

El Paso Community College
Syllabus
Part II
Official Course Description

| | |
|---------------------------------|--|
| SUBJECT AREA | <u>Paralegal</u> |
| COURSE RUBRIC AND NUMBER | <u>LGLA 2313</u> |
| COURSE TITLE | <u>Criminal Law and Procedure</u> |
| COURSE CREDIT HOURS | <u>3 3 : 0</u> Credits Lec Lab |

I. Catalog Description

Fundamental concepts of criminal law and procedure from arrest to final disposition including principles of federal and state law emphasizing the role of the paralegal in the criminal justice system. **(3:0)**.

II. Course Objectives

Upon satisfactory completion of this course, the student will be able to:

A. Unit I. Pretrial Proceedings

1. Determine what constitutes a crime and when formal proceedings against an individual actually begin.
2. Identify the terminology and pleadings associated with pretrial proceedings.
3. Define preliminary hearing (examining trial) and grand jury review and distinguish between them.
4. Discuss what occurs at the arraignment (first appearance in court), at any evidentiary hearing, and at a suppression hearing.
5. Discuss the remedies available for an illegal detention and how to explore them in a pretrial proceeding.
6. Discuss the specific “billable” tasks associated with criminal law.

B. Unit II. Proceedings during Trial

1. Discuss remedies for state violations, which include the exclusionary rule, motions to quash, and preserving reversible error.
2. Differentiate between and discuss the ramifications of conviction by guilty plea and by trial.
3. Define and discuss the adversary process, procedural regularity, and jury participation in criminal justice administration as evidenced in conviction by trial.
4. Discuss the specific effects of pleading guilty, which include forfeiture of the rights against self-incrimination, to trial by jury, and to confront accusers and witnesses.
5. List and define the various pleadings available to state and defense counsel during a trial discussed thus far.
6. Complete and explain the purposes behind a Motion to Suppress Evidence and a Motion to Suppress Confession form.
7. Report on the results of the legal proceedings at an actual trial and identify the issues brought up at that trial.

C. Unit III. Post-Conviction Proceedings

1. Differentiate between and discuss the trial, punishment, and sentencing stages of the Criminal process.
2. Discuss the various elements of habeas corpus proceedings and how they apply before and after conviction.
3. Discuss the application of the principles of mootness, raise-or-waive, and plain error as they relate to the appellate process.
4. Describe various types of appeals and grounds for them and how the appellate process itself works.
5. Differentiate among the various post-conviction writs, such as a writ of mandamus, a writ of error, and writ of habeas corpus.
6. Complete, and explain the purposes behind, an Application for a Writ of Habeas Corpus and an Order of Expunction.

D. Unit IV. Miscellaneous Legal Concepts Applicable to Criminal Procedure

1. Evaluate the role and ethical considerations of the paralegal relating to criminal law and draft documents used in criminal law.
2. List and discuss the various elements of the motion for double jeopardy.
3. Explain the doctrine of collateral estoppel.
4. Describe the various statutes of limitations.
5. Discuss change-of-venue and continuance motions.
6. Discuss motions to recuse a judge and define the concept of judicial bias.
7. Complete, and explain the purposes behind, a Motion to Recuse form and a Special Plea of Double Jeopardy form.
8. Conceive a legal situation and develop the accompanying issues, law, and disposition.

III. THECB Learning Outcomes (WECM)

1. Use terminology relating to criminal law and procedure.
2. Analyze cases relating to criminal law and procedure.
3. Draft documents used in criminal law and procedure.
4. Analyze the ethical considerations of the paralegal relating to criminal law and procedure.

IV. Evaluation

Semester grade will be determined by an average of the tests, assignments and discussions in conformance with the college policy.

Grading Scale:

| | | |
|-----------------------|---|---|
| 90-100 | = | A |
| 80-89 | = | B |
| 70-79 | = | C |
| 60-69 | = | D |
| Below 60 | = | F |
| Incomplete | = | I |
| Withdrew or Withdrawn | = | W |

V. Disability Statement (Americans with Disabilities Act [ADA])

EPCC offers a variety of services to persons with documented sensory, mental, physical, or temporary disabling conditions to promote success in classes. If you have a disability and believe you may need services, you are encouraged to contact the Center for Students with Disabilities to discuss your needs with a counselor. All discussions and documentation are kept confidential. Offices located: VV Rm C-112 (831-2426); TM Rm 1400 (831-5808); RG Rm B-201 (831-4198); NWC Rm M-54 (831-8815); and MDP Rm A-125 (831-7024).

VI. 6 Drop Rule

Students who began attending Texas public institutions of higher education for the first time during the Fall 2007 semester or later are subject to a 6-Drop limit for all undergraduate classes. Developmental, ESL, Dual Credit and Early College High School classes are exempt from this rule. All students should consult with their instructor before dropping a class. Academic assistance is available. Students are encouraged to see Counseling Services if dropping because exemptions may apply. Refer to the EPCC catalog and website for additional information.

VII. Title IX and Sex Discrimination

Title 9 (20 U.S.C. 1681 & 34 C.F.R. Part 106) states the following "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance." The Violence Against Women Act (VAWA) prohibits stalking, date violence, sexual violence, and domestic violence for all students, employees and visitors (male and female). If you have any concerns related to discrimination, harassment, or assault (of any type) you can contact the Assistant to the Vice President for Student and Enrollment Services at 915-831-2655. Employees can call the Manager of Employee Relations at 915-831-6458. Reports of sexual assault/violence may also be reported to EPCC Police at 915-831-2200.