

 國立東華大學  
教學計劃表 Syllabus

|                                                                        |                                                                      |                             |    |                                    |                                                                                          |
|------------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------|----|------------------------------------|------------------------------------------------------------------------------------------|
| 課程名稱(中文)<br>Course Name in Chinese                                     | 刑事訴訟法二                                                               |                             |    | 學年/學期<br>Academic Year/Semester    | 113/2                                                                                    |
| 課程名稱(英文)<br>Course Name in English                                     | Criminal Procedure Law II                                            |                             |    |                                    |                                                                                          |
| 科目代碼<br>Course Code                                                    | DOL_30250                                                            | 系級<br>Department & Year     | 學三 | 開課單位<br>Course-Offering Department | 法律學系                                                                                     |
| 修別<br>Type                                                             | 學程 Program                                                           | 學分數/時間<br>Credit(s)/Hour(s) |    | 3.0/3.0                            |                                                                                          |
| 授課教師<br>Instructor                                                     | / 范耕維                                                                |                             |    |                                    |                                                                                          |
| 先修課程<br>Prerequisite                                                   | /*刑法總則一/*刑法總則二/*刑法分則                                                 |                             |    |                                    |                                                                                          |
| 課程描述 Course Description                                                |                                                                      |                             |    |                                    |                                                                                          |
| 接續刑事訴訟法（一），講授拘捕、羈押、搜索扣押、監聽、科技偵查等強制處分內容，接著講授證據法部分。                      |                                                                      |                             |    |                                    |                                                                                          |
| 課程目標 Course Objectives                                                 |                                                                      |                             |    |                                    |                                                                                          |
| 建立學生對刑事程序基本法理與現行刑事訴訟制度的理解，培養能深入分析現行制度下爭議問題與提出個人見解的能力。                  |                                                                      |                             |    |                                    |                                                                                          |
| 系專業能力<br>Basic Learning Outcomes                                       |                                                                      |                             |    |                                    | 課程目標與系專業能力相關性<br>Correlation between Course Objectives and Dept.' s Education Objectives |
| A                                                                      | 具備專業法律領域及基礎法學知識能力A student with the legal knowledge.                 |                             |    |                                    | ●                                                                                        |
| B                                                                      | 具關懷弱勢、服務熱誠與社會責任之內涵A student with the sense of social responsibility. |                             |    |                                    |                                                                                          |
| C                                                                      | 具備獨立、理性及批判思考能力A student with the ability to think independently.     |                             |    |                                    | ○                                                                                        |
| D                                                                      | 具有探索跨學門議題之能力A student with the ability of interdisciplinary research |                             |    |                                    |                                                                                          |
| 圖示說明Illustration：● 高度相關 Highly correlated ○ 中度相關 Moderately correlated |                                                                      |                             |    |                                    |                                                                                          |
| 授 課 進 度 表 Teaching Schedule & Content                                  |                                                                      |                             |    |                                    |                                                                                          |
| 週次Week                                                                 | 內容 Subject/Topics                                                    |                             |    |                                    | 備註Remarks                                                                                |
| 1                                                                      | 2/17 拘捕                                                              |                             |    |                                    |                                                                                          |
| 2                                                                      | 2/24 拘捕、羈押                                                           |                             |    |                                    |                                                                                          |
| 3                                                                      | 3/3 羈押                                                               |                             |    |                                    |                                                                                          |
| 4                                                                      | 3/10 羈押、搜索                                                           |                             |    |                                    |                                                                                          |
| 5                                                                      | 3/17 搜索                                                              |                             |    |                                    |                                                                                          |
| 6                                                                      | 3/24 搜索、扣押                                                           |                             |    |                                    |                                                                                          |
| 7                                                                      | 3/31 監聽與科技偵查                                                         |                             |    |                                    |                                                                                          |
| 8                                                                      | 4/7 科技偵查、誘捕偵查、證據法總論                                                  |                             |    |                                    |                                                                                          |

|    |                              |  |
|----|------------------------------|--|
| 9  | 4/14 期中考週不上課                 |  |
| 10 | 4/21 證據法總論                   |  |
| 11 | 4/28 改良式當事人進行主義：法院證據調查範圍     |  |
| 12 | 5/5 改良式當事人進行主義：法院證據調查範圍、證據排除 |  |
| 13 | 5/12 證據排除                    |  |
| 14 | 5/19 傳聞法則                    |  |
| 15 | 5/26 傳聞法則                    |  |
| 16 | 6/2 期末考                      |  |
| 17 |                              |  |
| 18 |                              |  |

### 教學策略 Teaching Strategies

- ☒ 課堂講授 Lecture
 ☐ 分組討論 Group Discussion
 ☐ 參觀實習 Field Trip  
☐ 其他 Miscellaneous:

### 教學創新自評 Teaching Self-Evaluation

#### 創新教學(Innovative Teaching)

- ☐ 問題導向學習(PBL)
 ☐ 團體合作學習(TBL)
 ☐ 解決導向學習(SBL)  
☐ 翻轉教室 Flipped Classroom
 ☐ 磨課師 Moocs

#### 社會責任(Social Responsibility)

- ☐ 在地實踐 Community Practice
 ☐ 產學合作 Industry-Academia Cooperation

#### 跨域合作(Transdisciplinary Projects)

- ☐ 跨界教學 Transdisciplinary Teaching
 ☐ 跨院系教學 Inter-collegiate Teaching

- ☐ 業師合授 Courses Co-taught with Industry Practitioners

其它 other:

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| 學期成績計算及多元評量方式 Grading & Assessments                                                                                                                   |                    |                    |          |          |          |          |          |          |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|----------|----------|----------|----------|----------|----------|----|
| 配分項目<br>Items                                                                                                                                         | 配分比例<br>Percentage | 多元評量方式 Assessments |          |          |          |          |          |          |    |
|                                                                                                                                                       |                    | 測驗<br>會考           | 實作<br>觀察 | 口頭<br>發表 | 專題<br>研究 | 創作<br>展演 | 卷宗<br>評量 | 證照<br>檢定 | 其他 |
| 平時成績(含出缺席)<br>General Performance<br>(Attendance Record)                                                                                              |                    |                    |          |          |          |          |          |          |    |
| 期中考成績 Midterm Exam                                                                                                                                    |                    |                    |          |          |          |          |          |          |    |
| 期末考成績 Final Exam                                                                                                                                      | 100%               |                    |          |          |          |          |          |          |    |
| 作業成績 Homework and/or<br>Assignments                                                                                                                   |                    |                    |          |          |          |          |          |          |    |
| 其他 Miscellaneous<br>(_____)                                                                                                                           |                    |                    |          |          |          |          |          |          |    |
| 評量方式補充說明<br>Grading & Assessments Supplemental instructions<br>只有期末考（實例題、開書考可帶任何資料，斷網考試）                                                              |                    |                    |          |          |          |          |          |          |    |
| 教科書與參考書目（書名、作者、書局、代理商、說明）<br>Textbook & Other References (Title, Author, Publisher, Agents, Remarks, etc.)<br>與刑事訴訟法（一）相同。                            |                    |                    |          |          |          |          |          |          |    |
| 課程教材網址(含線上教學資訊,教師個人網址請列位於本校內之網址)<br>Teaching Aids & Teacher's Website(Including online teaching information.<br>Personal website can be listed here.) |                    |                    |          |          |          |          |          |          |    |
| 其他補充說明 (Supplemental instructions)                                                                                                                    |                    |                    |          |          |          |          |          |          |    |