

Criminal Law, Syllabus, Summer 2010
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 crime definitions 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.

LEARNING OUTCOMES—The overriding goal for this course is for you to understand—and be able to show you understand— how the two differences this course has from common law courses make legal analysis in criminal law 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. 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>. 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 classes. Being unprepared or insufficiently prepared is the same as being absent, under the HUSL “Attendance Policy,” and this excessive-absences rule therefore applies to preparation, too.

LAPTOP POLICY—I will impose sanctions for irresponsible use of computers during class time.

CELL PHONES—Turn off cell phones before class begins unless you have an unusual emergency of which you apprise me before class begins.

TOO MUCH COFFEE—We will take a 15-minute break midway through the class. I expect you to not leave class unless you are pregnant, have prostate problems, have a medical condition for which you need an Americans with Disabilities Act accommodation, or have an unexpected health emergency. I will appreciate your telling me in advance of your anticipating a need to leave class, if possible.

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

REQUIRED-PREPARATION ASSIGNMENTS—We will need the theories of punishment of Ch 1, particularly when we begin defenses. Read it before then.

week 1. 103-49///149-98

week 2. 198-242///242-87

week 3. 287-97, 302-07, 325-50///350-90

week 4. 390-427///427-51 [optional 507-15], 515-45

week 5. 559n.7, 559-73, 584-603, 607-24///624-31, 637-40, 646-55, 659-84

week 6. 684-730///730-62, 767-80

week 7. 791-833///833-46