

课程教学大纲

课程基本信息 (Course Information)					
课程代码 (Course Code)	LA230	*学时 (Credit Hours)	48	*学分 (Credits)	3
*课程名称 (Course Name)	(中文) 刑事诉讼法				
	(英文) criminal procedure law				
课程性质 (Course Type)	法学基础课程				
授课对象 (Audience)	法学本科学生				
授课语言 (Language of Instruction)	中文				
*开课院系 (School)	凯原法学院				
先修课程 (Prerequisite)	宪法、刑法				
授课教师 (Instructor)	孙维萍		课程网址 (Course Webpage)		
*课程简介 (Description)	<p>本课程主要研究和学习我国刑事诉讼法。它是以研究刑事诉讼法理论和实践，揭示刑事诉讼发展规律为主要内容。通过本课程学习，旨在培养学生能够运用刑事诉讼法的基础知识和一般理论去分析问题和解决问题的能力，培养学生刑事程序公平、正义的理念，为国家培养高素质的侦查、检查、审判以及律师等法律专业实务人才。课程以理论教学为主，结合一定的案例分析；学习方式则以课堂教授为主，学生自学为辅为原则。</p> <p>在学习刑事诉讼法时，要求学生应以先修宪法学为前提，这是因为宪法学是刑事诉讼法学的理论基础和原则指导；此外由于作为实体法刑法学也与作为程序法刑事诉讼法密切相关，因此也要求学生对刑法学有一定的掌握；其次，作为三大诉讼法的民事诉讼法和行政诉讼法由于与刑事诉讼法也有一定共性，因此学生最好也能对其他两大诉讼法有所了解。</p> <p>课程具体学习内容包括：刑事诉讼概述和沿革；刑事诉讼基本原则；刑事诉讼主体；管辖和回避制度；辩护和代理制度；附带民事诉讼；强制措施；证据制度；立案；侦查；起诉；审判程序（包括第一审程序、第二审程序、审判监督程序、死刑复核程序）；执行程序；特别程序。</p>				

<p>*课程简介 (Description)</p>	<p>This course mainly studies about the criminal procedure law of our country. It is to study the theory and practice of criminal procedure law, to reveal the law of criminal proceedings as the main content. Through this course, students aim to cultivate their ability to analyze and solve problems by using the basic knowledge and general theories of Criminal Procedure Law, cultivate students' concepts of fairness and justice in criminal procedure and train high quality investigators, prosecutors and judges, Lawyers and other legal professionals and practical personnel. The course is mainly based on theoretical teaching, combined with a certain case analysis; the main mode of study is based on classroom professors teaching, students self-learning supplemented principle. In studying the Criminal Procedure Law, students should be required to have study constitution as a prerequisite, because the constitutional law is the theoretical basis of criminal procedure jurisprudence and the principle of guidance; secondly as a substantive law criminal law is also closely related with the procedural law Therefore, it also requires students to have a certain mastery of criminal law; thirdly, as the three major procedural law including civil procedure and administrative procedure have lot of commons with criminal procedure, so it's better students have also some knowledge about the other two procedural law.</p> <p>The specific contents of the course include: Overview and Evolution of Criminal Proceedings; Basic Principles of Criminal Proceedings; Principal Body of Criminal Proceedings; Jurisdiction and withdraw System; Defense and representations; Incidental Civil Proceedings; Coercive Measures; Evidence System; Filing; Investigation; Prosecution; Trial Procedures(Including the first instance procedure, the second instance procedure, the trial supervision procedure, the death penalty review procedure); the execution procedure; the special procedure.</p>					
<p>课程教学大纲 (course syllabus)</p>						
<p>*学习目标 (Learning Outcomes)</p>	<ol style="list-style-type: none"> 1. 了解掌握刑事诉讼法基本原则，培养学生的程序公正、正义理念 2. 了解掌握刑事诉讼中程序规则，明晰程序公正与实体公正的辩证关系 3. 了解掌握刑事诉讼法基本制度和规则，培养学生能够通过理论学习解决实际司法问题能力 					
<p>*教学内容、进度安排及要求 (Class Schedule & Requirements)</p>	<p>教学内容</p>	<p>学时</p>	<p>教学方式</p>	<p>作业及要求</p>	<p>基本要求</p>	<p>考查方式</p>
	<p>刑事诉讼概说 和历史沿革</p>	<p>3</p>	<p>讲授</p>		<p>听课、课堂 参与</p>	<p>考查课堂 表现</p>
	<p>刑事诉讼基本 原则</p>	<p>3</p>	<p>讲授</p>	<p>小作业</p>	<p>听课，课堂 参与</p>	<p>作业计分</p>

	刑事诉讼主体	3	讲授		听课、课堂参与	考查课堂表现
	管辖和回避、辩护和代理	6	讲授		听课、课堂参与	考查课堂表现
	强制措施、期间、送达，诉讼终止和中止	6	讲授		听课、课堂参与	考查课堂表现
	证据制度	6	讲授		听课、课堂参与	考查课堂表现
	立案和侦查	6	讲授		听课、课堂参与	考查课堂表现
	起诉、第一审程序	6	讲授		听课、课堂参与	考查课堂表现
	第二审程序、审判监督程序、死刑复核程序	6	讲授		听课、课堂参与	考查课堂表现
	执行程序、特殊程序	3	讲授		听课、课堂参与	考查课堂表现
	期末考试		考试（笔试）		考试(笔试)	笔试试卷成绩
*考核方式 (Grading)	平时 20%， 期末考试 80%					
*教材或参考资料 (Textbooks & Other Materials)	陈光中主编：刑事诉讼法（第六版），北京大学出版社、高等教育出版社出版 2016 年版					
其它 (More)						
备注 (Notes)						

备注说明：

1. 带*内容为必填项。
2. 课程简介字数为 300-500 字；课程大纲以表述清楚教学安排为宜，字数不限。