



Criminal Law Program Overview

BCI's Criminal Law course introduces students to the criminal justice system and its components as well as their multifaceted role as a paralegal. The accompanying e-textbook, *Fundamentals of Criminal Practice: Law and Procedure* presents the principles of criminal law and the paralegal's role in criminal proceedings. The course explores the basic principles of criminal law, the types of offenses, and criminal procedure from the commission of the offense to trials and their aftermath. The prosecutor's role in initiating cases and the role of the defense attorney in defending the accused are discussed. The importance of pre-trial motions and plea bargaining is also covered.

Objectives

- Understand criminal law and the criminal legal system of the United States.
- Explain the paralegal's role in the prosecution of crimes and the administration of justice in criminal proceedings.
- Identify the components of and classification of various criminal acts.
- Explain the elements of crimes against property, public order and safety, property, and justice and administration, as well as inchoate and organized crimes.
- Explain different types of defenses and their elements.
- Identify the paralegal's role in the intake procedure in a prosecutor's office and in drafting a complaint.
- Understand the legal elements of search and seizure, including the legal use of warrants and the preparation of warrants.
- Discuss a defendant's rights concerning confession.
- Explain and understand the paralegal's role in pretrial procedures from initial appearance to pretrial conference.
- Describe the paralegal's duties and tasks during the trial procedure.
- Understand terms and forms of sentencing and punishment

Program Outline

Lesson 1: Introduction to Litigation and Investigating

Chapter 1: Introduction to Litigation

Chapter 2: Informal Fact Gathering and Investigation

Lesson 2: Planning the Litigation

Chapter 3: Case Evaluation and Strategy

Chapter 4: Parties and Jurisdiction

Lesson 3: Pretrial Litigation Part 1

Chapter 5: Pleadings

Chapter 6: Law and Motions

Chapter 7: Motion Practice

Chapter 8: Provisional Remedies

Lesson 4: Pretrial Litigation Part 2

Chapter 9: Evidence

Chapter 10: Discovery

Lesson 5: Settlement, Trial and Post-Trial Part 1

Chapter 11: Settlements

Chapter 12: Trial Preparation, Trial, and Appeal

Lesson 6: Settlement, Trial and Post-Trial Part 2

Chapter 13: Enforcement of Judgments

Chapter 14: Alternative Dispute Resolution

Chapter 15: Social Media in Litigation



Lesson 1

Introduction to Criminal Justice and Criminal Law

Chapter 1: Provides an overview of the criminal justice system; introduces how criminal law differs from civil law, conflicting models of the criminal justice system, the criminal justice process and participants in the justice system; presents how the juvenile justice system differs from the criminal justice system.

Chapter 2: Discusses how the law is organized and the principles upon which those laws are based; presents how law is classified based on its source and the type of punishment; introduces the classification of crimes, elements of a crime, double jeopardy and parties to a crime; explains the various forms of punishment.



Lesson 2

Criminal Offenses & Investigation of Criminal Behavior

Chapter 3: Presents an overview of the scope of criminal law at both the state and federal levels; covers offenses involving danger to people, offenses involving harm to property, offenses against the family, offenses against the government, and offenses against public order and decency; provides examples of the most common offenses included in most criminal codes.

Chapter 4: Discusses the role police and other law enforcement personnel have in identifying the people who commit crimes and in gathering evidence to warrant their arrest; explains the procedures of due process and moves to the criminal process.



Lesson 3

Initiating Cases & Defending the Accused

Chapter 5: Discusses the role prosecuting attorneys play in the preliminary stages of a criminal case; presents the investigative role of prosecuting attorneys, the role of the prosecutor in charging the defendant and the role of the prosecutor in issuing warrants and summons; presents the role of prosecutors and their paralegals in creating a recommendation for setting bail, arraignments and preliminary hearings.

Chapter 6: Covers the role of the defense attorney and the responsibilities involved in representing a person accused of a crime; presents the paralegal's role in interviewing fact witnesses and preparing statements for witnesses to sign; discusses how defense attorneys, along with paralegals, prepare for an initial court appearance.



Lesson 4

Discovery, Defenses & Pretrial Motions

Chapter 7: Explains the procedures used to acquire and exchange information that is vital to assessing the strength of the case and preparing for trial; presents the two major models of discovery along with the principles underlying disclosure in criminal prosecutions; describes how to draft written discovery requests, respond to the requests tendered by the supposing side, prepare discovery motions, notice depositions and motions and subpoena documents; explains to how abstract and summarize depositions and how to prepare witnesses for them.

Chapter 8: Provides an overview of the legal defenses that might be available to the accused; covers denial of the facts, ignorance or mistake, status of defendant and reactive defenses; explains when entrapment, constitutional defenses and statutes of limitations have invalidated some part of the criminal prosecution.

Chapter 9: Discusses the types of motions attorneys file to determine what a trial on the matter will involve and plea bargaining. Provides an overview of optional programs designed to reduce taxpayer costs.



Lesson 5

Criminal Trials

Chapter 10: Introduces the coverage of trials with a look at their basic functions and the roles played by key participants; examines the constitutional principles governing criminal trials and the rules concerning the introduction of evidence at trials.

Chapter 11: Discusses the steps taken immediately before trial begins and after plea bargaining and formally setting the case for trial, including notifying the opposition as to who will be called to testify and what exhibits will be offered as evidence; explains preparations for voir dire, meeting with witnesses, preparing trial subpoenas, conducting further factual research, preparing exhibits, creating slide presentations, organizing the file for trial and preparing motions and briefs on evidentiary issues.

Chapter 12: Outlines what happens at the various stages in a criminal trial and how paralegals can assist the attorney at each stage; walks through the stages of a criminal trial from the point when the case is formally called for trial to the verdict.



Lesson 6

Sentencing & Appeals

Chapter 13: Discusses the sentencing process and the amount of discretion judges have in determining the nature of the sentences given out; covers the types of punishment, sentencing procedures and modification of sentences.

Chapter 14: Covers the preliminary procedures involved in commencing appeals, an analysis of the decision to appeal, and the steps necessary to take the case to an appellate court; introduces the steps needed to start the appeal process, the record on appeal, identification of matters that can be appealed, standards used in appellate review and alternative ways of challenging trial court decisions.

Chapter 15: Discusses collateral remedies available to convicted defendants, the types of clemency and the process to request clemency; expunging or sealing a criminal record; seizure of assets connected to criminal activity and recovery of assets.

