

LAW 235.3, Sec. 1 — JUVENILE JUSTICE

Professor Franklin E. Zimring
Syllabus—Fall 2019

Class: Monday and Wednesday, 11:20 a.m.–12:35 p.m.
Meeting Location: Berkeley Law 244
Office Hours: Tuesdays, 10:00–11:30 a.m., 383 Boalt Hall
Course books: Barry C. Feld and Perry L Moriearty, *Juvenile Justice Administration* (Fifth Edition, 2018)
Franklin Zimring, *American Juvenile Justice* (Second Edition, 2019)

I. The Jurisprudence of Juvenile Justice

A. Why Two Courts for Crimes?

1. Background

Feld & Moriearty, pp. 1–21
Zimring, Chapter 1

2. The Constitutional Calculus

In Re Gault, Feld & Moriearty, pp. 22–27 and 741–763
In the Matter of Winship, Feld & Moriearty, pp. 763–770
McKeiver v. Pennsylvania, Feld & Moriearty, pp. 770–785
Zimring, Chapter 4

II. Is Juvenile Crime Distinctive?

Zimring, Chapters 7 and 8

III. Age Related Substantive Law

A. Jurisdictional Age and Behaviors

Feld & Moriearty, pp. 63–80

B. Infancy and the Age of Responsibility, Competency and Insanity

Feld & Moriearty, pp. 81–134
Zimring, Chapter 5

C. Status Offenders and Offenses

Feld & Moriearty, pp. 146–187

IV. Some Procedural Issues in Juvenile Law Enforcement

A. Arrests and Searches by the Police

Feld & Moriearty, pp. 189–208

- B. Searches and Drug Detection in Public Schools
Feld & Moriearty, pp. 209–289
 - C. Consent Searches
Feld & Moriearty, pp. 289–295
 - D. Interrogation and Confession
Feld & Moriearty, pp. 295–371
- V. Procedure in Juvenile Courts
 - A. Intake and Diversion
Feld & Moriearty, pp. 385–410, 435–449
Zimring, Chapter 4 (review)
 - B. Pretrial Detention
Feld & Moriearty, pp. 451–536
- VI. Transfer from Juvenile Court to Criminal Court
 - A. Introduction
Feld & Moriearty, pp. 537–556
 - B. Judicial Waiver
Kent v. U.S., Feld & Moriearty, pp. 556–563
 - C. Legislative Offense Exclusion and Prosecutorial Direct File
Feld & Moriearty, pp. 626–644, 645–670
Zimring, Chapter 11
 - D. Blended Jurisdiction
Feld & Moriearty, pp. 614–626
- VII. Dispositional Outcomes in Juvenile Court
Feld & Moriearty, 913–930
- VIII. The Eighth Amendment and Diminished Adolescent Capacity: Capital Punishment
Minimum Age Limits, and Life without Possibility of Parole
Roper v. Simmons, Feld & Moriearty, pp. 692–706
Graham v. Florida, Feld & Moriearty, pp. 707–718
Miller v. Alabama, Feld & Moriearty, pp. 718–738
- IX. Reforms and Collateral Problems
 - A. Restorative Justice
Feld & Moriearty, pp. 410–435

- B. Megan's Law, the Adam Walsh Act, and Juvenile Sex Offender Registration
Michael Caldwell, "Juvenile Sex Offenders," Chapter 3 in Zimring and Tanenhaus, eds. (2014) (bCourses)
- C. Expanding the Age Transitions in U.S. States
- D. Why Are Juvenile Courts Almost Universal?
Zimring and Langer, "One Theme or Many?" Chapter 6 in Zimring
- E. Juvenile Justice Reform in the American Federal System
Zimring and Tanenhaus, "On Strategy and Tactics in Juvenile Justice Reform," Chapter 15 in Zimring
San Francisco Chronicle, "Vanishing Violence," March 2019 (bCourses)
Zimring, Chapter 9