

**Advanced Issues in Criminal Justice  
Syllabus  
Spring 2013  
Texas Wesleyan University School of Law**

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**Office Hours: Tuesday & Thursday 3-5 pm.**

**Course Overview:**

Over ninety percent of the criminal cases in the United States are resolved before going to trial. In this two-credit seminar we will consider the most traditional form of dispute resolution in criminal cases: plea bargaining of criminal cases. The course will also look at emerging trends in the criminal justice system such as restorative justice and therapeutic courts including drug courts. This seminar will also examine issues relating to juvenile justice including alternative proceedings and the theory and policy underlying the treatment of juvenile offenders. Students will gain a basic understanding and critically examine the various forms of criminal case resolution and the underlying policy goals.

**Office Hours and Conferences:**

I have an open door policy. If my office door is open, please feel free to come in and talk with me. If my office hours do not work with your schedule and/or if you would like to set up a specific time to meet, please let me know and we will arrange another time to meet. I encourage all students in this seminar to take the time to discuss possible paper topics with me and to discuss the work on your paper as it is progressing.

**Course Web Site:**

This course will extensively use a course web page created through the LexisNexis Web Course (hereinafter the Web Course). You will find it listed as “Advanced Issues in Criminal Justice.” The syllabus, required reading, and other class materials will be posted to the site.

I will also regularly send e-mail messages to the e-mail account that you designate when you register with the LexisNexis Web Course. It is your responsibility to check this account regularly (at least once a week) and to make sure that the account remains functional and to ensure that you have read any messages that I may send to you on that account.

## **Required Reading:**

This course is unique and as such there is no one book that we can rely on for the reading. Most of the reading for this course will be in the form of materials that I have created electronically and will post on the Web Course. It is your choice whether you print out hard copies of the reading material. The one required book to purchase is: *The Little Book of Restorative Justice* by Howard Zehr.

Please be aware that the reading for this course is “front loaded.” This means there is not required reading for every class, particularly towards the end, but the amount of reading is heavier at the beginning of the class when I am trying to make sure that every student has a basic understanding of the topics we are discussing during the semester. And, during the weeks that there is assigned reading, please be aware that some weeks will have more pages to read than other weeks.

## **Grading:**

If you are taking this course for rigorous writing credit, I will base your grade on your classroom participation, the quizzes, your oral presentation of the seminar paper, and the final written seminar paper. For students who are not using this course to complete the rigorous writing assignment, the required alternatives to the seminar paper are listed below. On or before January 22, 2013, students must inform me, in writing, if they do not intend to use this course for rigorous writing credit.

1. **Classroom participation:** This will be worth a total of 40 points towards your final grade. Your class participation grade will reflect both the quality of your participation in each class and your overall attendance. Each student will engage in a debate for one class session. The purpose of the debate is to discuss the topic of the day from various perspectives. You will be expected to coordinate in advance with your fellow debaters. You will be assigned questions to address during the debate. You will be expected to show, through the debate, that you have read the assigned reading (including citing to specific readings). The debate will last for 30 minutes. On days when you are not acting as a debater you will be expected to read all the assigned materials and actively participate in the class.
2. **Quizzes on Reading Material:** This is worth a total of 30 points. There will be three random quizzes given on the reading material for the class. Each quiz will be worth 10 points. Unfortunately, I have found that some students decide to skip the reading and “wing” it in class. This both weakens the quality of the in-class discussions and the learning experience for everyone in class. To encourage students to do the reading, I will give three quizzes, at the beginning of class, randomly through the semester. If you are absent on the day the quiz is given, or arrive late, you will have ten points deducted from

your final grade unless you have notified me, before class, that you will be absent or late. If you have given adequate notice, I will allow you to turn in a substitute assignment which will focus on the reading for that week. I will send that substitute assignment to you via email and it will need to be turned in on or before the next class meeting.

3. **Seminar Paper:** This will be worth a total of 120 points towards your final grade. You are required to turn in a Topic Statement on January 22, 2013. The First Draft is due on March 19, 2013. The Final Draft is due on April 26, 2013. Please turn in your Topic Statement, First Draft and Final Draft by 6 pm on the day it is due to my e-mail address. You will have ten points deducted if you are late turning in any of these documents. The Final Paper is the one that will be graded. I will base your grade on the factors listed in the grading sheet attached to this syllabus (see below). The first draft of the paper should list, on a separate piece of paper, a minimum of fifteen (15) different sources that you have consulted. Ten points will be deducted from your final grade if the first draft fails to list fifteen sources or give a satisfactory justification about why you cannot find fifteen sources. To comply with Academic Standard 3.3, the final draft of the paper must be 6,500 words exclusive of footnotes/endnotes.<sup>1</sup> Any paper that fails to meet this minimum requirement, fails to meet the minimum requirements to pass this course. The paper should be in 12 point Times Roman, double spaced with standard margins. The maximum length is 8,500 words exclusive of footnotes/endnotes.

**Please note:** Your paper topic is subject to approval by me. A significant portion of class time is devoted to student presentations of papers. It is therefore important to have a variety of subjects for the papers. In the event that too many people turn in a topic statement on the same general topic, such as drug courts, I will approve the topic only for those who have the most clear and original topic statement. For all others I will set a new deadline to turn in a new topic statement and require that you meet with me to discuss it before the deadline. This meeting is separate and apart from the one required meeting for the semester (see below). I require this additional meeting specifically for topic selection to make sure that the next topic submitted is approved and to minimize the delay in starting to research. If you fail to turn in a topic statement by the newly set deadline you will have ten points deducted from your final score. This process will be repeated as many times as necessary until I give final approval for your topic.

**Please note:** You are required to meet with me at least once during the course of the semester to discuss your paper and on-

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<sup>1</sup> Tables, graphs and charts that are not the original work of the student do not count towards the minimum word count.

going research. I have shortened the class period during one class this semester to accommodate this required conference. I encourage you, however, to meet with me more than the one required time. This is because discussing your on-going research, ideas, and drafts, is an essential part of the process for a writing project of this size. In addition, a large part of my job is to help give you guidance to be sure that your final paper is as good as it can possibly be. If you fail to meet with me at least one time outside of class during the course of the semester, you will have ten points deducted from your final grade.

4. **In Lieu of Rigorous Writing Requirement:** If you are not doing this course for the Rigorous Writing Requirement, you must notify me by *January 22, 2013*. These students will need to complete the following, in addition to class participation, random quizzes on the reading, and an oral presentation of their research:

1. Research Project:

Students are to pick a research topic, subject to the same requirements noted above. The topic can be related to the Observation of the Specialty/Problem Solving Court (see below). Students will not need to complete a seminar paper, but will need to do the required oral presentation (see below) and write a ten page written summary of their research/findings/analysis. This paper should have citations, but it is not expected to be as detailed or involved as the seminar paper. Students are also required to meet with me at least once during the semester to discuss their on-going research.

This written summary will be worth 80 points. It will be graded based on your research, your writing, and your analysis (see grading sheet below). Students do not need to turn in a rough draft of this summary, but can choose to turn one in. The summary is due on the same day as the final drafts of the seminar paper. The summary should be 10-12 pages long, double spaced, Times New Roman 12 pt.

2. Observation of Specialty/Problem Solving Court:

As we will discuss in class, both Tarrant County and Dallas County have a full array of problem solving/specialty courts including drug courts, veterans courts, and mental health courts. You will be required to pick one court in any county (you are not limited to Dallas or Tarrant County) and observe one specialty court session. You will need to complete a Court Observation Summary (see below) and turn it in. If your schedule does not allow you to complete a court observation please see me and I will give you an alternate assignment.

*Please note:* you will probably need to call in advance to be sure you know when the court meets and to let the judge know that you will be observing. Some problem solving courts (such as the Prostitution Court in Dallas) are not open courts. If you are told you are not welcome to attend a particular court session, just find out what other court sessions you may be able to attend. In all of these communications I expect you to be professional and remember that you are representing Texas Wesleyan at all times when you contact these courts and attend the court sessions. I will deduct up to 30 points from your final class grade if there are any problems with professionalism in connection with the court observations. If you have any questions about what would, or would not be professional behavior, please ask. A minimum standard of professionalism will include dressing professionally for the court session, being respectful in all communications with anyone connected to the court, and following any instructions you are given in connection with the court observation by the court personnel, the judge, the prosecutor or defense lawyers.

The Court Observation Summary will be worth a total of 40 points. You can complete this summary at any point during the semester, but it must be done by the last day of class: April 16, 2013. You can turn it in via email or hard copy. If you turn it in via email and you do not get a confirmation email from me within 24 hours, please assume it was not received and sent it again.

5. **Oral Presentation of Seminar Paper/Research Project:** This will be worth a total of 40 points towards your final grade. If you are not prepared to present your paper on the date assigned you will have twenty points deducted from your final score. I will base your grade on the Oral Presentation on the factors listed in the attached grading sheet (see below). You are required to dress professionally on the day you are presenting your paper. Failure to dress professionally will result in a ten point deduction from your final score. The time limit for each oral presentation is fifteen minutes.

### **Resources:**

The Library is building its collection in this subject area. However, due to the unique subject of this seminar you may find that our library does not have all of the books or other resources that you will need to write your seminar paper. I therefore encourage you to plan ahead. The earlier you start the serious process of researching your topic, the earlier you can identify books and other materials that you may need to order through interlibrary loan.

In previous years I placed books on reserve in the Library for my classes so that all students will have equal access to the books that might be relevant to topics they choose. However, few students took advantage of this arrangement. It is time consuming for our library staff to place books on reserve and since so few students took advantage of that arrangement, I have therefore decided not to put any books on reserve for this class. This means that if multiple students are interested in the same books the first one to the library will have priority. It will be up to you to work cooperatively as a class to share the resources.

**Attendance and Class Participation:**

You are required to attend all classes. The Law School has a mandatory attendance policy. Pursuant to that policy, any student who misses more than **25%** of classes will be withdrawn from the class. Tardy arrivals or early departures may be considered absences.

Occasionally, I may need to schedule a make-up class during one of the official make-up times. I will announce the make-up class at least one week in advance. Attendance will be taken at make-up classes.

**Disability Policy:**

The Texas Wesleyan School of Law adheres to a disability policy that is in keeping with the relevant federal law. The law school will provide appropriate accommodation as determined by the Assistant Dean of Student Affairs, in consultation with the Director of the Counseling Center, Dr. Michael Ellison. Students must notify the Assistant Dean of any permanent or temporary disabilities and must provide documentation regarding those disabilities prior to the granting of an accommodation. Due to the law school's policy of testing anonymity, students should not discuss their disabilities with professors. For assistance, students should consult with the Assistant Dean.

### **Laptop Computers, Cell Phones & Other Electronic Devices:**

You will find that this course depends on active participation from everyone. As such, it is important to keep the distractions of electronic devices to minimum. I allow the use of laptops in this course for the exclusive purpose of having the reading for the day available without requiring you to spend the money to print it out. However, the use of laptops is limited to the reading for the day and taking notes. I will deduct class participation points if you use the laptop to surf the web, do instant messaging, check your Facebook page, or do anything that is unrelated to the two allowed tasks: consulting the reading for the day or taking notes. I reserve the right to revoke the privilege of using laptops in this class for any individual student who violates this policy. And, if it seems to be a widespread problem, I will revoke it for the class as a whole.

Any electronic device that allows for audio or visual or any other type of recording is prohibited. Electronic recording of this class, in any way, is prohibited. In addition, you are not allowed to use cell phones in this class unless you have asked me before class and I have given permission for you to use your cell phone on that particular day. I will grant permission only for specific and legitimate reasons. I reserve the right to deduct 5 points from your grade each time I see you use a cell phone. I will not give you a warning.

The only exception to these policies will be for those with prior permission from the Assistant Dean of Student Affairs. Otherwise your cell phones should be turned off or in silent mode during the class and no recording devices of any kind are allowed.

### **Class Calendar:**

Please be aware that I am in the process of scheduling guest speakers for this class. Due to the busy schedules of our guest speakers, some class topics may need to be rearranged to accommodate their schedules and/or we may have last minute changes if the guest speaker/s scheduled for a particular day needs to cancel. Please be flexible and understanding about these circumstances that will be out of all of our control. I will notify you either in class or via the Web Course of any changes as soon as possible.

### **Class 1: January 8: Introduction**

*Required Reading: On the Web Course.*

### **Class 2: January 15: Plea Bargaining: Background & Concerns**

*Required Reading: On the Web Course.*

*Required viewing:*

Watch PBS Frontline “The Plea” available at:  
<http://www.pbs.org/wgbh/pages/frontline/shows/plea/view/> (90 minutes long).

**Class 3: January 22: Plea Bargaining as Dispute Resolution**

*Required Reading: On the Web Course.*

**❖ Topic Statement for Paper Due**

**Class 4: January 29: Introduction to Basics of Neuroscience & Problem Solving Courts/Therapeutic Courts**

*Required Reading: On the Web Course.*

**Class 5: February 5: Problem Solving Courts/Therapeutic Courts: Beyond Drug Courts and Concerns**

*Required Reading: On the Web Course.*

*Note: This class will have to be rescheduled.*

**Class 6: February 12: Guest Speakers on Problem Solving Courts**

**Class 7: February 19: Restorative Justice: Background**

*Required Reading: The Little Book of Restorative Justice by Howard Zehr and other reading posted on the Web Course.*

**Class 8: February 26: Discussion of paper status, research, obstacles, and achievements.**

*Note: This class will be shorter than usual as all students are required to sign up for a conference to discuss their paper and on-going research.*

**Class 9: March 5: Restorative Justice: Concerns**

*Required Reading: On the Web Course.*

**Class 10: March 19: Juvenile Justice**

*Required Reading: On the Web Course.*

*Optional:*

Watch PBS Frontline “Juvenile Justice” and “When Kids Get Life.” Available on reserve at the library. “When Kids Get Life” also available to view at: <http://www.pbs.org/wgbh/pages/frontline/whenkidsgetlife/view/>

**❖ First Draft of Paper Due**

**Class 11: March 26: Guest Speakers on Plea Bargaining**

**Class 12: April 2:**

Class Presentations of Papers

**Class 13: April 9:**

Class Presentations of Papers

**Class 14: April 16:**

Class Presentations of Papers

**April 26:**

❖ **Final Draft of Paper Due**

**Seminar Paper Grading Sheet**  
**Advanced Issues in Criminal Justice**

**Style:**

Title  
Lead  
Used shorter words  
Used shorter sentences  
Used active voice  
Used vivid language & images  
Avoided unnecessary words  
and qualifiers  
Proofreading  
Correct citation format  
Used helpful headings  
Double spaced, Times New Roman, 12 pt.

**Total Possible Points: 25**

**Content:**

Gave good description of background information  
Applied information well  
Used good analysis  
Demonstrated understanding of the subject  
Used clear argument/explanation  
Clear conclusion

**Total Possible Points: 60**

**Research:**

Demonstrated high quality of research  
Used appropriate variety of sources  
Provided sufficient support for statements

**Total Possible Points: 35**

Points deducted for late Topic Statement  
Points deducted for late First Draft  
Points deducted for late Final Draft  
Points deducted for failure to meet with Professor outside class

Minimum of 6500 words exclusive of footnotes/endnotes (if no, will fail course).

**TOTAL 120 points**

**Research Summary Grading Sheet**  
**(In Lieu of Seminar Paper)**  
**Advanced Issues in Criminal Justice**

**Style:**

Title  
Lead  
Used shorter words  
Used shorter sentences  
Used active voice  
Used vivid language & images  
Avoided unnecessary words  
and qualifiers  
Proofreading  
Used helpful headings

**Total Possible Points: 20**

**Content:**

Gave good description of background information  
Applied information well  
Used good analysis  
Demonstrated understanding of the subject  
Used clear argument/explanation  
Clear conclusion

**Total Possible Points: 60**

Points deducted for late Topic Statement  
Points deducted for late Final Draft  
Points deducted for failure to meet with Professor outside class  
Points deducted for failure to meet length requirement (10 pages minimum, 12 pages maximum, double spaced, 12 point Times New Roman).

**TOTAL     80 points**

## Oral Presentation Grading Sheet

### Style:

Easy to understand  
Minimal use of jargon  
Maintained eye contact with the audience  
Spoke clearly without reading  
Good pace of speaking (not too fast)  
Engaged the audience

**Possible Points: 10**

### Content:

Gave well organized presentation  
Demonstrated good research  
Provided clear conclusions/explanations  
Finished within time limit

**Possible Points: 25**

### Use of Visual Aids

Helped audience to follow talk  
Helped to illustrate points/conclusions

**Possible Points: 5**

Points deducted for failure to present on day assigned:  
Points deducted for failure to dress professionally:<sup>2</sup>

**Total Possible Points: 40**

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<sup>2</sup> Professional attire means suits and neckties for men and the equivalent for women. Professional attire does not include baseball caps, jeans, and flip-flops. If you have any questions on what is appropriate please ask before you are scheduled to present.

## Court Observation Summary

**Court Observed:**

**County:**

**Date:**

**Time/duration of observation:**

**I. Basics of the Court:** In this section you should describe who is eligible for this court and what the goals of the court are; whether it is pre or post-conviction; what the requirements are for completion; how long this court has been operating; and how many participants have successfully completed it.

**II. Description of Court Proceedings during your observation:** Describe what happened in the court while you were observing. Please do not include full names of defendants.

**III. Interviews with Judge, Prosecutor & Defense Lawyer:** If possible you should try to talk with the Judge, the Prosecutor and a Defense lawyer while you are at the court. In addition to asking them information about how the court operates, you might also want to ask them about their views of the court, how it compares to what would have happened with these cases and defendants in a standard court or before this court was in operation, and if they see their roles to be any different in the context of the specialty court.

**IV. Conclusion:** You should give you analysis of whether this court seems well run, your views of how the various professionals are doing their jobs, whether this court seems to be achieving its goals, whether you would want to practice in one of these courts as a lawyer (and why or why not), and any other conclusions from the experience.

*Note: This summary should be a minimum of 5 pages, and a maximum of 10 pages, double spaced, Times New Roman 12 pt.*