



STATE UNIVERSITY OF NEW YORK
COLLEGE OF TECHNOLOGY
CANTON, NEW YORK

COURSE OUTLINE

THE AMERICAN LEGAL SYSTEM

LEST 101

LAST REVISED BY: Alexander Lesyk

SCHOOL OF BUSINESS AND LIBERAL ARTS
MARCH 2015

LEST 101 - THE AMERICAN LEGAL SYSTEM

- A. TITLE: The American Legal System
- B. COURSE NUMBER/SHORT TITLE: LEST 101/The American Legal System
- C. CREDIT HOURS: 3
- D. WRITING INTENSIVE COURSE: NO
- E. COURSE LENGTH: 15 weeks
- F. SEMESTER(S) OFFERED: Fall and Spring
- G. HOURS OF LECTURE, LABORATORY, RECITATION, TUTORIAL, ACTIVITY:
3 lecture hours per week
- H. CATALOG DESCRIPTION: A general overview of the American legal system, including federal and state court structures, the roles and responsibilities of various participants in the legal process, and the progress of civil and criminal cases through the courts.
- I. PRE-REQUISITES/CO-COURSES: None
- J. STUDENT LEARNING OUTCOMES: Upon completion of the course, students will be able to:

<u>Course Objective</u>	<u>Institutional SLO</u>
a. Describe the structure and functions of American federal and state courts, including courts of original jurisdiction and appellate courts.	3. Prof. Competence
b. Explain and describe the procedural requirements for a criminal or civil case to enter the legal system.	3. Prof. Competence
c. Discuss and analyze the roles of judges, attorneys, mediators, legal assistants, and others who act within the legal system including ethical concerns.	2. Crit. Thinking 3. Prof. Competence
d. Examine sources of federal and state law, including state and federal constitutions, statutes, administrative law, and common law.	2. Crit. Thinking 3. Prof. Competence
e. Explain the relationship of the Liberal Arts and Sciences on the one hand and law on the other	2. Crit. Thinking 3. Prof. Competence

K. TEXT: Walston-Dunham, B., Introduction to Law, 6th Edition. Albany, NY: Delmar-Cengage (2011).

L. REFERENCES: Articles of current interest and other resources placed on the course online learning site.

M. EQUIPMENT: Technology Enhanced Classroom.

N. GRADING METHOD: A- F.

O. MEASUREMENT CRITERIA: Participation, in-class exams, final exam, assignments and research paper.

P. DETAILED TOPICAL OUTLINE:

THE AMERICAN LEGAL SYSTEM

LEST 101

TOPICS

I. Overview of Law and Legal Systems

A. Law, generally

1. Definition
2. Role

B. Legal Systems

1. Common Law
2. Civil Law

II. Sources of American Law

A. Federalism

1. Definition
2. Importance

B. Federal Law

1. Constitution
2. Statutes
3. Administrative regulations
4. Federal court decisions

C. State Law

1. Constitutions
2. Statutes
3. Administrative regulations
4. Court decisions

D. Local Law

III. Types of American Law

A. Public Law

1. Definition
2. Examples
3. Role

B. Private Law

1. Definition

- 2. Examples
 - 3. Role
 - C. Civil Law
 - 1. Definition
 - 2. Examples
 - 3. Role
 - 4. Overlap with private law
 - D. Criminal Law
 - 1. Definition
 - 2. Examples
 - 3. Role
 - 4. Overlap with public law
 - E. Substantive Law
 - 1. Definition
 - 2. Examples
 - 3. Role
 - 4. Importance
 - F. Procedural Law
 - 1. Definition
 - 2. Sources
 - a. Constitutional
 - b. Statutory
 - 3. Role
 - 4. Importance
- IV. Federal Courts
- A. Jurisdiction, generally
 - 1. Geographical
 - 2. Subject matter
 - 3. Hierarchical
 - B. History
 - 1. Constitutional establishment
 - 2. Statutory establishment
 - 3. Judicial review
 - C. General federal jurisdiction
 - D. Specialty Courts
- V. State Courts
- A. Structure, generally
 - 1. Trial courts
 - 2. Appellate courts
 - 3. Specialized courts
 - B. New York court structure
 - C. Jurisdiction
- VI. The Judiciary

- A. Federal
 - 1. Overview
 - 2. Selection
 - B. State
 - 1. Overview
 - 2. Selection
 - 3. New York process
 - C. Role of the judiciary
 - 1. Running trial process
 - 2. Making policy
 - 3. Proper or appropriate role of judges
 - a. Judicial activism
 - b. Judicial restraint
- VII. Attorneys
- A. Credentials and Requirements
 - B. Role in the legal process
 - C. Types of attorneys
 - D. Representation of the indigent
 - E. Ethical requirements
- VIII. Legal Assistants
- A. Role in the legal process
 - B. Limitations on their actions
 - C. Ethical requirements
- IX. Outside Influences on the Courtroom
- A. Interest Groups
 - B. Media
 - C. Courts and Policy
- X. Criminal Cases
- A. Parties
 - B. Basic pre-trial procedures
 - C. Trial procedures
 - D. Procedural protections
 - E. Trial
 - F. Sentencing
 - G. Appeal
- XI. Civil Cases
- A. Parties
 - B. Class-action suits
 - C. Settlement
 - D. Discovery
 - E. Trial procedure

F. Appeal