



BROWARD COLLEGE COURSE OUTLINE

LAST REVIEW: 2009-2010

NEXT REVIEW: 2014-2015

STATUS: A

COURSE TITLE: Criminal Litigation

COMMON COURSE NUMBER: PLA 1303

CREDIT HOURS: 3

CONTACT HOUR BREAKDOWN

(per 16 week term)

CLOCK HOURS:

(Voc. Course ONLY)

Lecture: 48 Lab:

Clinic: Other:

PREREQUISITE(S): ENC 1101, PLA 1003, and PLA 1104 or Program Manager's approval

COREQUISITE(S):

PRE/COREQUISITE(S):

COURSE DESCRIPTION: This course provides students with a survey of the criminal justice system. Substantive and procedural aspects of criminal law are studied. Course content includes the nature of different crimes, the potential charges, and penalties involved; also covered are pre-trial procedures, discovery, plea-bargaining process, and the problems involved in the conduct of trial proceedings.

General Education Requirements – Associate of Arts Degree (AA), meets Area(s):

Area

General Education Requirements – Associate in Science Degree (AS), meets Area(s):

Area

UNIT TITLES

1. Introduction
2. Discussion of Specific Crimes
3. Defenses to Crimes
4. Attempt, Solicitation, and Conspiracy
5. Constitutional Criminal Procedure: Arrest, Search, and Seizure
6. Criminal Procedure: Interrogation
7. First Appearance, Case Filing, and Arraignment
8. Pretrial Considerations
9. Criminal Trial and Evidence
10. Ethics in Criminal Practice

EVALUATION:

Student evaluation may include, but is not limited to exams, quizzes, presentations, portfolios, discussions, class participation, attendance, projects, co-ops, practicum, internships, externships, and research reports.

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UNITS

Unit 1

General Outcome:

- 1.0 The student shall be able to define the nature and purpose of criminal law, list the classes of crimes, and describe the elements that are common to all crimes.**

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

1.1 Define "criminal law."

1.2 Discuss the purpose of criminal laws that exist in contemporary society, with special emphasis on the concepts of:

- 1.2.1 Retribution**
- 1.2.2 Deterrence**
- 1.2.3 Incapacitation**
- 1.2.4 Rehabilitation**

1.3 List the elements that are common to all crimes, with special emphasis on the following:

- 1.3.1 mens rea**
- 1.3.2 actus reus**

1.4 Describe the manner in which crimes are classified in the American legal system.

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Unit 2

General Outcome:

- 2.0 The student shall be able to define the key elements of the major crimes and successfully apply them to hypothetical factual situations.**

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 2.1 Define the key elements of the following crimes as they exist both in Florida and in common law.**
- 2.1.1 Homicide, including the various degrees of murder and manslaughter**
 - 2.1.2 Assault**
 - 2.1.3 Battery**
 - 2.1.4 False imprisonment**
 - 2.1.5 Kidnapping**
 - 2.1.6 Rape**
 - 2.1.7 Burglary**
 - 2.1.8 Larceny**
 - 2.1.9 Robbery**
- 2.2 Analyze hypothetical factual situations to determine if any of the above crimes have been committed.**

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Unit 3

General Outcome:

- 3.0 The student shall be able to compare and contrast the various justifications and excuses for the commonly applied criminal defenses.**

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 3.1 Discuss the justifications for the defenses to criminal liability, which include the concepts of:**
- 3.1.1 Self-defense**
 - 3.1.2 Necessity**
 - 3.1.3 Execution of a public duty**
 - 3.1.4 Defense of property**
 - 3.1.5 Consent**
- 3.2 Discuss the excuses for the defenses to criminal liability, which include the concepts of:**
- 3.2.1 Intoxication**
 - 3.2.2 Duress**
 - 3.2.3 Age**
 - 3.2.4 Entrapment**
 - 3.2.5 Insanity**
 - 3.2.6 Diminished capacity and responsibility**

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Unit 4

General Outcome:

- 4.0 The student shall be able to compare and contrast the crimes of attempt, conspiracy, and solicitation.**

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 4.1 Define "criminal attempt" and describe its basic elements.**
- 4.2 Define "conspiracy" and describe its basic elements.**
- 4.3 Define "solicitation" and describe its basic elements**

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Unit 5

General Outcome:

- 5.0 The student shall be able to recognize the key elements of the Fourth Amendment, discuss the meaning of probable cause, describe the circumstances under which warrants are required, and define the exclusionary rule along with its exceptions.**

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 5.1 Identify all key phrases of the Fourth Amendment to the United States Constitution.**
- 5.2 Explain the concept of probable cause as it pertains to arrest, search, and seizure.**
- 5.3 Describe some of the circumstances under which search warrants may be issued.**
- 5.4 Describe some of the circumstances under which warrantless searches and seizures may be made.**
- 5.5 Discuss the exclusionary rule, its application, and its exceptions.**

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Unit 6

General Outcome:

- 6.0 The student shall be able to relate the circumstances under which one may claim the right to counsel and the right against self-incrimination during interrogation.**

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 6.1 Recognize the importance of the concept of voluntariness when determining the validity of confessions made during interrogation.**
- 6.2 Explain the right to counsel during interrogation with special emphasis on the Escobedo case.**
- 6.3 Explain the privilege against self-incrimination with special emphasis on the Miranda case.**

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Unit 7

General Outcome:

- 7.0 The student shall be able to compare and contrast a first appearance and an arraignment, describe what may occur at each one, and discuss the procedures necessary for obtaining an indictment or information in a criminal case.**

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 7.1 Explain the purpose of a first appearance in a criminal trial and describe what matters may be addressed at the appearance.**
- 7.2 Explain the purpose of an arraignment in a criminal trial and describe what matters may be addressed at the arraignment.**
- 7.3 Define the terms "indictment" and "information," and explain the procedure that must be followed in the issuance of each one.**

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Unit 8

General Outcome:

- 8.0** The student shall be able to describe some of the more common criminal motions, discuss the requirements of the speedy trial rule, outline the procedures to be followed in raising the issue of the defendant's competence, and explain the responsibilities of the prosecution and defense when plea negotiations are involved.

Specific Learning Outcomes:

Upon successful completion of this unit, the students should be able to:

- 8.1** Explain the meaning of the following motions:
- 8.1.1** Motion to dismiss
 - 8.1.2** Motion for continuance
 - 8.1.3** Motion to suppress evidence in an unlawful search
 - 8.1.4** Motion to suppress a confession or admission illegally obtained
- 8.2** Explain the rules pertaining to speedy trial both upon demand and without demand.
- 8.3** Discuss the procedure for raising the issue of competence to stand trial.
- 8.4** Recognize the role and responsibilities of the prosecution and defense counsel with regard to plea discussions and agreements, and explain the advantages and disadvantages of plea bargaining to both the defendant and society.

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Unit 9

General Outcome:

9.0 The student shall be able to discuss the order of events at a criminal trial and the role that the paralegal may play, and retain a basic knowledge of the key rules of evidence applicable to a criminal case.

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 9.1 Chronicle, in detail, the order of events that take place during a typical criminal trial.**
- 9.2 Explain how the legal assistant can be of service to the attorney during the trial process.**
- 9.3 Discuss some of the key rules of evidence that are applicable to criminal trials.**

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Unit 10

General Outcome:

- 10.0** The student shall be able to identify the ethical principles pertaining to criminal practice.

Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 10.1** Discern and apply the ethical guidelines that specifically pertain to the practice of criminal law.