

JUS 331 Milestone Three Guidelines and Rubric

While Milestone Two allowed you to consider Jack's case, Milestone Three revolves around Diane's case. In Milestone Three, you will assume various legal roles and evaluate the juvenile offender's rights during arrest, the hearing process, and the appropriate options available to enforce upon the juvenile offender.

For Milestone Three, you will submit a draft of Section III of the final project: **Diane's Case**.

Jack and Diane are each 13 years old and are best friends. On September 12, 2012, Jack asked Diane to meet him at Moe's Convenience Store. While in the store, Jack steals three packs of gum and a candy bar. Jack hands Diane two boxes of candy to place in her purse. Diane places the candy in her purse. The store owner, Moe, notices Diane place items in her purse. As Jack and Diane exit the store, Moe calls their names and runs after them. Jack pushes Moe to the ground and exits with Diane.

Moe calls the police and reports the theft. The police apprehend Jack and Diane a few blocks away from the store. The police only retrieve the boxes of candy from Diane but not the packs of gum or the candy bar taken by Jack. The police escort Jack and Diane to the police station where they question them for two hours regarding the theft. Diane confesses her and Jack's role in the theft. Jack denies any wrongdoing. The police charge Jack and Diane with theft and also charge Jack with simple assault. Their hearings are within the state-mandated time after they are petitioned to appear in the local juvenile court.

Specifically, the following critical elements must be addressed:

III. **Diane's Case**

- a) Were Diane's due process and constitutional rights violated during **the investigation** process? Explain your arguments.
- b) Were Diane's due process and constitutional rights violated during the **hearing process**? Explain your arguments.
- c) If you were the **defense** attorney, what arguments would you make in defense of Diane? Defend your response.
- d) If you were the **prosecutor**, what arguments would you make in prosecution of Diane? Defend your response.
- e) Would Diane's case have been handled differently in the **federal system**? How would the process be different?
- f) What would be an appropriate **court-ordered option** available based on the fact pattern from the defense attorney and prosecutorial perspectives?

Rubric

Guidelines for Submission: Your paper must be submitted as a one- to two-page Microsoft Word document with double spacing, 12-point Times New Roman font, one-inch margins, and at least three sources cited in APA format.

Critical Elements	Proficient (100%)	Needs Improvement (75%)	Not Evident (0%)	Value
Diane’s Case: The Investigation	Explains if Diane’s due process and constitutional rights were violated during the investigation process and explains arguments	Explains if Diane’s due process and constitutional rights were violated during the investigation process, but does not explain arguments	Does not explain if Diane’s due process and constitutional rights were violated during the investigation process	15
Diane’s Case: Hearing Process	Explains if Diane’s due process and constitutional rights were violated during the hearing process and explains arguments	Explains if Diane’s due process and constitutional rights were violated during the hearing process, but does not explain arguments	Does not explain if Diane’s due process and constitutional rights were violated during the hearing process	15
Diane’s Case: Defense	Establishes arguments that could be used in defense of Diane and defends response	Establishes arguments that could be used in defense of Diane, but does not defend response	Does not establish defense arguments for Diane	15
Diane’s Case: Prosecution	Establishes arguments that could be used in prosecuting Diane, and defends response	Establishes arguments that could be used in prosecuting Diane, but does not defend response	Does not establish prosecuting arguments for Diane	15
Diane’s Case: Federal System	Describes how Diane’s case would have been handled differently in the federal system, including how the process would be different	Describes how Diane’s case would have been handled differently in the federal system, but does not describe how the process would be different	Does not describe how Diane’s case would have been handled differently in the federal system	15
Diane’s Case: Court-Ordered Option	Determines what would be an appropriate court-ordered option based on the fact pattern from the defense attorney and prosecutorial perspectives	Determines what would be an appropriate court-ordered option based on the fact pattern from the defense attorney or prosecutorial perspectives, but not both	Does not determine an appropriate court-ordered option	15
Articulation of Response	Submission has no major errors related to citations, grammar, spelling, syntax, or organization	Submission has major errors related to citations, grammar, spelling, syntax, or organization that negatively impact readability and articulation of main ideas	Submission has critical errors related to citations, grammar, spelling, syntax, or organization that prevent understanding of ideas	10
Earned Total				100%