

Criminal Law, Syllabus, Fall 2010, Sundays, 8:15 to 11:15, room 101  
Professor Mary Jane Morrison  
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**COURSE DESCRIPTION**—Criminal Law examines the functions of criminal law as a means of social control, the creation of crimes as a process, and the elements of criminal liability—the criminal act, the criminal state of mind, and the absence of justification or excuse. This course also examines legislative definition and grading of offenses, and policy considerations relevant to those processes in the context of the Model Penal Code and other penal statutes.

This is a statutory course, not a common law course, although you will have to learn some common-law criminal law crimes in order to read and understand some contemporary statutes. This also is a public law course, not a private law one. These two characteristics distinguish it from, for example, Contracts, Torts, and Property.

The overriding goal for this course is for you to understand—and be able to show you understand— how these two differences make criminal-law legal analysis different from the analysis in common-law courses.

**REQUIRED TEXTS—Kaplan, Weisberg, & Binder, Criminal Law: Cases and Materials (Aspen 2008 6th edition).**

**RECOMMENDED TEXTS**—There are no recommended additional texts for you to buy for this course. You will do best by re-reading the assigned readings in the casebook for the umpteenth time. If, however, you decide you want additional reading materials, check the various texts available in the library to see what suits you best—before you plunk down more money. The library has copies of [in order of depth] treatises, hornbooks, nutshells, outlines, and audiotapes. The Web also has some materials that, with caution, you can trust. [You will find one for a long-ago edition of this casebook at <http://www.ilrg.com/students/outlines/>, along with outlines for other casebooks in other courses. Proceed with caution!]

“ACADEMIC RULE 1-110”—Excessive absences for this course, for purposes of the HUSL Attendance Policy and Code of Conduct, are absences in excess of 10 percent of the class hours, of which there are three each weekend. Being late, unprepared or insufficiently prepared is the same as being absent, under the HUSL “Attendance Policy,” except insofar as I accept an apology and give you permission to sign the attendance sheet.

**POLICY ON LAPTOPS, CELL PHONES, FOOD, TOO MUCH COFFEE, and SIMILAR CLASSROOM-COMPARTMENT MATTERS**—There was a time when I did not have to give the following warnings, but times change. Here’s the warning: I will impose sanctions for irresponsible use of computers during class time and for any other behavior that disrupts the education of other members of this class, most of whom

paid a lot of tuition.

You therefore will not be interfering with your classmates' education by making distracting uses of your computer during class, nor will you be eating breakfast or lunch during class. You also will not be taking or making telephone calls during class, and you will not be disrupting class by leaving for the bathroom or to fetch a drink.

We will take a 15-minute break midway through this three-hour class. But, if you are pregnant, have prostate problems, are diabetic or have another medical condition for which you need an Americans with Disabilities Act accommodation, your classmates and I will accommodate your need to leave during class or to eat a piece of candy to meet your medical needs, of course.

You may bring drinks to class until after the first time you spill a drink.

**GRADING**—The final exam is the basis for your grade in this course.

**REQUIRED-PREPARATION ASSIGNMENTS**— You ought to have skimmed Chapter 1 before we reach defenses. All page numbers below refer to the 6th edition of the Kaplan, Weisberg, Binder casebook. In the nature of topics, some of these reading assignments are 48 to 51 pages, usually because there are a lot of notes. (The norm for a course that meets three times a week for 50 minutes per class is around 60 pages per week.) I have noted the individual counts to help your planning, but do not be lulled by a "light page" assignment.

1. Aug. 15—pages 103, 105-49 [45 pp]
2. Aug. 22—149-98 [49 pp]
3. Aug. 29—198-242 [44 pp]

**LABOR DAY BREAK**

4. Sept. 12—242-62, 265f, 274-75, n.4 277-79, n.8 280f, 290-97, 302-07 [36 pp]
5. Sept. 19—325-58 [33 pp]

**CONTINUING ASSIGNMENT: 309-24 [sample homicide statutes]**

6. Sept. 26—358-400 [42 pp]
7. Oct. 3—400-51 [51 pp]
8. Oct. 10—515-45, 552-53, n.7 559, 559-74 [37 pp] **WORTH READING: 507-14**  
**OPTIONAL MIDTERM DURING OPEN HOUR 10/10/10**, covering through  
felony murder [i.e., materials of weeks 1 through 7, inclusive]
9. Oct 17—584-603, 605-07, n.5 618f, n.9 621f, 636f, 646-55

**FALL BREAK**

10. Oct. 31—657, 659-94 [36 pp]
11. Nov. 7—697-743 [48 pp]
12. Nov. 14—743-62, 767-77, 791-800 [39 pp]
13. Nov.21—800-46 [46 pp]

**THANKSGIVING BREAK**

**OPTIONAL REVIEW SESSION, SUNDAY, 12/05 AT 10 IN ROOM 101**