Criminal Law, Syllabus
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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 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 the other courses you are taking this semester.

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 torts or contracts courses.


You MUST register on the TWEN site for this course; and you MUST use your Hamline email account, because of the Hamline University email policy, both for registering on TWEN and for contacting me by email. Registrations on the TWEN site for this course will open the week on May 27.

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, talk to me after you 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 Internet also has some materials that, with caution, you can trust.

“ACADEMIC RULE 1-110”—This is a summer-school class. If you miss one class, you have missed an entire week of classes. Miss two classes FOR ANY REASON, EVEN A GOOD ONE THAT IS NOT YOUR FAULT, and you will have to repeat the course. Being unprepared or insufficiently prepared is the same as being absent, under the HUSL “Attendance Policy.”

GRADING—The final exam is the basis for your grade in this course.
REQUIRED-PREPARATION ASSIGNMENTS—All required reading assignments are to pages in the casebook except for the entry noted as “MI on TWEN,” with is the mental illness unit on TWEN. It will be available on TWEN not less than two weeks before that class.

We need 14 3-hour classes to meet the ABA class-time requirement for a 3-credit course, but the registrar’s schedule allows us a possibility of 16 3-hour classes if we were to meet each Tuesday and Thursday between June 3 and July 24. Because I am speaking at the Minnesota State Bar Association Convention in Duluth this summer and cannot easily drive back from Duluth for a 9 a.m. class on Tuesday, June 17, we will not have class that day. Consequently, our last class will be Tuesday, July 22.

We will do problems in each class, as long as we stay on track for completing the topics of the assigned readings. With one exception, I have intentionally arranged the reading assignments in most chapters to span more than one three-hour class, on the understanding that learning theory suggests this will help your learning. [The exception is the causation chapter, which we will cover in class 5.] In general, the reading assignments are 30 to 45 pages per class. The exceptions are classes 9 and 10.

class 1. Pp 95 - 136
class 2. Pp 136 - 80
class 3. Pp 180 - 212
class 4. Pp 212 - 42
class 5. Pp 243 - 89
    continuing assignment, pp 291-305
class 6. Pp 307 - 49
class 7. Pp 349 - 82
class 8. Pp 382 - 427
class 10. Pp 559 -78, MI on TWEN, 619 - 35
class 11. Pp 635 - 78
class 12. Pp 678- 722
class 13. Pp 722 - 41, 749 - 67
class 14. Pp 767 - 802