Syllabus – Advanced Criminal Procedure

Prerequisite - Criminal Procedure I

Advanced Criminal Procedure is a Two (2) Credit lecture, individual participation, and research class.

1. The first two classes are lecture format; detailing each individual step in the process of a criminal prosecution and/or defense from arrest thru appeal, with focus on the presentation of the case utilizing the substantive constitutional law covered in Criminal Procedure I.

2. The class is divided into two groups; Prosecutors and Defense Counsel. Utilizing this format the class covers the multiple aspects of a serious criminal prosecution (homicide and drug distribution) from the bail and bond stage thru to trial.

3. Each class session is dedicated to a particular aspect of the process, with students conducting that phase of the trial, and each student in the role of prosecutor, defense, or judge. The problem is presented to the student, with the responsibility of legal research, presentation, and argument to the court the responsibility of the student.

4. The course is designed to cause the student, to utilize the materials learned in Criminal Procedure I, with a view toward problem solving, and presentation of the issue in a court setting utilizing the provided facts and applying the applicable law to effect the desired disposition.

5. In addition to the above process, the course will also address the issues of plea negotiations, alternative sentencing, and speedy trial actions under the Interstate Compact.

6. Two of the classes are dedicated to insight, and review of the process between prosecution and defense, negotiation of pleas, and the interaction of the two sides, and the impacts and pressures of handling a “high profile, or National caliber case” These two classes are assisted with guest lecturers with a lifetime of experience in both plea negotiation and handling high profile cases.

7. Grading is by Final Exam. The Final Exam is a take home exam which is issued on the last day of class and is due at noon on the last day of the regular examination schedule. The exam is the student’s opportunity to put to practice all that has been covered in the class, to think critically, make decisions in the trial process, and to support those decisions with applicable case law.

8. Class Topics include:
   a. The Trial Process – Lecture
   b. Theory of the Case
   c. Bail and Bond
   d. Preliminary Hearings
   e. Pretrial Motions; 4th 5th 6th Amendment Issues
   f. The Importance of Voir Dire
   g. Alternative Sentencing Options
   h. Speedy Trial
   i. Trial Prep
   j. Ethical Considerations throughout the process