

Law of Juvenile Delinquency
Syllabus for Spring 2009

When: Mondays, 2:00 to 3:50 pm

Where: Room 04

Instructor: Paul Minehart
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Office hours, Monday, 1:00-1:45 pm in Room 200, other times by appointment.

Texts: BARRY FELD, *CASES AND MATERIALS ON JUVENILE JUSTICE ADMINISTRATION* (2d ed. 2004)
BARRY FELD, *2008 SUPPLEMENT TO CASES AND MATERIALS ON JUVENILE JUSTICE ADMINISTRATION* (2008)

Course Objective: Study of the policies guiding the development of the law of juvenile delinquency, investigation of juvenile offenses, and the functioning of the juvenile court including intake and hearing procedures, dispositions, the role of counsel and other professionals in the system, and constitutional limitations.

Attendance: Please be on time and prepared for each class. If you have more than two unexcused absences, your grade may be lowered one-half point (*i.e.* from a B to a B-). If you are going to miss class please contact me a head of time and let me know why you will be absent.

Computers: Students may use computers in the classroom for purposes relating to the class. Web surfing or emailing during class is not allowed.

Testing and Grading: The course will end with a two-hour, self-scheduled, final exam. Your grade on the exam will be your grade for the course.

Reading Assignments:

Jan 26, 2009 **Introduction**

Reading assignment: Chapter 1, pp. 1-3; Note 2) pp. 29-30.
Chapter 2, Section B, Note 4) pp.85-94.
Chapter 6, Section D, Note 4) pp. 645-652.

Feb 2, 2009 **Racism in the Juvenile Justice System**

Reading assignment: *In re J.M.*, pp. 270-274.
Chapter Eight, Section B5, pp. 932-942.

Discussion

questions:

Do you agree with Justice Mack's dissent? Does the race of the juvenile impact whether consent can be considered freely and voluntarily given? If so, what is the impact of race on the juvenile and on the police officer?

Feb 9, 2009

Procedural Rights at Trial

Reading assignment: Chapter Seven, Section A, pp. 674-692 (stop before notes);
Section B, pp. 697-704;
Section C, pp. 704-716 (stop before notes).

Cases for discussion: *In re Gault*, p. 675
In the Matter of Winship, p. 697
McKeiver v. Pennsylvania, p. 704

Feb 16, 2009 **Infancy, Insanity, Competency**
Reading assignment: Chapter Two, Section B1, pp. 70-83 (stop after note 2);
Section B2, pp. 94-113.

Cases for discussion: *In re Tyvonne J.*, p. 70
In re Gladys R., p. 75
State v. J.P.S., p. 82
Commonwealth v. Chatman, p. 94
In re Causey, p. 101
In re H.C., p. 102
Matter of C.W.M., p.102
Golden v. State, p. 104
Tate v. State, p. 111

Feb 23, 2009 **Searching Juveniles**
Reading assignment: Chapter Three, Sections A, B1, pp. 184-229.

Cases for discussion: *Lanes v. State*, p. 184
In re Tyrell J., p. 192
In re J.G., p. 197
In re Adrian B., p. 200
New Jersey v. T.L.O., p. 202
Thompson v. Carthage School District, p. 220
Jones v. Latexo Ind. School Dist., p. 221
State v. Jones, p. 224
People v. Dilworth, p. 226

Mar 2, 2009 **Voluntary Searches, Drug detection on Schools**
Reading assignment: Chapter Three, Section C, pp. 268-274;
Section B2-3, pp. 229-268 (omit the first half of note 1, p. 237, start with
Commonwealth v. Martin, p. 238);
Corresponding supplement pages.

Cases for discussion: *In re J.M.*, p. 270
Doe v. Renfrow, p. 229
Illinois v. Caballes, Supp.
Meyers v. State, Supp.
Commonwealth v. Martin, p. 238
B.C. v. Plumas Unified School District, p. 239
Horton v. Goose Creek Ind. School District, p. 241
Beard v. Whitmore lake School District, Supp.
Harlow v. Fitzgerald, p. 243
Vernonia School District 47J v. Acton, p. 245
Skinner v. Railroad Labor Executives' Assoc., p. 255
National treasury Employees Union v. Von Raab, p. 255
Board of Education of Independent School District No. 92 of Pottawatmie County
v. Earls, p.256

Mar 9, 2009 **Interrogation and Identification of Juveniles**

Reading assignment: Chapter Three, Sections D1, pp. 274-302;
Corresponding supplement pages.

Cases for discussion: *Haley v. Ohio*, p. 275
Gallegos v. Colorado, p. 275
In re Gault, p. 276
Fare v. Michael C., p. 277
Yarborough v. Alvarado, p. 288
In re I.J., Supp. p. 13
State v. Burrell, Supp.
In re R.J.E. (Minn Ct. App. 2001) p. 300
State v. Ouk, p. 302
In re Jerrell C.J., Supp.

Mar 16, 2009 **Line-Ups, Photographs, Fingerprints and Publicity**

Reading assignment: Chapter 3, Section E, pp. 332-343

Cases for discussion: *In re M.B.*, p 334.
Commonwealth v. Kent, p. 335
Smith v. Daily Mail Publishing Co., p. 339

Mar 23, 2009 **No Class - Spring Break**

Mar 30, 2009 **Diversion from Juvenile Court, Procedural Safeguards at Intake**

Reading assignment: Chapter 4, Section A.2, pp.353-359;
Sections B, C, & D, page363 (start with notes at bottom of page) through page 394
(stop before note 3)

Cases for discussion: *State v. Chatman*, p. 363
State v. W.S., p. 365
State v. McDowell, p. 366
State v. Tracy M., p.368
State v. Quiroz, p. 369
In re D.S.S., p. 371
In the Matter of Frank H., p. 388
Minnesota v. Murphy, p. 390
In re Wayne H., p. 392

April 6, 2009 **Pretrial Detention**

Reading assignment: Chapter Five, Section B, pp. 414-441 (stop after note 5);
Sections C.3, D, pp. 467-482

Cases for discussion: *Schall v. Martin*, p. 414
People v. Juvenile Court, City and County of Denver, p. 467
D.B. v. Tewksbury, p. 476

April 13, 2009 **Certification, Waiver, Extended Jurisdiction Juvenile**
Reading assignment: Chapter Six, Section B, c, pp. 548-571;
Section C, pp. 598 (start with *Manduley*) to 622
Discussion questions Problem, pp. 562-563.

Cases for discussion: *In re D.F.B.*, pp. 551-567.
Manduley v. Superior Court of San Diego County, p. 598

April 20, 2009 **Right to Counsel, Representation of Juvenile Clients**
Reading assignment: Chapter Seven, Section F, pp. 767-811

Guest Speaker: Robert Oleisky, *Esq.*

April 27, 2009 **Punishment, Treatment and Sentencing**
Reading assignment: Chapter 2, Section B.3, pp.113-122;
Chapter Six, Sections D.2, 3, pp. 634-645
Corresponding supplement pages.

Discussion questions Note 4, p.121

Cases for discussion: *In Re Eric J.*, p. 114
Smith v. State, p. 117
J.K. v. State, p. 119
In re A.M.H., p.120
Harris v. Wright, p. 637
Naovarath v. State, p. 639
Roper v. Simmons, Supp.

May 4, 2009 **Disposition, Status Offenses**
Reading assignment: Chapter 8, Section A, pp. 863 (start with *D.S.F.*) to 879

Cases for discussion: *In re D.S.F.*, p. 863
In re J.A.J., p. 867
In re A.L.J., p 870
State v. James P., p. 872
In re T.S., p.876
State v. Kristopher G., p.877
State v. Fambrough, p.878
D.J.W. v. State, p. 878