15 10PM)	20%
Free Point/Percentage	1%
<hr/>	
Total	100 %

**Scores are final and will not be negotiated.** But if Canvas shows an error, you must notify me of any errors on Canvas by **Wed. 5/6 10PM.**

### Grading Scale

The grading scale corresponds to these points:

B+ 88– 86 points	A 100 – 92 points	A- 91– 89 points
C+ 78– 76 points	B 85– 82 points	B- 81– 79 points
D+ 68– 66 points	C 75– 72 points	C- 71– 69 points
F 58 points or below	D 65– 62 points	D- 61– 59 points

**“This course must be passed with a C or better as a CSU graduation requirement.”**

### Grading Opportunities

You should easily be able to track your progress in this course. Your course grade consists of a possible total of 100 points/100%. To determine your grade, you simply keep track of the points you earned and its corresponding course letter grade.

- **Module Quizzes**  
30%

You must take all assigned Module Quizzes. Each quiz corresponds to the learning module's topic. It will consist of about 10 questions that are a combination of multiple choice and true/false questions.

You can use your textbook and your notes. You cannot use outside resources like the internet. It is an opportunity for you to assess your understanding of the material and to gauge what, if any, questions you have for me to clarify the information. So give it an honest and meaningful effort.

You can each quiz two (2) times. But the questions will change each time. Still, this provides you the chance to honestly assess your understanding of the material in the first effort, and then, improve your score by doing the second effort. Your highest score earned by the deadline listed in the instruction will serve as the quiz score.

Your review and preparation for the Final is from your notes on the module Quizzes. So keep track of your lessons.

- **Peer Discussion** (choose 3, 2 points each) 6%
- **Brief Assignment Choices** (choose 3, 4 points each) 12%

Not all students like writing essays; not all students like multiple choice. To balance this interest, this course offers you the flexibility to earn your remaining points by choosing from list of assignment options and peer discussions. These are low-stakes assignments/brief answers (about 1-2 pages), that allow you the opportunity to further explore a topic not detailed in the lessons. You will be provided supplemental materials (documentaries, podcasts, news articles, etc.) to reflect on and form an opinion.

There is no "correct" answer. Rather, you are assessed on your ability to show you reviewed the materials, thought critically about it, and that you meaningfully engage and discuss your views on it with your peers.

Your grade includes your ability to: show you read the material, explain your opinion on the topic, and your use of specifically cited examples from your reading and the lessons to support your position.

**The options vary in due date and topics.** You will be offered at least 6 options for each category (Peer Discussion and Brief Assignment Choice). By clicking on the "Assignments" tab in Canvas and "sort by type," you can review the instructions to choose those of interest to you. Choose based on your interest and the due date. [The late policy applies.](#) You are responsible for keeping track of the deadlines of those assignments you choose.

- **Module Analysis Report** (choose 3 total, 7 points each) 21%

For each learning module, you will prepare an analysis of the controversy. These analysis builds on the opinions and reflections you completed earlier in the learning module. In about 3 pages, you will reflect on the material and explain its connection to our other lessons. You will only submit 3

analysis reports, but you will have at least 6 options to choose from. Each addresses a different part of our lessons. Choose based on your interest and the due date. [The late policy applies.](#)

To ensure you can explore these issues and the help to develop a thorough and substantive analysis, you will be randomly grouped (online) with peers to support your efforts.

You are not graded on how much you write or how elaborate the prose is. Instead, you are assessed on the substance. It must reflect your ability to read the text with a critical eye. Question what it says and how you feel about it. And show the depth of your knowledge through choosing on-point examples and accounts to answer the questions. You earn no points for a list of unrelated or unexplained quotes from your book or classmates.

- **Final Exam (due completed by 5/20 10:00PM) 20%**

You must complete the Final Quiz no later than opens on Canvas Mon. 5/14 and must be completed by Tues. 5/15 10:00PM. It consists of a combination of multiple choice and true/false questions. It is cumulative by testing all the topics you learned all semester.

**Free Point/Percentage**  
1%

This is exactly what it says: “free point/percentage.” There is no catch!

### **Grading Criteria:**

This is a critical analysis course. Grading is based on a qualitative, not quantitative basis. While some assignment options require just recall and application, most require you evaluate the material and develop an opinion. There is no “correct” position – meaning, you are not expected to agree with every position stated by the authors or me.

Instead, you are challenged to explore your own beliefs on these topics and support it using course materials. You are graded on your demonstrated understanding of the concepts by the relevance and accuracy of the examples you chose.

The goals and objectives vary depending on the assignment. The assignments range in difficulty level and due dates/times. So consider your options carefully. Each has its own grading detailed criteria provided in the instructions. In Canvas, I provide you with detailed instructions for each assignment.

Despite the different formats, the assignments each assess your ability to:

- comply with the assignment instructions
- explore and comprehend the course subject
- recall and retrieve relevant knowledge from your course material
- recognize pertinent examples that specifically illustrate your understanding of the example you chose. You must decide which examples are relevant and apply to the problem
- understand the connection between concepts

- develop an opinion or thesis on the issues
- utilize course materials to support your analysis
- apply the course concepts across settings
- critically analyze the course materials by making and explaining the connections between concepts and historical accounts. The more on-point your example is, the greater your points;
- summarize and highlight the main points briefly;
- approach the subject thoughtfully and professionally
- articulate your analysis by stating and explaining your opinion with specific cites to its supporting course materials

Duplicate, irrelevant, inaccurate, and/or loosely-related excerpts will affect your grade.

## Course Late Policy

- **Reading Quizzes** - The reading quizzes provide an important opportunity to assess your comfort with the material. In order to benefit from this practice, you must stay on pace with the material.
- 
- **Peer Discussion** - Since your classmates wait for and rely on your response to complete his/her own discussion, all discussions (initial and response posts) must be submitted by each of the deadlines listed. If either are late, the assignment will at most receive “meets expectations” (1-point) if submitted within 24-hours of the due date/time. Submissions are not accepted after 24-hours.
- **Brief Answer Assignment Choices**- Remember, you are offered at least six topics for your brief answer assignment choices; you can only choose 3. So, if you cannot make the deadline for a brief assignment choice, just pick a different one to submit. Late submissions will at most receive a score of 2 out of 4 points. Unless you have prior written approval, no late submissions made after 24hours from due date may earn 0 points.
- **Module Analysis Paper and Final Analysis**- Remember, you are offered at least six topics for your brief answer assignment choices; you can only choose 3. So, if you cannot make the deadline for a module, just pick a different one to submit. Late submissions will at most receive a score of 4 out of 7 points. Unless you have prior written approval, no late submissions made after 24hours from due date may earn 0 points.
- 
- **Final Multiple Choice Exam** - no late submission. All the questions must be completed by the deadline.

## Grading Policy:

All grades are final; no re-grading will occur. The above Late Policy applies to all deadlines that occur before I receive notification from AEC about accommodations. So if you have a disability that might require accommodations, speak to the AEC immediately to arrange.

This course is a critical analysis course heavily based on written submissions. This course is not rendering writing exams; your score will be based on the substance of your paper. Although you are not penalized for minor spelling, grammar, punctuation, etc., your grade does depend on your ability to articulate your research and opinions. Excessive errors will affect the clarity of your writing and my ability to understand your analysis. So, if needed, seek University support for writing assistance and tutoring.

## Ethical Conduct –

Your assignments require you examine and discuss viewpoints from various sources. Some are from course materials; others ask you to conduct research. As explained in each instruction, referring to the sources can be acceptable. The key is that anytime you use an idea or material you did not create, you must cite the source.



Academic misconduct occurs according to University policy. Academic misconduct includes cheating, fabrication, plagiarism, violating course rules, and facilitating academic dishonesty. Violations can be unintentional or inadvertent.

So ask if you are in doubt. Plagiarism includes but is not limited to:

- presentation of another's words or ideas as one's own without attributing the proper source
- copying material from books and journals
- taking material from the internet
- privately purchasing or obtaining papers from others, which one then presents as one's own
- Any material taken word-for-word from another source must be placed in quotation marks and footnoted or cited.

Even those ideas and information from other authors that are not a direct quote must be acknowledged with a citation.

Submissions are processed through Turnitin. So I discover when you use other's information even if you paraphrase it. If you cite the source, not only do you comply with ethical requirements, but it even shows the depth of your analysis (i.e., you did not just make it up) and could help your score.

If you do not cite the source you cause difficulties for both of us. Faculty members must report infractions to the office of Student Conduct and Ethical Development. Academic misconduct could cause failure for an assignment or course, and even in expulsion from the university.

So, this course requires: any information in your paper from a source that is not you must have a corresponding citation. I require no specific citing style (APA, MLA, etc.). But I require that all citations be contained within the text (immediately following the sentence it belongs to); a **“work cited” list at the end of the paper is ambiguous and will not suffice.**

Failure to follow these citing requirements will: at minimum, reduce your grade for failing to follow instructions, and could be considered plagiarism.

For more information see, the University Academic Integrity Policy S07-2 (at <http://www.sjsu.edu/senate/docs/S07-2.pdf>) requires you to be honest in all your academic course work. The Student Conduct and Ethical Development website is available at <http://www.sjsu.edu/studentconduct/>.

## Student Resources

### Tutoring at the Writing Center

The SJSU Writing Center will be open for tutoring. During the fall and spring semesters, we also conduct drop-in tutoring sessions (on a first-come, first-served basis) at our location in Clark Hall 126. Tutoring appointments are scheduled through our Online Reservation System or at (408) 924-2308. They are located on the second floor of the MLK Library. Students can schedule appointments online at <https://sjsu.mywconline.com/>.

### Student Technology Resources

This course's Canvas page has information and links to Canvas guides and tutorials.

Computer labs for student use are available in the Academic Success Center located on the 1st floor of Clark Hall and on the 2nd floor of the Student Union. Additional computer labs may be available in your department/college. Computers are also available in the Martin Luther King Library. A wide variety of audio-visual equipment is available for student checkout from Media Services located in IRC 112. For more information on student resources see the course's module on Canvas has links and information to assist you with this.

## Academic Liaison Librarian

Higgins, Silke: [Silke.Higgins@sjsu.edu](mailto:Silke.Higgins@sjsu.edu); (408) 808-2118; <http://libguides.sjsu.edu/justicestudies>

### Add and Drop:

Students must add or drop the class by the University deadline. Check the university calendar for the last day to drop the class without a “W” grade. Students must know of the deadlines and penalties for dropping classes. **For the Winter Session it is Thurs. 1/3.**

More information can be found at: Refer to the current semester’s Catalog Policies section at <http://info.sjsu.edu/static/catalog/policies.html>.

Add/drop deadlines can be found on the current academic year calendars document on the Academic Calendars webpage at [http://www.sjsu.edu/provost/services/academic\\_calendars/](http://www.sjsu.edu/provost/services/academic_calendars/). The Late Drop Policy is available at <http://www.sjsu.edu/aars/policies/latedrops/policy/>.

Information about the latest changes and news is available at the Advising Hub at <http://www.sjsu.edu/advising/>.

### Disabilities

The winter session is on an accelerated schedule. So any student who has needs academic accommodations for a disability must contact without delay the Accessible Education Center (AEC) (at <http://www.sjsu.edu/aec>) to register and get assistance. Telephone: 408-924-6000; email: [aec-info@sjsu.edu](mailto:aec-info@sjsu.edu). See Presidential Directive 97-03 (at [http://www.sjsu.edu/president/docs/directives/PD\\_1997-03.pdf](http://www.sjsu.edu/president/docs/directives/PD_1997-03.pdf))

### University Policies

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. is available on Office of Graduate and Undergraduate Programs’ [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/>

### CASA Student Success Center

The Student Success Center in the College of Applied Sciences and Arts (CASA), on the 5<sup>th</sup> floor of MacQuarrie Hall, provides advising for undergraduate students majoring in or wanting to major in programs offered in CASA. All CASA students and students who would like to be in CASA are invited to stop by the Center for general education (GE) advising, help with changing majors, academic policy related questions, meeting with peer advisors, and/or attending various regularly scheduled presentations and workshops. If you are looking for academic advice or even tips about how to navigate your way around SJSU, check out the CASA Student Success Center. Location: MacQuarrie Hall (MH) 5331. Contact information: 408.924.2910. Website: <http://www.sjsu.edu/casa/ssc/>. **The CASA Student Success Center also provides study space and laptops for checkout.**