



Title	<u>The American Judicial Process from a Judge's Perspective</u> 24 March – 4 April 2025
Lecturer(s):	Judge Tod J. Kaufman , retired Circuit and Chief Circuit Judge, (1988-2022) in Charleston, West Virginia; former West Virginia State Senator; private practice of law
Brief description	The American Government is tri-partite democracy, meaning three branches of government, each providing "checks and balances" on the other. The third branch of government, the judiciary, comprises judges and administrative personnel and will be examined in this survey course. The course will cover rule of law, precedent, the American Bill of Rights and Constitution, jury trials and criminal sentencing. It will also cover due process of law and contemporary issues the American courts are now considering. Some of these issues are gun control issues, abortion and health care, immigration, the death penalty, and the environment.
Schedule	<ol style="list-style-type: none">1. Introduction between students and professor. Introductions to American law, the Constitution, the Bill of Rights, and the First Amendment.2. The rule of law, precedent, stare decisis3. Civil and criminal cases: 6th and 7th Amendments, jury selection and trials, jury duty, void dire.4. How judges are educated and selected5. Criminal Sentencing: discretionary and guideline sentencing options, grand jury, indictments, 4th Amendment, 5th Amendment6. 14th Amendment, voting, jury duty, Civil Rights Act, due process of law.7. Privacy, state action, pnambera of rights, Roe v. Wade and its progeny, birth control, religion, and speech8. Death penalty -- 8th Amendment, cruel and unusual punishment, state and federal appeals and review; costs9. Right to bear arms -- 2nd Amendment

Materials/Recommended readings	<ol style="list-style-type: none">1. Declaration of Independence2. The Constitution of the United States3. Bill of Rights4. Amendments to the Constitution of the United States5. Constitutional Convention minutes6. Finding the Balance between Precedent and Progress by Amelia Smith Rinehart, Dean of West Virginia College of Law, 2024
Assessment/Exam	Students will be given a short answer question exam before course completion