In this course, the class will take an institutional tour – figuratively. We will look closely at law enforcement agencies, prosecutors’ offices, defense lawyer organizations, judges, clerks, probation officers, sentencing commissions, and corrections officials. At each point along the way in our tour, we will survey the types of legal regulations that shape the behavior of actors in those institutions. We will also sample some statistical reports and social science research about non-legal forces that shape the work of those institutions.

LEARNING OBJECTIVES

When you have completed this course, you should be able

• to identify the legal and extra-legal sources that shape the institutions at work in a given jurisdiction, allowing you to assess the prospects for long-term change in those institutions.
• to predict (sometimes!) the behavior of individuals who work in various criminal justice institutions, based on the institutional environment that constrain that actor’s behavior.
• to participate as an attorney and manager in these institutions with greater ability to set realistic priorities for reform.

TOPICS COVERED

The class will meet for ten days during the semester. My initial plans for topics to discuss in each class session are set out below. Reality on the ground may require us to adjust this coverage as the semester proceeds.

Monday, 7 October — Law Enforcement Agencies: Legal Boundaries

Tuesday, 8 October — Law Enforcement Agencies: Organizational Survey and Social Science Insights

Wednesday, 9 October — Prosecutors: Legal Boundaries
Thursday, 10 October — Prosecutors: Organizational Survey and Social Science Insights

Friday, 11 October — Defense Attorneys: Legal Boundaries

Monday, 11 November — Defense Attorneys: Organizational Survey and Social Science Insights

Tuesday, 12 November — Judges and Support Personnel: Legal Boundaries

Wednesday, 13 November — Judges and Support Personnel: Organizational Survey and Social Science Insights

Thursday, 14 November — Sentencing Commissions

Friday, 15 November — Corrections Officials

READING SOURCES

The core of the legal doctrine reading will come from Marc L. Miller & Ronald F. Wright, “Criminal Procedures – Prosecution and Adjudication: Cases, Statutes, and Executive Materials” (4th ed. 2011). For the organizational survey units, I will assign publications from the Bureau of Justice Statistics and comparable state-based research agencies. For the social science units, I will make available electronic copies of the relevant academic publications.

EVALUATION OF YOUR WORK

During our two weeks of class, each student will work together with a small group to identify institutions for close analysis. Based on the product of the group’s joint research efforts, each student individually will complete a written “institutional questionnaire” for a selected organization and will present preliminary findings in class. After the in-class discussion, each student will write and submit a brief institutional profile, addressed to a visiting accreditation or inspection team. The institutional questionnaire, in-class presentation, and institutional profile will count for a combined 30% of the grade.

I will evaluate your mastery of the legal doctrine through a multiple-choice test, to be administered within two weeks after our final class session. This exercise will take one hour or less, and it will be administered on an open-book basis. It counts for 20% of the grade. Practice questions will be available during our two weeks of class together.
The final exam, to be available on dates to be negotiated with the Dean’s office, will count for 50% of the grade. It will be administered on an open-book basis. The single essay question on this final exam will ask you to propose evaluation criteria for an external accrediting or review body for a major institution of criminal justice.

If for some compelling professional or family reason you are not able to complete assignments in a timely fashion, please let me know as soon as possible. I will try to create alternative arrangements. If a similar late submission would, in my judgment, be professionally costly in the real world, I will reduce your score accordingly.

CONTACTING ME

Access to learning support is crucial for good education. Because I will only be on campus for two weeks during the semester, I want you to have multiple ways of contacting me.

- You can always reach me by email at wrightrf@wfu.edu. I always reply to weekday messages within 24 hours, and typically sooner than that. On weekends, my reply will be slower because I always spend at least one day of the weekend completely apart from electronic communications.
- You are also welcome to call me at my Wake Forest office, (336) 758-5727. Unless I am traveling for professional reasons or teaching classes, I am generally in my office from 8:00 to 5:45.
- During my two weeks in residence at the University of Alabama, I welcome the chance to talk with you in person, whether in class, in the hallways, in my office, or over coffee. I plan to spend some long hours in the law school building when I am in Tuscaloosa.
- You are also welcome to call me at my office at UA. I do not know my office assignment or telephone number, but will pass that along to you as soon as I learn the details.

OTHER UA POLICIES

The University of Alabama has adopted various policies regarding academic conduct, disabilities, and other matters. I incorporate those mandatory policies for this class, as well.