

PROBLEM-SOLVING COURTS
SEMINAR SYLLABUS
Fall 2019
Prof. Mae C. Quinn

Contact Information:

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Class Meetings:

Mon. 4:00-6:00 p.m., Room HH350

First class session: 8/26/19

Course Overview and Description:

Over the last thirty years, thousands of individual specialized “problem-solving” courts have opened across the United States. Examples of these specialty venues include drug treatment, mental health, and veterans’ courts. This course will consider factors that have contributed to this phenomenon, survey the various types of specialty courts that have been established, analyze the features and functions of these institutions, and compare them to other criminal courts, past and present. We will explore the potential legal and ethical issues presented by “problem-solving” courts along with other justice system implications, including the future of such institutions in this country.

Required Readings and Preparation for Class:

There are three required texts for this course: (1) GREG BERMAN AND JOHN FEINBLATT, GOOD COURTS; (2) MICHAEL WILLRICH, CITY OF COURTS; and (3) ELIZABETH FAJANS & MARY FALK, SCHOLARLY WRITING FOR LAW STUDENTS. All three texts are available at the campus bookstore or can be purchased online. The remainder of the semester’s readings will be posted to CANVAS each week.

Please note that for every class you are expected to bring the day’s assigned readings in some form that is accessible to you. This applies whether or not you are a designated “expert” for the day.

Consistent with American Bar Association requirements, you should plan to spend at least two (2) hours outside of class to prepare for every hour of class time. Since our class meets one time a week for two (2) hours, you should prepare to spend at least four (4) hours each week reading and otherwise preparing for class.

Accommodations:

The Levin College of Law is committed to ensuring all students are provided equal opportunity to participate fully in the law school and University community. Students seeking disability accommodations should register with the Disability Resource Center (<http://www.dso.ufl.edu/drc/>). Once registered, students will receive an accommodation letter that must be presented to the College of Law’s Assistant Dean for Student Affairs (Dean Mitchell) to request accommodations at the Law School. Students should begin this process as early as possible in the semester to ensure their needs are met properly and promptly.

Course Format, Class Meetings, and Attendance Policy:

This seminar course is part of an important conversation about criminal justice and problem-solving courts that has been taking place across the country. I interpret your enrollment as a desire to play a role in that discussion.

This is a professional school. At all times, including in this class, you should conduct yourselves as professionals – including by way of showing respect for others in the course, meeting your responsibility to attend scheduled class sessions, and contributing meaningfully to classroom conversations. I will read for, participate in, and attend every class, and expect the same of you – whether or not you are part of the day’s student “expert” group. Experts will be called upon to serve as discussion leaders and help drive class conversations. They must be especially familiar with the assigned readings and the issues they raise, including those from the SCHOLARLY WRITING text. **BUT EVERYONE MUST BE PREPARED FOR EVERY CLASS.**

Attendance will be monitored. Given the unique structure of seminar courses, this class will only meet 12 times (including for our end of semester symposium where students will present their research). If you must miss a class, please contact me to let me know. If you miss more than one without excuse, you will face grade reduction. If you miss more than two classes without excuse, you will be referred to the Dean of Students and face the possibility of dismissal from the course.

On at least one occasion you will be required to attend and observe problem-solving court proceedings, for a total of 1 hour of observation time. In addition, you will meet with me outside of class, as described below, 3 times during the semester. These one-on-one meetings will last about 20 minutes each, also totaling 1 hour. These requirements will take the place of a formal classroom session on December 2.

Electronic Device Policy and Professionalism:

To further provide a professional and respectful environment without distractions where we can engage in meaningful conversations, the use of laptop computers is **ONLY** permitted in class for note taking or referring to class materials. Similarly, all cellular telephones should either be turned off or turned to silence mode so that they do not disturb anyone during class.

Violation of this electronic device policy – for instance, by responding to emails in class, surfing the web, personally recording class, allowing your cell phone to ring, or engaging in other unprofessional conduct - can result in loss of credit toward your semester’s grade for class participation and professionalism. Depending on the nature of the violation, you will also face the possibility of disciplinary action under the Honor Code.

Office Hours and Availability Outside of Class:

I love talking with students about criminal justice issues, legal practice, and career matters. I am interested in your success in this course and professional development. I am available to meet during my office hours (Mondays from 1-3pm), immediately after class, and otherwise. I will also share my cell phone number in case of emergencies.

Specific Learning Outcomes:

My hope is that at the end of this course students will not only receive a satisfactory grade, but will also:

- √ Demonstrate improved legal research skills, including the ability to choose an appropriate research topic for investigation mindful of avoiding the problem of preemption, develop a research agenda, and sufficiently research relevant legal and other materials.
- √ Know more about the universe of legal and policy authorities that attorneys, judges, and legal scholars might consult beyond appellate cases – the primary source used in text books. This includes developing facility with researching and reading law journal articles, state bar materials, ethical standards, and other resources.
- √ Have greater confidence and competence as legal writers who are able to produce quality work that utilizes effective large and small scale organization, as well as strong legal analysis.
- √ Master the more technical skills associated with legal writing, including correct grammar, language usage, and sentence structure – along with proper citation format and ethical attribution of ideas and details.
- √ Possess greater knowledge of the broad range of problem-solving court models, processes, and practices that exist in the United States today, including drug-treatment courts, domestic violence courts, community courts.
- √ Understand the history of problem-solving courts, in addition to constitutional, ethical, and other issues they may present.
- √ Comprehend the role that race, poverty, gender, sexual-orientation, language-difference, power, privilege and other factors may play in justice system processes and outcomes, including within the problem-solving court context.
- √ Become a subject-matter expert regarding at least one specific problem-solving court related issue based upon extensive research on the topic over the course of the semester, a symposium presentation, and production of a publication-quality seminar paper.
- √ Improve as communicators in a range of contexts, including informal classroom discussions, when engaging with others who hold competing views, and as formal public speakers.

Student Assessment:

This course is intended to satisfy the Law School’s “Advanced Writing Requirement.” To receive such credit you must produce a “major, written, finished product that shows evidence of original systematic scholarship based on individual research.” That is, you are expected to produce a publication-quality written paper that is well-researched, fully and properly footnoted, and at least 25 pages in length (double-spaced with 12-point font).

As noted on the Course and Reading Schedule below, you will be required to meet with me individually outside of class on 3 occasions during the semester. This is with a view towards helping you develop your paper topic, refine your research agenda, sharpen your writing skills, and work towards a final product. However, I am very happy to meet with you at other times throughout the semester. I know that writing does not come easily to everyone. I do not want you to be intimidated by the Advanced Writing Requirement and am willing to do what I can to help you succeed.

At the end of the semester we will hold a course symposium, during which you will present your work. I know that public speaking does not come easily to everyone. Again, I will do what I can to help you improve in this area and help you to succeed.

Your grade will be computed using the following formula for your raw score for this course:

- 10% General Participation, Professionalism & Class Expert Role
- 5% Paper Abstract and Outline with Research Notes (3 page minimum)
- 15% First Paper Draft (10 page minimum)
- 10% Symposium Presentation
- 60% Final Paper (25 page minimum)

Raw score grades then will be distributed over the Levin College of Law’s “curve” for the course. The Law School’s “curve”/distribution rules are posted on the College’s website and this class adheres to that posted grading policy. The law school grading policy is available at: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#9>. The following chart describes the College of Law’s grading rubric:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

Assignment deadlines will be enforced. Assignments turned in late without sufficient justification will receive grade reductions as I deem appropriate under the circumstances.

Faculty Assessment:

You will also be provided with the opportunity to assess my contributions as a faculty member. Pursuant to a new UF rule, I am required to provide you with these details about faculty assessment and evaluation: “Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.”

Code of Academic Conduct Including Plagiarism Prohibitions:

I know this goes without saying – but all students who enter the Levin College of Law are governed by the College of Law and University Honor Codes. All work for this course should fully comply with both the spirit and letter of these Codes. As a further reminder, the Levin College of Law’s Honor Code provides in part:

Violation of the Honor Code and Sanctions:

...(a) Conduct Prohibited by the Honor Code. Students are prohibited from engaging in conduct that violates the Academic Honesty Guidelines (6C1-4.017). Actions identified in the Academic Honesty Guidelines are violations of the Honor Code.

(b) Consequences of Honor Code Violation. The following shall be consequences of an Honor Code violation:

1. Imposition of Sanctions. If a student is adjudicated responsible for a violation of the Honor Code or accepts responsibility for a violation, the student becomes subject to the sanctions authorized by 6C1-4.016(3).

2. Bar Notification. If a student is adjudicated responsible for an Honor Code violation or accepts responsibility for a violation, the College of Law shall provide this information to any state or federal bar to which the College of Law becomes aware that the student has applied.

3. Flagging of Student’s Records. If a student adjudicated responsible for an Honor Code violation or accepts responsibility for a violation, College of Law Student Affairs shall include this information and make a record of the proceedings against the student a permanent part of the student’s file....

Accordingly, you should be sure that your outlines, drafts, and final paper do not improperly borrow from other authors or sources. Appropriate quotation and/or attribution is required. I know quite a bit about the subjects each of you will be writing about and am familiar with much of the research in the field. It is also my practice to check all materials submitted to me to make sure that academic honesty standards have been met. Do not place me in the position of having to take disciplinary or other action.

Course and Reading Schedule*

**I will do my best to follow the below schedule but reserve the right to modify it as needed.*

8/26:	Class One:
	The “Problem-Solving Court” Movement: Introduction to Course Concepts and Themes
	Read: GOOD COURTS: Introduction, Chap. 2, and Chap. 7 SCHOLARLY WRITING: Pages 1-5, 13-15, and skim 143-156 No CANVAS reading today
	Experts: Entire Class

9/2	No Class – Labor Day
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9/9:	Class Two:
	The U. S. Criminal Court System: Rules, Roles, and Goals
	Read: SCHOLARLY WRITING: Pages 17-26 CANVAS assignment
	Experts: Group 1

9/16:	Class Three:
	Critiques of Conventional Criminal Courts and Practices
	Read: GOOD COURTS: Chap. 1 SCHOLARLY WRITING: Pages 27-33 CANVAS assignment
	Experts: Group 2

* Sign up for 20 minute initial paper topic meetings to take place the week of 9/23.

9/23:	Class Four:
	Birth of Modern “Problem-Solving Court” Movement: Drug Treatment Courts
	Read: SCHOLARLY WRITING: Pages 53-61 CANVAS assignment
	Visit: Alachua County Drug Treatment Court
	Experts: Group 3

9/30: Class Five:
Variations on the “Problem-Solving” Theme: Mental Health Courts

Read: SCHOLARLY WRITING: Pages 63-73, 75-80
CANVAS assignment

Visit: Alachua County Mental Health Court

Experts: Group 1

* Paper outline and abstract due by Friday, 10/6 at 5:00pm.

* Sign up for 20 minute individual paper outline and abstract meetings.

10/7: Class Six:
Variations on the “Problem-Solving” Theme: Veterans’ Courts

Read: SCHOLARLY WRITING: Pages 75-80
CANVAS assignment

Visit: Alachua County Veterans’ Court

Experts: Group 2

10/14: Class Seven:
**Variations on the “Problem-Solving” Theme:
Other Modern Specialized Courts and Attempts at “Innovation”**

Read: GOOD COURTS: Chap. 3
SCHOLARLY WRITING: Pages 90-92
CANVAS assignment

Experts: Group 3

10/21: Class Eight:
Specialized Criminal Courts as New Approach?

Read: Willrich, CITY OF COURTS: Pages 96-115 and 119-139
SCHOLARLY WRITING, Pages 99-111
No CANVAS assignment this week

Experts: Group 1

10/28: Class Nine:
Specialized Criminal Courts as New Approach? (cont'd)

Read: Willrich, CITY OF COURTS: Pages 155-171 and 241-246
SCHOLARLY WRITING: Pages 111-116, 119-127
CANVAS assignment

Experts: Group 2

11/4: Class Ten:
The Future of Problem-Solving Courts?

Read: Willrich, CITY OF COURTS: 259-277
GOOD COURTS: Conclusion
SCHOLARLY WRITING, Pages 127-133, 165-169
CANVAS assignment

Experts: Group 3

- * First Paper Draft due by Friday 11/8 at 5:00pm.
- * Sign up for 20 minute individual First Paper Draft meetings.

11/11 No Class – Veterans Day

11/18: Class Symposium – Part I

11/25: Class Symposium – Part II

12/2: No formal class meeting due to court observation sessions/individual meetings.
Optional Second Paper Draft due by Monday 12/2 at 5:00pm.

****Final Paper due by Wednesday 12/18 at 5:00pm****