行政单位：刑事司法管理与人类服务系

课程代码和编号：CJAD 306

课程名称：军事司法系统

学分：3 讲座学时：3 实验学时：0

课程描述：对军事司法的历史和原则进行研究，并比较军事和民事司法系统。主题包括《军事司法统一法》；军事犯罪；非正式审判；一般军事法院和特别军事法院的司法管辖权；军事法官和陪审团；自证其罪，搜查与扣押，预审羁押和拘禁；认罪协商；军事法院的判决和上诉审查。先修课程：CJAD 101 和大二学年。偶尔开课。

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教材：许多合适的教材都来自不同的出版社，以下列表不全面。其他教材可能由个别教师认为更适用于达成课程目标。许多当前的教科书都有配套网站，教师被鼓励利用现有技术来增强学生的课程体验。


教师也可以考虑将学生引导到包含刑事法和刑事案例的网站，如http://www.findlaw.com或其他由政府机构或非营利机构维护的法律网站。

课程目标：

- 赏识军事司法系统的史和演变。
- 理解军事司法系统与国内司法系统的区别。
- 接触到军事司法系统中常见的法律术语和方法。
- 将军事法律应用于真实和假设的情境。
Measurable Learning Outcomes:

- To enhance critical thinking, research and writing skills on issues relevant to the military justice system.
- Describe the history and evolution of the military justice system.
- Explain the difference between the military and civilian justice systems.
- Describe the key features of the Uniform Code of Military Justice
- Describe and apply the elements of military crimes to specific factual situations;
- Explain the jurisdiction of general and special military courts
- Explain the roles played by military judges and panels
- Analyze and apply important procedural protections available to those accused in military courts, including the following:
  - Privilege against self-incrimination
  - Protection from unfounded search and seizure
  - Rights during pretrial confinement
  - Explain the plea bargaining process in military courts
- Identify the rights available to the accused in a military trial and compare those to rights available in civilian trials
- Describe the process of sentencing and appellate review in military courts.
- Identify the rights available to the accused in a military trial and compare those to rights available in civilian trials
- Describe the process of sentencing and appellate review in military courts
- Analyze and interpret judicial decisions, code provisions and case studies on military justice issues
- Appraise current literature, materials and developments regarding military justice.

Topical Outline (major areas of coverage):

- History of Military Justice
- Comparison of Military and Civilian Justice
- Uniform Code of Military Justice
- Military Crimes
- Jurisdiction of Military Courts
- Pretrial procedures in Military Courts
- Trials in Military Courts
- Appeals in Military Courts
- Staffing in the Military Courts
- Current trends and future directions in Military Courts
In an effort to better prepare students for future educational pursuits and professionalism in their chosen fields, it is highly recommended that all courses bearing the CJAD prefix contain both a writing and speech communication component. Formal writing projects should be prepared in APA format.

Recommended maximum class size for this course: 35

Library Resources: Online databases are available at http://www.ccis.edu/offices/library/resources.asp. You may access them from off-campus using your eServices login and password when prompted.

Prepared by: Barry R. Langford, M.S.J.D.

Name: ____________________________  Signature: ____________________________

Date: May 15, 2005

NOTE: The intention of the master syllabus is to provide an outline of the contents of this course, as specified by the faculty of Columbia College, regardless of who teaches the course, when it is taught or where it is taught. Faculty members teaching this course for Columbia College are expected to facilitate learning pursuant to the course objectives and cover the subjects listed in the topical outline. However, instructors are also encouraged to cover additional topics of interest so long as those topics are relevant to the course’s subject. The master syllabus is, therefore, prescriptive in nature but also allows for a diversity of individual approaches to course material.

Office of Academic Affairs
12/04