

## Course Syllabus

### I. General Information

Course name	<b>Criminal procedure</b>
Programme	law
Level of studies (BA, BSc, MA, MSc, long-cycle MA)	long-cycle MA
Form of studies (full-time, part-time)	full-time
Discipline	law
Language of instruction	<b>English</b>

Course coordinator/person responsible	dr Delaine Swenson (prof. KUL), dr Agnieszka Parol
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Type of class ( <i>use only the types mentioned below</i> )	Number of teaching hours	Semester	ECTS Points
lecture			3
tutorial			
classes			
laboratory classes	30	VII	
workshops			
seminar			
introductory seminar			
foreign language classes			
practical placement			
field work			
diploma laboratory			
translation classes			
study visit			

Course pre-requisites	Students should have knowledge, skills and social competences in the field
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	of sources of law and use English at a minimum level of B1.
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**II.** Course Objectives

This class introduces students to the Criminal process in the United States
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### III. Course learning outcomes with reference to programme learning outcomes

Symbol	Description of the objective effect	Directional effect reference
<b>KNOWLEDGE</b>		
W_01	He knows and understands the legal terminology in English in the field of American criminal process	K_W03
W_02	Has a basic knowledge of the sources of law in the field of American criminal process and the hierarchy of legal norms in English. He knows the general principles of creating and applying American criminal process.	K_W04
W_03	Has a basic knowledge of various types of legal institutions in the field of American criminal process in English and in-depth knowledge of selected institutions of American criminal process. Knows and understands the ways of functioning of selected institutions of American criminal process.	K_W07
W_04	Has a basic knowledge of relations between structures organizational as well as between social institutions, economic in terms of American criminal process. Has in-depth knowledge of selected structures and institutions of American criminal process in English.	K_W08
W_05	Has structured knowledge of the types of social ties and their axiological context and impact on American criminal process	K_W09
W_06	He knows the methods and tools, including data acquisition techniques appropriate for American criminal process.	K_W10
W_07	Has knowledge of the legal norms that organize the structures and institutions of American criminal process in English and the regulations governing them. In this regard, he identifies the directions of development of American criminal process.	K_W11
W_08	Has structured knowledge of procedural standards and understands the process of their application in American criminal process in English.	K_W12
W_09	Knows and understands the normative and practical aspects of entrepreneurship.	K_W13
<b>SKILLS</b>		
U_01	He can observe and interpret social, economic and legal phenomena, and analyze their connection with American	K_U01

	criminal process.	
U_02	Can use the basic theoretical knowledge of American criminal process in order to analyzing and interpreting specific processes and phenomena legal, economic and social.	K_U02
U_03	Has the ability to use legal concepts in English in order to understand and analyze phenomena in the field of American criminal process.	K_U03
U_04	Can independently acquire knowledge and develop professional skills, using various sources (in the native language and in a foreign language), including modern technologies (ICT).	K_U04
U_05	Has research skills including formulating and analysis of legal problems, selection of methods and tools research development and presentation of results allowing to solve problems of American criminal process (interpretation, interpretation of regulations, judgments, literature).	K_U05
U_06	Can properly analyze the causes and course of the selected social, economic and political processes and phenomena, and to forecast their legal effects.	K_U06
U_07	Is able to accurately and coherently express himself in speech and in writing on topics related to selected issues in the field of American criminal process , using various theoretical approaches, using both the achievements of legal sciences and other disciplines.	K_U07
U_08	Can use a specialized legal language and communicate in a precise and consistent manner using various communication techniques with specialists in the field law and recipients from outside the group of specialists in English.	K_U08
U_09	Has the ability to be substantive independently arguing using the views of other authors, including formulating theses, accurately formulating conclusions and creating synthetic summaries and assessments of selected problems.	K_U09
U_10	Has the ability to use the acquired knowledge of American criminal process in various scopes and forms to resolve dilemmas arising at work professional, in particular, critical analysis of the effectiveness and the suitability of the knowledge applied.	K_U10
U_11	Can use the principles and ethical standards in undertaken activity, sees and analyzes dilemmas ethical, anticipates the effects of specific actions in the area American criminal process.	K_U12
SOCIAL COMPETENCE		
K_01	Is aware of the level of their knowledge and skills, understands	K_K01

	the need for lifelong learning.	
K_02	Can work in a team performing various roles (speaker, debater, advisor, critical analyst, commentator effects), knows how to accept and assign tasks, has elementary organizational skills allowing for achievement of the assumed goals.	K_K02
K_03	Can properly assess the priorities for implementation a specific or imposed task, takes care of the timely and effective implementation of tasks.	K_K03
K_04	He is convinced of the importance of behaving in a professional manner, reflecting on ethical issues and adhering to the rules of professional ethics .	K_K04
K_05	Is able to participate in the preparation of social projects, civil society taking into account the legal aspects. Can predict the multidirectional social effects of your activities.	K_K05
K_06	He can supplement and improve acquired knowledge and skills.	K_K06
K_07	Prepares responsibly for his work.	K_K07
K_08	He can think and act in an entrepreneurial way.	K_K08

#### IV. Course Content

<p>Topic 1: Introduction and Overview of the Criminal process in the United States.</p> <p>Topic 2: Remedies for rights violations: The Exclusionary Rule and “Fruit of the Poisonous Tree” Doctrines.</p> <p>Topic 3: Fourth Amendment Protections: Search and Seizure - The Warrant Requirement</p> <p>Topic 4: Fourth Amendment Protections: Exceptions to the Warrant Requirement</p> <p>Topic 5: Fourth Amendment Protections: Exceptions to the Warrant Requirement Continued.</p> <p>Topic 6: Confessions</p> <p>Topic 7: Right to Counsel</p> <p>Topic 8: Pre-Trial Issues: Identification; Speedy Trial; Disclosure</p> <p>Topic 9: Pre-Trial Issues: Insanity; Double Jeopardy</p> <p>Topic 10: Trial: Right to Fair Trial; Trial by Jury; Right to Confront Witnesses; Burden of Proof</p> <p>Topic 11: Guilty Pleas and Plea Bargaining</p> <p>Topic 12: Sentencing and Punishment</p> <p>Topic 13: Appeal of Criminal Cases</p>
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Topic 14: Contemporary Challenges in American Criminal Procedure.
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V. Didactic methods used and forms of assessment of learning outcomes

Symbol	Didactic methods <i>(choose from the list)</i>	Forms of assessment <i>(choose from the list)</i>	Documentation type <i>(choose from the list)</i>
KNOWLEDGE			
W_01- W_09	conventional lecture, conversational lecture, problem lecture, problem based learning, group working  (hybrid learning, distance and/or stationary)	paper, test	protocol
SKILLS			
U_01- U_11	conventional lecture, conversational lecture, problem lecture, problem based learning, group working  (hybrid learning, distance and/or stationary)	paper, test	protocol
SOCIAL COMPETENCIES			
K_01- K_08	conventional lecture, conversational lecture, problem lecture, problem based learning, group working  (hybrid learning, distance and/or stationary)	paper, test	protocol

VI. Grading criteria, weighting factors.....

Grading: The final grade in this class will be based on class attendance and participation as well as final written exam. Students **MUST attend a minimum of 60%** of all classes in order to be eligible to take the final exam and get a grade in this class.

Students should read the cases before the class they will be discussed in order to get the most out of the class discussions.

VII. Student workload

Form of activity	Number of hours
Number of contact hours (with the teacher)	<b>30</b>
Number of hours of individual student work	<b>60</b>

### VIII. Literature

Basic literature
<p>Topic 2: Reading: <i>Katz v. United States; Rakas v. Illinois</i></p> <p>Topic 3: Reading: <i>Illinois v. Caballes; Groh v. Ramierz; United States v. Leon; Arizona v. Hicks; People v. Boettner; Ybarra v. Illinois; Winston v. Lee.</i></p> <p>Topic 4: Reading: <i>Chimel v. California; Thornton v. United States, Schneckloth v. Bustamonte; Georgia v. Randolph.</i></p> <p>Topic 5: Reading: <i>Terry v. Ohio; Hiibel v. Sixth Judicial District Court of Nevada; Brigham City, Utah v. Stuart et al;</i></p> <p>Topic 6: Reading: <i>Schneckloth v. Bustamonte; Miranda v. Arizona; United States v. Patane</i></p> <p>Topic 7: Reading: <i>Gideon v. Wainwright; United States v. Gonzales-Lopez; Strickland v. Washington, Wiggins v. Smith.</i></p> <p>Topic 8: Reading: <i>Manson v. Braithwaite; Zedner v. United States; United States v. Nobels.</i></p> <p>Topic 9: Reading: <i>Mcaughten Case; Clark v. Arizona; Sell v. United States; United States v. Lara.</i></p> <p>Topic 10: Reading: <i>Blakely v. Washington; Crawford v. Washington;</i></p> <p>Topic 11: Reading: <i>Brady v. United States; North Carolina v. Alford.</i></p> <p>Topic 12: Reading: <i>Ewing v. California; Lockyer v. Andrade; Smith v. Doe; Atkins v. Virginia; Roper v. Simmons.</i></p> <p>Materials can be found at:</p> <p><b><a href="http://pracownik.kul.pl/delaine.swenson/dydaktyka">http://pracownik.kul.pl/delaine.swenson/dydaktyka</a></b></p>
Additional literature