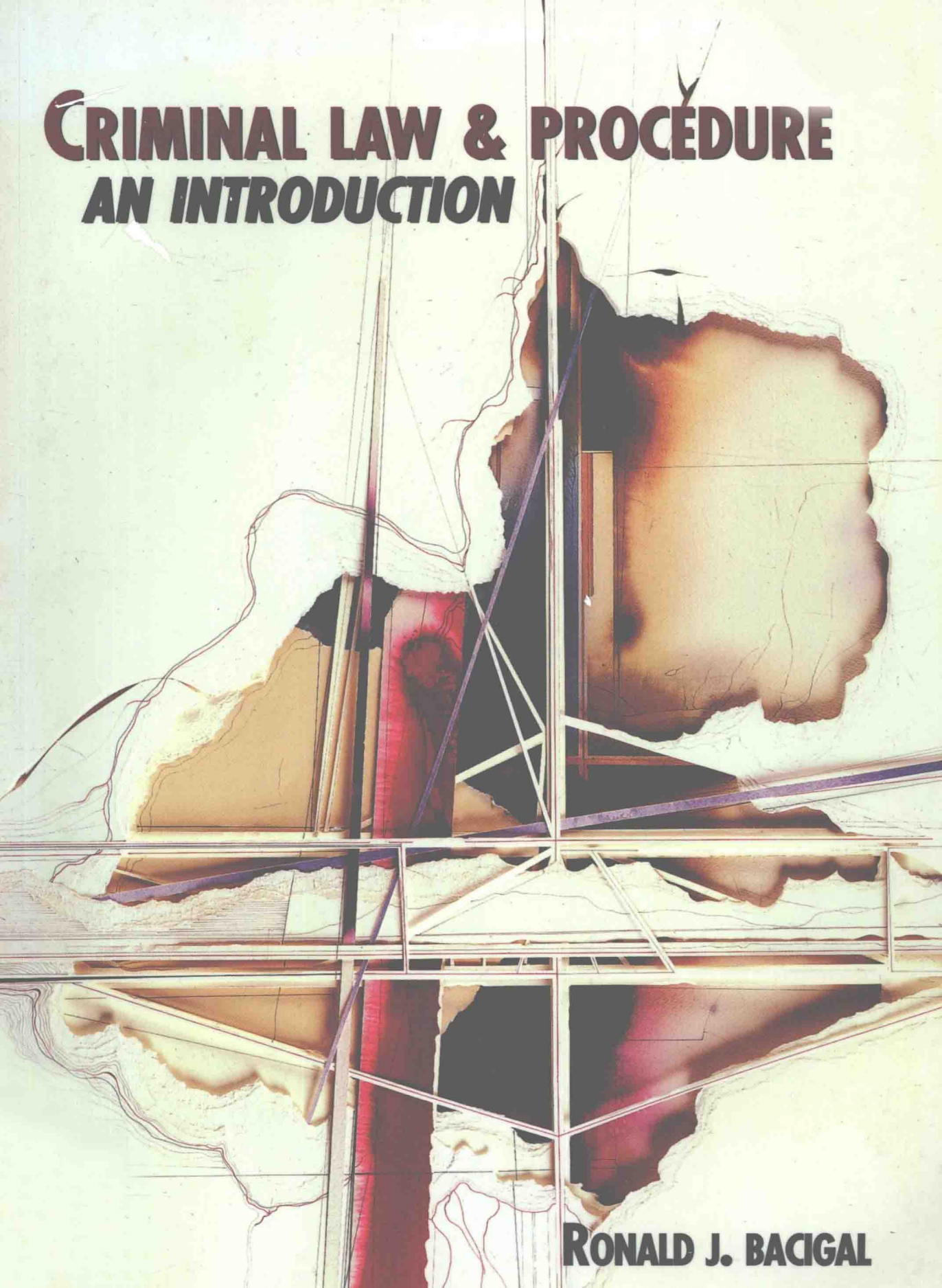
CRIMINAL LAW & PROCEDURE

AN INTRODUCTION



RONALD J. BACIGAL

CRIMINAL LAW AND PROCEDURE: AN INTRODUCTION

Ronald J. Bacigal
University of Richmond, Virginia

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PREFACE

The goal of this book is to provide an introduction to both the practice and the theory of Criminal Law. Thus, it may be used in a number of diverse educational programs such as undergraduate criminal law classes, associate-degree criminal justice programs, or paralegal courses. Depending on the needs of the students, sections of the book addressing either theory or practice can be emphasized, ignored, or given cursory coverage. For example, in a course emphasizing theoretical aspects of the criminal justice system, the contractual relationship between counsel and client (Chapter Eight) can be deleted in favor of focusing on Chapter Eleven's coverage of the fundamental conflict between individual privacy and the government's use of electronic surveillance. In contrast, a course stressing the pragmatic aspects of criminal practice might cover the contractual nature of the attorney client relationship, while omitting coverage of electronic surveillance, which is used in only a small number of actual cases.

Because this text covers both substantive criminal law and criminal procedure, it is suitable for a single course designed to provide an overview of the entire criminal justice system, or it can be used in separate courses focusing on either substantive or procedural law. If this book is used in separate courses covering substantive and procedural law, the text can be augmented with materials or lecture references to the laws of a specific jurisdiction. Chapters One through Seven define criminal responsibility and address the major felonies recognized in most if not all jurisdictions. Although these chapters provide a textual foundation for a course on substantive criminal law, they can be tailored to a particular jurisdiction by supplementing the text with statutory and case law from a specific locality. For example, Chapter Six acquaints students with the elements of common law burglary, but students preparing for careers as paralegals will need to become familiar with specific forms of statutory burglary in their own states.

In a course limited to the procedural aspects of criminal law, Chapters Eight through Sixteen contain enough material to support a semester-long course. Because a great deal of criminal procedure is of constitutional dimension, these chapters have universal application. There remains, however, ample opportunity to supplement constitutional procedure with the rules of a particular locality. For example, Chapter Fourteen notes that each jurisdiction has rules governing the timing and content of motions for pretrial discovery.

Whatever the nature of the course in which this book is used, the text material constitutes a narrative account of the law. Abundant case summaries are interwoven with the text to bring the "real world" into the classroom. The use of these case excerpts can be varied to suit individual tastes. The cases enhance the textual discussion of law, but for the most part, any case may be eliminated without depriving the student of exposure to the relevant law.

CHAPTER FORMAT

- Chapter outlines open each chapter to focus attention on the main elements the student will encounter.
- Key terms are set in boldface type and defined in the margin where they first appear within the chapter.
- Exhibits, such as jury instructions, sample documents, and forms, illustrate how theories discussed in the chapter appear in the "real world."
- A chapter summary provides a brief review of the main points covered.
- Concept summary charts at the end of many chapters depict and contrast the key points covered.
- Discussion questions and practice exercises are designed to stimulate deliberation and practical application of the chapter material.

SUPPORT MATERIAL

This book is accompanied by a support package that will assist students in learning and aid instructors in teaching. The following supplements accompany this text:

- A student study guide by Cindy Sheaffer, Central Pennsylvania Business School, provides study outlines and review questions for each chapter.
- An instructor's manual and testbank (also available on disk) includes suggestions on classroom coverage, descriptions of hypothetical situations to stimulate classroom discussion, suggested "answers" or approaches to the discussion questions, and a brief summary of the facts and holding of each case cited within the chapter. A comprehensive test bank provides objective test questions and answers.

Additional support is available in the form of

- **WESTLAW,** West's on-line computerized legal research system, which offers students hands-on experience with a system commonly used in law offices. (Ten hours are available free to qualified adopters.)
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- The **Strategies and Tips for Paralegal Educators** pamphlet, by Anita Tebbe, Johnson County Community College, which offers specific teaching ideas to instructors to aid students in meeting their educational goals.

Please contact your West sales representative for qualifications on these supplements.

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