

Criminal Law

Deans Cornwell & Lillquist
Spring 2008

Preliminaries

The required casebook is KAPLAN, WEISBERG & BINDER, CRIMINAL LAW: CASES AND MATERIALS (5TH ED. 2004).

Regular class attendance and participation are required. For this class, we have adopted the Law School's Class Attendance Policy, which requires that students attend a minimum of 75% of class sessions or be administratively withdrawn from the course. A class attendance sheet, which you will be required to sign, will be distributed during every class session. Please note that under the Class Attendance Policy, we have no discretion to excuse absences from class.

Your grade will be based upon a final examination, to be given at the end of the semester.

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Course Syllabus

The following is the syllabus for the first part of the course. Please note that what follows below is a rough outline; we may add or, more likely, delete materials depending upon the progress that we make. Page references are to the Kaplan casebook, unless otherwise noted.

In general, please make sure that you pay close attention to the sections of the Model Penal Code (“MPC”) that are discussed in the casebook and in class. There is a complete copy of the MPC in Appendix B to the casebook.

- I. Introduction to Criminal Justice System; The Purposes of Punishment
1-15; 16-20; 25-40; 45-48; 52-57 & 59-63

- II. Actus Reus: The Act Requirement
 - A. The Conduct & Voluntariness Requirements
93-102 & 113-21

 - B. The Principle of Legality and the Vagueness Doctrine
130-55 & MPC § 241.5 (handout)

 - C. Omissions
102-5; *Billingslea v. State* (handout) and MPC § 210.1

 - D. Possession
105-13

- III. Mens Rea: State of Mind
 - A. Basic Requirements
157-65 (through note 5)

 - B. Common Law Rules
180-87 & *Regina v. Cunningham* (handout)

 - C. Model Penal Code Rules
187-97

 - D. Mistake of Fact
197-212

 - E. Mistake of Law
212-31

 - F. Intoxication
231-42

G. Public Welfare Offenses & Strict Liability
165-80

H. Criminal Negligence
Director of Public Prosecutions v. Smith (handout) & *State v. Hazelwood* (handout)