



LAW 103 - CRIMINAL LAW COURSE SYLLABUS 2020 (12 weeks - 6 semester units)

DESCRIPTION:

Students will examine the common law and the modern criminal justice systems including their theory of punishment, classification of crimes, criminal causation and elements of various crimes. Students will study the criminal culpability rules applicable to perpetrators such as principals, accessories & accomplices. Students will learn the elements of various crimes committed against persons such as homicide, assault, battery, rape and mayhem. They will also study property crimes such as larceny, embezzlement, false pretenses, receiving stolen property, robbery, burglary & arson. Further, students will examine the inchoate crimes of attempt, solicitation and conspiracy, and will also learn many affirmative defenses including mistake, self-defense, consent, infancy, insanity, intoxication, duress, necessity, and entrapment.

OBJECTIVE:

The student is to learn how to apply the learned principles and concepts of criminal law to various fact patterns.

EVALUATION:

In addition to the midterm and final, students are to construct their own course outlines. The student's answers for the midterm and final essay examinations should demonstrate his/her ability to analyze the facts, to tell the difference between material facts and immaterial facts, and to discern the points of law and fact upon which the case turns. The student's answers should show that he/she knows and understands the pertinent principles and theories of law, their qualifications and limitations, and their relationships to each other. The student's application should evidence his/her ability to apply the law to the given facts and to reason in a logical, lawyer-like manner from the premises he/she adapts to a sound conclusion.

CLASS CONTENT AND SCHEDULE:

The classes consist of the teaching of the substantive law through the traditional casebook method and lecture, and multiple-choice workshops and essay workshops that include the analytical application of the substantive law to various multiple-choice and essay fact patterns.

The substantive law lectures will begin the first (1) week of class. There will be two substantive law lectures per week. The first lecture will be of two-hour duration. The second lecture will be of two-hour duration for weeks one (1) through three (3). The second lecture will be of one-hour duration for weeks four (4) through twelve (12).

Multiple-choice workshops will begin during the fourth (4) week of class and end on the twelfth (12) week.

Essay workshops will begin the fourth (4) week of class and end on the twelfth (12) week. These classes follow directly after the second, one-hour substantive lectures.

There will be no multiple-choice workshops or essay workshops during the weeks of the midterm exam, final study week and final exams.

HOMEWORK, MIDTERM AND FINAL EXAMS, AND FINAL GRADING:

1. HOMEWORK:

- a. WEEKLY CASE BRIEFS:** All students must submit assigned briefing homework. A student's briefing homework will count towards 5% of the final grade. If a student does not submit all of their briefs in a timely manner, their 5% credit will be adjusted in proportion to the total class briefs assigned and the total briefs submitted.

Briefs must be submitted by two deadlines. The first six (6) weeks of briefs (18 briefs) must be submitted by the Saturday of midterm exams. The remainder of the five (5) weeks of briefs (15 briefs) must be submitted by the Saturday of final exams week. However, students should keep up with their weekly reading assignments and should be submitting their briefs on a weekly basis.

Briefs must be submitted in weekly groups (e.g., all three briefs for Criminal Laws Week One must be in one document and labeled accordingly [i.e. "Criminal Laws Week 1 Briefs"] for the content and subject matter in email). Briefs **MUST** be submitted through email attachment using either a ".doc" or ".rtf" format. The briefs should be sent directly to Homework@InstituteOfLaw.com and should be submitted on a weekly basis.

- b. STUDENT STUDY LOG:** Each student will be **REQUIRED** to keep a personal study log that will accurately reflect the actual time that student spend in the study of law. This will include reading the casebook and summary, briefing cases, creating the own course outline, study groups, exam preparation, etc. It will be due the Saturday of final exam week.

- 2. MIDTERM EXAM:** The midterm exam will consist of one essay and twenty multiple-choice questions. The midterm is a closed-book exam; no notes, whatsoever, are allowed. The midterm exam will be given during the entire week of the twenty-ninth (29) week of the first-year, which is the seventh (7) week of Law 103. The midterm will be given in two (2), one-hour time blocks, one for the essay and one for the multiple-choice. Students will have two hours total to complete the midterm exam. The student need not take the exam in any given order or any particular day (e.g., a student may take the essay portion [one hour] on Sunday and then take the multiple-choice portion [one hour] on Saturday). The midterm exam will be worth 35% of the final grade (20% for the essay and 15% for the twenty multiple-choice questions). The midterm exam is to be taken online and the student can access the exam at any time during the entire week. The midterm exam questions will only be accessible through the AIL's website.

3. **FINAL EXAM:** The final exam will consist of two essays and thirty multiple-choice questions. The final is a closed-book exam; no notes, whatsoever, are allowed. The final exam will be given during the entire week of the forty-sixth (46) week. The final will be given in three (3), one-hour time blocks, one for each essay and one for the multiple-choice. Students will have three hours total to complete the final exam. The final exam will be worth 60% of the final grade (20% for each essay and 20% for the thirty multiple-choice questions). The final exam is to be taken online and the student can access the exam at any time during the entire week. The final exam questions will only be accessible through the AIL's website.
4. **FINAL GRADE:** A student's final grade will consist of Briefing Homework: 5%, Midterm Exam: 35%; Final Exam: 60%.

REQUIRED CASEBOOK:

CRIMINAL LAW: Boyce, Ronald N., Dripps, Donald A. & Perkins, Rollin M.; *Criminal Law and Procedure, Cases and Materials (12th Edition)* New York, NY: Foundation Press, 2013. (ISBN: 978-1-60930-235-1)

PLEASE NOTE: THIS BOOK IS READILY AVAILABLE, NEW AND USED, ON www.amazon.com. JUST ENTER THE ISBN NUMBER EXACTLY AS INDICATED FOR THE CASEBOOK. WHEN IN DOUBT ABOUT EDITIONS, JUST BE SURE THE ISBN NUMBER MATCHES.

REQUIRED SUMMARY:

CRIMINAL LAW: Steven Emanuel; *Emanuel Law Outlines: Criminal Law (7th Edition)* New York, NY: Aspen Publishers, 2010. (ISBN: 978-0-7355-9041-0)

OTHER RECOMMENDED MATERIAL:

Kimm Walton and Steve Emanuel; *Strategies and Tactics for the MBE*, New York, NY: Aspen Publishers, 2005. (ISBN: 978-0-73555-872-4)

and/or

Steven Finz; *Strategies and Tactics for the Finz Multistate Method (3rd Edition)* New York, NY: Aspen Publishers, 2013. (ISBN: 978-1-45482-506-7)

..... **WEEK 1.....**
INTRODUCTION TO CRIMINAL LAW; *ACTUS REUS*

Casebook:

Read pages 1-52; 148-150; 477-483; 514-522

Brief the following cases:

State v. Rider. p.478

People v. Decina. p.480

Davis v. Commonwealth. p.519

Summary: Read correlating pages in summary.

..... **WEEK 2.....**
MENS REA

Casebook:

Read pages 617-691

Brief the following cases:

Morrisette v. United States. p.619

United States v. Feola. p.635

Thacker v. Commonwealth. p.671

Summary: Read correlating pages in summary.

..... **WEEK 3.....**
MENS REA; HOMICIDE

Casebook:

Read pages 692-753; 151-196

People v. Wilson. (Handout)

Brief the following cases:

State v. Beale. p.693

Patterson v. New York. p.151

King v. State. p.161

Summary: Read correlating pages in summary.