

# PL-1730: CRIMINAL LAW FOR PARALEGALS

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## Cuyahoga Community College

**Viewing: PL-1730 : Criminal Law for Paralegals**

**Board of Trustees:**

March 2022

**Academic Term:**

Fall 2022

**Subject Code**

PL - Paralegal Studies

**Course Number:**

1730

**Title:**

Criminal Law for Paralegals

**Catalog Description:**

The role of the paralegal in the American criminal justice system for both the prosecution and the defense. Criminal law and procedure will be explored along with the legal documents relevant to criminal law practice.

**Credit Hour(s):**

3

**Lecture Hour(s):**

3

## Requisites

**Prerequisite and Corequisite**

PL-1001 Introduction to Paralegal Profession, or concurrent enrollment; and ENG-1010 College Composition I, or concurrent enrollment; or departmental approval: permission from program manager.

## Outcomes

**Course Outcome(s):**

A. Provide legal support services for pre-trial preparation, discovery, and trial assistance for both prosecutors and defense attorneys.

**Essential Learning Outcome Mapping:**

Critical/Creative Thinking: Analyze, evaluate, and synthesize information in order to consider problems/ideas and transform them in innovative or imaginative ways.

**Objective(s):**

1. Explain the nature of the role and responsibilities of paralegals for both prosecutors and defense attorneys within the area of criminal law.
  2. Conduct necessary research and/or investigation, gather relevant and essential information, identify needed supporting documentation.
  3. Identify levels of punishment through Ohio Revised Code for felonies/misdemeanors and the United States Sentencing Guidelines Manual.
  4. Define crimes through utilization of the Ohio Revised Code, the Model Penal Code, and the United States Code.
  5. Explain criminal procedure fundamentals, particularly how these fundamentals can impact the work performed by paralegals.
  6. Analyze and explain legal ethics as applied to the practice of criminal law.
  7. Identify and define the terminology used in practice of criminal law, with an emphasis on the importance of the mens rea and actus reus elements.
  8. Competently review factual documents relevant to a criminal investigation.
  9. Structure participants' interviews for a criminal investigation.
  10. Identify applicable issues through examination of evidence relevant to a criminal investigation.
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**Course Outcome(s):**

B. Draft, format and proof legal documents for either the prosecutor or a criminal law practice.

**Essential Learning Outcome Mapping:**

Critical/Creative Thinking: Analyze, evaluate, and synthesize information in order to consider problems/ideas and transform them in innovative or imaginative ways.

**Objective(s):**

1. Prepare relevant filings, including discovery motions, motions to compel disclosure, motions to suppress, motions in Limine, and the issuance of criminal subpoenas.
  2. Demonstrate competence in the review of factual documents relevant to a criminal investigation.
  3. Competently review of factual documents relevant to a criminal investigation.
  4. Prepare legal memoranda containing elemental analysis of particular offenses.
  5. Prepare legal memoranda analyzing criminal procedure issues.
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**Methods of Evaluation:**

1. Final Examination
2. Mid-Term Examination
3. Quizzes
4. Class Participation
5. Drafting Assignments

**Course Content Outline:**

1. The nature of choate crimes
  - a. As a codified body of law
  - b. Definitions of codified terms
2. The nature of inchoate crimes
  - a. Attempt
  - b. Conspiracy
3. The nature of defenses
  - a. Self-defense
  - b. Defense of others
  - c. Insanity
4. Constitutional considerations
  - a. Due process
  - b. Speedy trial
  - c. Double jeopardy
  - d. Equal protection
5. Fourth Amendment regulation of seizures
  - a. Definition of "seizure"
  - b. Investigative detentions
  - c. Probable cause
  - d. Stop and frisk
  - e. Reasonable suspicion
6. Fourth Amendment - Warrants
  - a. Warrant requirement
  - b. Articulation of police suspicion.
  - c. Warrantless searches permitted
    - i. Incident to arrest
    - ii. Inventory searches.
  - d. Exclusionary rule
    - i. Fruit of the poisonous tree doctrine
    - ii. Good faith exception.
7. The Fifth Amendment protection against self-incrimination.
8. The Sixth Amendment right to counsel.
9. The charging process
  - a. Arrest
  - b. Indictment

10. Criminal trial procedure
  - a. Arrest
  - b. Principles of sentencing.
  - c. General nature of the criminal appellate
  - d. Post-conviction process
11. Dual sovereign criminal justice system
  - a. federal and state law enforcement
  - b. International law considerations.

## Resources

Hall, Daniel E. *Criminal Law and Procedure*. Eighth. Cengage, 2022.

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Loewy, Arnold H. *Criminal Law in a Nutshell*. 5th Edition. West Publishing, 2009.

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Schaffer, Lisa. *McGraw Hill's Criminal Law for Paralegals*. McGraw Hill, 2009.

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Carter, Edward III. (2016) *Criminal Law and Procedure for the Paralegal*, Wolters Kluwer: Aspen College Series.

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Ronald j. Bacigal and Mary Kelly Tate. *Criminal Law and Procedure*. Fourth. Cengage Learning, 2015.

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Neal R. Bevans. *Criminal Law and Procedure for the Paralegal*. 2nd. Delmar Learning, 2015. 2015.

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## Resources Other

United States Constitution

Ohio Revised Code

Model Penal Code

United States Sentencing Guidelines Manual

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Key: 3643