This reading and writing intensive seminar course will provide students with a solid foundational knowledge base in the area of courts and sentencing. The early part of the course will focus on developing an understanding of the purpose, nature, and structure of courts and their role in the creation and maintenance of law (both domestic and international). As the semester progresses, we will focus more specifically on courts and sentencing in the United States, with an emphasis on the nature and impact of sentencing policy shifts. Throughout the course, we will spend considerable time discussing the U.S. Supreme Court and its landmark criminal justice decisions. Toward the end of the semester, we will examine U.S. Supreme Court jurisprudence related to sentencing and the death penalty. Over the course of the semester, students will develop an understanding of (1) the nature and purpose of law, (2) the role of courts in society, (3) the structure of courts and various court processes (particularly as they relate to sentencing), (4) the nature and purpose of sentencing, (5) sentencing structure, process, and policy shifts, and (6) appellate court review of sentencing practices (proportionality review and death penalty jurisprudence).

**Required Books**


**Required Articles (all on reserve)**


### SUPREME COURT CASES (LINKS ON BLACKBOARD)

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<th>Case 1</th>
<th>Case 2</th>
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### EXPECTATIONS

This is a seminar course, not a lecture course. In order to provide for a rich learning experience for all involved, it is imperative that all students arrive at class having completed all of the readings for that week. Although I will offer some lecture style notes, students should arrive ready to discuss and critically assess the material provided in the readings for the week. I expect every student to have something to say during every class session. Accordingly, attendance, preparedness, and participation will account for a substantial portion of your grade.
**ACADEMIC HONESTY & INTEGRITY**

The highest standards of academic integrity are expected in this course. As such, all students should remind themselves of Northeastern University’s Academic Honesty and Integrity policy, which can be found in the Student Handbook. Any instances of cheating, fabrication, plagiarism, unauthorized collaboration, or other academic dishonesty, will be dealt with in accordance with Northeastern University’s official policies (also described in the Student Handbook).

**Assignments**

**Weekly Reflections:** On designated weeks, students are required post a reading reflection on the discussion board. In the post, each student should integrate and synthesize the material using their understanding to form an argument. These reading reflection posts are not reading summaries – the reading reflection post should be less about what you read and more a demonstration of how the readings advanced your thinking about the issues raised in class discussions and in the readings themselves. Your post which should be several paragraphs in length, should conclude with at least one question for class discussion. Reflections should be posted to the discussion board by 6pm on the evening before class (Sunday evening). Reflections are not required on days when case briefs are due.

**Case Briefs:** As we will be discussing a number of landmark U.S. Supreme Court decisions, all students are required to write 2 page single-spaced case briefs for selected cases as assigned on the first day of class. The content (and format for the preparation) of case briefs will be handed out in class and posted in the ‘course documents’ area on Blackboard. Case briefs must be submitted via the “Assignments” area of Blackboard by 6:00pm on the evening before the session in which they will be discussed. You will write 5 briefs over the course of the semester.

**Profile of a Justice:** To underscore the importance of the Supreme Court to the evolution of U.S. jurisprudence, most class sessions will begin with a segment called Profile of a Justice. Students will put together a short presentation that provides a profile of one of the current U.S. Supreme Court Justices. In addition to providing a brief personal biography, the profile of a justice should include a discussion of the justice’s educational background, prior professional positions and court appointments, Supreme Court nomination and confirmation, judicial philosophy, and votes/opinions in landmark cases. This assignment is supposed to be fun. Interesting facts, rumored personality quirks, and scandalous tales about the justices are welcome. The Profile must be presented using Powerpoint… to make it more interesting for the class, please use images in your Powerpoint presentation. A copy of the presentation must be emailed to the professor in advance of the class session in which it will be presented. All nine current Supreme Court Justices will be profiled.

**Final Examination:** Because all graduate students in the College of Criminal Justice eventually take written comprehensive exams, all students in this course will be required to take an in class final examination during the final exam period. The final exam will be structured in a manner similar to that of the college’s comprehensive examinations but will be specific to the content of this course. Students will be permitted to bring the reading list (e.g. syllabus) and an annotated case list with them to the final examination.
Weekly grades will be posted on Blackboard. Assignment of the final grade is non-negotiable, and will be based on:

- **10%**: Preparedness and Participation
- **10%**: Profile of a Justice
- **20%**: Weekly Reflections
- **20%**: Case Briefs
- **40%**: Final Examination

**Grading Criteria**

At the end of the semester, all students will receive a grade for attendance, preparedness and participation. Preparedness requires that you come to class prepared for that session’s discussion (e.g. having read and thought about the material) and participation requires that you contribute to the discussion during every session. Perfect attendance cannot make up for a lack of participation, nor can exceptional participation make up for unexcused absences. Attendance, preparedness, and participation will be graded using a √ system. Those who attend class and participate will receive a √ for that day, exceptional participation will earn a √+, and attendance without participation a √-. At the end of the semester, an attendance, preparedness and participation score (on a 10 point scale) will be posted to Blackboard.

Weekly reflections will be graded using a √ system (where a √+ indicates that your reflection was both exceptional and among the best submitted, a √ indicates that you have completed the assignment as required, and a √- indicates that your reflections need improvement). Late reflections (e.g. those posted after 6pm on Sunday evening) will earn a √- regardless of their quality. At the end of the semester a weekly reflection score (on a 50 point scale) will be posted to Blackboard.

Case briefs will be graded on a scale of 0-10 (where a 9 or 10 indicates that your case brief was exceptional and among the best submitted, an 8 (the typical grade) indicates that the case brief was very good and met all requirements of the assignment, a 6 or 7 indicates that improvement is needed, and a 0 indicates that no case brief was submitted). Content, formatting, and writing will all be considered in the assignment of a grade. Briefs submitted after 6:00pm on the evening before class and briefs that do not conform to the required format will receive a two point deduction (earning no more than an 8).

The profile of a justice presentation will be graded on a 25 point scale based on organization, substance, creativity and delivery.

The written final examination will be graded out of 100 points. This in class examination will be taken during our scheduled class time on Monday December 13th. The exam will include one essay question (you will be given the opportunity to choose one of the two offered questions). In addition to substance, the organization of the response and spelling/grammar will be considered in the assignment of final exam grades.
Monday 9/13/2010  Introductions

Introductions – Class Description – Syllabus Review - Assignments

Monday 9/20/2010  The Role of Courts in Society  Post Reflection

Profile of a Justice: Chief Justice John Glover Roberts


Monday 9/27/2010  Criminal Responsibility  Post Reflection

Profile of a Justice: Associate Justice Antonin Scalia


Profile of a Justice: Associate Justice Anthony Kennedy


Monday 10/11/2010  NO CLASS – COLUMBUS DAY

Monday 10/18/2010  The U.S. Supreme Court Case Brief I Due

Profile of a Justice: Associate Justice Clarence Thomas


Monday 10/25/2010  Principles & Purposes of Sentencing Post Reflection

Profile of a Justice: Associate Justice Ruth Bader-Ginsburg


Profile of a Justice: Associate Justice Stephen Breyer


Monday 11/8/2010  
**Sentencing: Proportionality Review**  
*Case Brief II Due*

Profile of a Justice: Associate Justice Samuel Alito


Monday 11/15/2010  
**Death Penalty: Furman & Gregg**  
*Case Brief III Due*

Profile of a Justice: Associate Justice Sonia Sotomayor

*Furman v. Georgia*, 408 U.S. 238 (1972)  

Monday 11/22/2010  
**The International Criminal Court**

The International Criminal Court – Official Website: [http://www.icc-cpi.int/Menus/ICC/Home](http://www.icc-cpi.int/Menus/ICC/Home)  
Visit the following areas (including the subareas within these areas: About the Court; Structure of the Court; Situations and Cases; Reports on Activities.

(Library Call #: KZ6311 .R43 2009)

Monday 11/29/2010  
**Death is Different: Issues**  
*Case Brief IV Due*

Profile of a Justice: Associate Justice Elena Kagan

**Juveniles**  

**Mental Illness**  

**Mental Retardation**  
Monday 12/6/2010  Death is Different: Issues

Jury Selection
Witherspoon v. Illinois, 391 U.S. 510 (1968)

Innocence

Race

Sentencing

Monday 12/13/2010  FINAL EXAMINATION

Bring a laptop if you want to type your response.
Bluebooks will be available for those who prefer to write.

Permitted course materials:
* Syllabus
* Annotated Case List