

## Course Outline

<b>COURSE:</b>	<b>LAWS 4903 A– Criminal Jury Trials</b>
<b>TERM:</b>	<b>Fall 2012</b>
<b>PREREQUISITES:</b>	<b>Fourth-year Honours standing</b>
<b>CLASS:</b>	<b>Day &amp; Time: Wednesday, 1805-2055</b> <b>Room: Please check Carleton Central for current room location.</b>
<b>INSTRUCTOR:(CONTRACT)</b>	<b>Gary R. Barnes</b>
<b>CONTACT:</b>	<b>Office: Contract Instructors' Office – B 442 LA ( Loeb )</b> <b>Office Hrs: By Appointment</b> <b>Telephone: 613-225-2529 – Office      613-225-1529 - Home</b> <b>Email: <a href="mailto:barnesgary@rogers.com">barnesgary@rogers.com</a></b>

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You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

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### **COURSE DESCRIPTION AND FORMAT :**

This is not an informational or advocacy course although there will be some aspects that will deal with those subjects. This will be a critical analysis of the criminal jury trial system. There will be an examination of historical alternatives, development and modern alternatives. Topics may include accused election, the reasons for electing judge and jury, juror qualification, jury selection, challenge for cause, change of venue, opening addresses, the trial process, closing addresses, and charging the jury. This will involve an analysis of how and why it came into being, why it survives and how it has evolved as well as the function of the judge, the jury dynamic and jury composition.

This course is a sequel to Laws 2004 ( Criminal Law In Context ) . The instructor is a practicing criminal defence counsel with over 35 years experience as well as 5 years as a part time Assistant Crown Attorney. The perspective will be broader than these viewpoints alone. The roles of the accused, victims, police, defence counsel, Crown attorney, judges, juries, media, politicians and the public will all be examined. Current issues before the courts, legislatures and the media will also be discussed. Students are encouraged to follow the media reports on current issues dealing with the jury trials so that they can participate in class discussions.

Reference will be made to the text, specific readings, the Juries Act, the Criminal Code and case law.

The course will be taught through lectures and discussions and guest lecturers. Students will be encouraged to participate by applying and critiquing the various institutions, concepts, and case law. A detailed course outline as well as weekly assigned readings will be given on the first day of class.

**COURSE READING MATERIALS :****a) Required Text :**

Tanovich, David M., David M. Paciocco and Steven Skurka, *Jury Selection in Criminal Trials : Skills, Science and the Law*. Concord, Ont. : Irwin Law, 1997.

One of the following edition of the 2013 Criminal Code is acceptable:

- 1- Martin's Annotated Criminal Code 2013 ( Canada Law Book )
- 2- Tremear's Annotated Criminal Code 2013 ( Carswell )
- 3- Carswell's pocket edition 2013

**b) Supplementary Readings :**

A list of readings will be given on the first day of class for those students who may wish to explore certain topics in more detail.

**METHOD OF EVALUATION :**

The grade in this course will be based on the following :

1. 50 % Essay (due October 24, 2012)
2. 50 % Final examination  
2 hour examination, multiple-choice, closed book  
- to be held during formal exam period at the end of the term