

# **CRIMINAL PROCEDURE II - ADJUDICATION (389-001)**

**Spring 2022**

**William Fitzpatrick**

**Syllabus**

## **Class Schedule:**

This class will meet in-person on Mondays and Wednesday from 8:10 p.m. to 9:35 p.m.

## **Contact Information and Availability:**

I will provide my contact information during the first class. Do not hesitate to contact me with any class-related questions, concerns or with requests to schedule a call or meeting. I enjoy teaching and I am always open to answering questions, discussing issues, or doing anything else that will enhance the learning process.

## **Required Course Materials and Assignments:**

Stephen A. Saltzburg and Daniel J. Capra, *American Criminal Procedure: Adjudicative*, Eleventh Ed. (2018).

I may supplement the casebook with outside materials on occasion. The assignments may be adjusted from time to time given the pace of the course, and in consideration of certain subjects or topics that require more attention or less attention, as the case may be. Further information about the expectations for reading assignments will be provided during the first class.

## **Classroom Participation and Attendance:**

Classroom participation is part of the course requirements. During the first two classes I will discuss class participation and we will come up with an effective method to encourage class discussion. Of course, the class participation requirement is not intended to cause embarrassment or be a source of needless anxiety. If anyone has concerns in this regard please let me know. Class participation is beneficial to the learning process and will help you “think like a lawyer.” Everyone should become proficient at reciting case facts, applying the facts to the law, and arriving at a thoughtful and well-reasoned legal conclusion. This is a skill you will continue to develop for the remainder of your legal career.

Class attendance is obviously important and will be monitored. If you fail to attend class with some frequency without sufficient explanation, you may be precluded from taking the final exam.

**Internet, Phone and Recording Policies:**

Any non-course related use of the internet is prohibited during class. Also, please “silent” or turn off your phones during class – “texting” or any other on-class related phone use is prohibited. Recording of the class in any way is prohibited.

**Final Exam:**

The exam will take place on **Saturday, May 7, 2022 at 12:00 p.m.** The exam will be open book and open notebook (details to follow).

**Learning Outcomes:**

By the end of the course students should have acquired:

- A detailed understanding of each phase of the criminal adjudicative process;
- The ability to identify legal issues that arise during each phase of the criminal adjudicative process; and
- Proficiency in applying substantive and procedural law to each phase of the criminal adjudicative process.

**CLASS ASSIGNMENTS**

- |    |            |   |
|----|------------|---|
| 1. | 01/19/2022 | <b>Course Introduction and the Screening and Charging Process</b> <ul style="list-style-type: none"><li>• Saltzburg pps. 971-986</li></ul>          |
| 2. | 01/24/2022 | <b>The Screening and Charging Process</b> <ul style="list-style-type: none"><li>• Saltzburg pps. 987-1020</li></ul>                                 |
| 3. | 01/26/2022 | <b>The Screening and Charging Process; Bail and Preventive Detention</b> <ul style="list-style-type: none"><li>• Saltzburg pps. 1020-1048</li></ul> |

4. 01/31/2022 **Bail and Preventive Detention**
  - Salzburg pps. 1049-1078
5. 02/02/2022 **Discovery**
  - Salzburg pps. 1079-1099
6. 02/07/2022 **Discovery**
  - Salzburg pps. 1099-1131
7. 02/09/2022 **Discovery; Guilty Pleas and Plea Negotiations**
  - Salzburg pps. 1131-1141
  - Salzburg pps. 1143-1157
8. 02/14/2022 **Guilty Pleas and Plea Negotiations**
  - Salzburg pps. 1157-1189
9. 02/16/2022 **Trial Rights**
  - Salzburg pps. 1191-1225
10. 02/21/2022 **Trial Rights**
  - Salzburg pps. 1225-1258
11. 02/23/2022 **Trial Rights**
  - Salzburg pps. 1259-1287
12. 02/28/2022 **Trial Rights**
  - Salzburg pps. 1287-1334
13. 03/02/2022 **Trial Rights**
  - Salzburg pps. 1335 – 1361

14. 03/07/2022 **Trial Rights**
- Saltzburg pps. 1384 – 1417
15. 03/09/2022 **Trial Rights**
- Saltzburg pps. 1418 – 1449
- 03/14/2022 through 03/18/2022: No Class/Spring Recess
16. 03/21/2022 **Trial Rights**
- Saltzburg pps. 1450 - 1475
17. 03/23/2022 **Trial Rights**
- Saltzburg pps. 1476 – 1499
18. 03/28/2022 **Trial Rights**
- Saltzburg pps. 1499 – 1518
19. 03/30/2022 **Sentencing**
- Saltzburg pps. 1519 – 1540
20. 04/04/2022 **Sentencing**
- Saltzburg 1553-1599
21. 04/06/2022 **Sentencing; Double Jeopardy**
- Saltzburg pps. 1599 – 1613
  - Saltzburg pps. 1615 – 1629
22. 04/11/2022 **Double Jeopardy**
- Saltzburg pps. 1629 - 1649
23. 04/13/2022 **Double Jeopardy**

- Saltzburg pps. 1649 – 1669
- Saltzburg pps. 1674 – 1682

24. 04/18/2022

**Double Jeopardy**

- Saltzburg pps. 1682 – 1694

25. 04/20/2022

**Post-Conviction Challenges**

- Saltzburg pps. 1699 - 1736

26. 04/25/2022

**NO Assignment: Course Review and Exam Preview.**

*Final Exam Scheduled for Saturday, May 7, 2022, at 12:00 p.m.*

**END**