

EMPIRE COLLEGE SCHOOL OF LAW

SYLLABUS

COURSE NUMBER:	F120/S120
COURSE NAME:	CRIMINAL LAW
PROFESSOR:	Pozzi
WHEN:	Tuesday, 6:00-9:00 p.m. Fall 2009/Spring 2010
UNITS:	6 units/90 hours—3 units/45 hours per semester
TEXT:	<i>Criminal Law and Procedure</i> , Boyce & Perkins, Foundation, 10th Ed. ISBN# 9781599412481
HORNBOOK:	<i>Criminal Law 3rd edition</i> , Perkins & Boyce, Foundation Press, ISBN# 0882770675 <i>Criminal Law Hornbook</i> , LaFave, WestGroup (not required) ISBN# 031414997
GRADING:	There will be three parts making up the final grade. Each of three parts will be graded between 0-100 and rounded off to 5-point increments for a final grade. One part will be a series of questions that are comprised of multiple-choice questions (MBE's). The remaining two parts will be essay questions. The essay portions of the exam will count for 80% (40% each) of the total grade. The MBE's will make up 20% of the final grade.
ATTENDANCE:	Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. Students must attend a minimum of 80% (36 hours — 12 of 15 classes) of the class sessions during each semester. Roll will be taken at each class.
GRADE DETERMINATION:	The grade will be comprised of the result of a three part final.
MID-TERM/FINAL EXAM:	3 hours - 3 parts <ol style="list-style-type: none">1. <u>Issue spotting</u> - A fact pattern will be given with multiple criminal law issues. The student is expected to identify the issue and give a discussion of the application of the law.2. <u>Discussion</u> - The student is expected to discuss the applicable law with the facts given and analyze the issues with the law coming to a rational conclusion. A prosecutorial viewpoint as well as a defense stance should be demonstrated through factors in mitigation and aggravation.

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GOALS:

This course will provide an understanding of common law and California Criminal Law where applicable. The California State Bar tests on the area of common law, and also on widely adopted modern statutes.

Students should be prepared for general discussions in criminal law and current events in the area of criminal law. The student will be expected to learn the substantive criminal law as is contained in the casebook as well as imputability, responsibility, and defenses.

It will be expected that the student will supplement his/her study of the weekly assigned cases with the hornbook, which has been keyed together with the text.

Students will be expected to brief, recite, and discuss no less than twelve (12) cases per week.

PREREQUISITES:

Introduction To Law and Legal Research & Writing

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Reading Assignments—Criminal Law Fall 2009

PLEASE BE PREPARED TO DISCUSS AND HAVE BRIEFED THE FIRST 12 CASES IN THE BOOK FOR THE FIRST NIGHT OF CLASS.

- WEEK 1: CHAPTER 1: CRIMINALIZATION, DEFINITION AND CLASSIFICATION
Section:
1. Nature and Purpose of the Criminal Law
2. Moral and Constitutional Limits
3. Classification
- WEEKS 2-4 CHAPTER 2: OFFENSES AGAINST THE PERSON
Section:
1. Homicide
2. Assault and Battery
3. Other Offenses Against the Person
- WEEK 5: CHAPTER 3: OFFENSES AGAINST THE HABITATION
1. Burglary
2. Arson
- WEEK 6: CONTINUATION OF CHAPTER 3, BEGIN CHAPTER 4
- WEEKS 7-11: CHAPTER 4: OFFENSES AGAINST PROPERTY
Section:
1. Larceny
2. Robbery
3. Embezzlement
4. False Pretenses
5. Theft
6. Receiving (or Concealing) Stolen Property
7. Computer Crime
8. Malicious Mischief
9. Forgery and Uttering a Forged Instrument
10. Counterfeiting
11. Extortion
- WEEKS 12-13: CHAPTER 5: OTHER OFFENSES
Section:
1. Offenses Against Morality and Decency
2. Offenses Against the Public Peace
3. Offenses Affecting Sovereignty or the Administration of Governmental Functions
CHAPTER 6: IMPUTIBILITY
Section:
1. The Necessity of an Act
2. The Necessity of an Act
3. Attempt and Kindred Problems
4. Negative Acts
5. Conspiracy
- WEEK 14: Review
- WEEK 15: MIDTERM EXAM

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WEEKS 1 – 2	CHAPTER 6: IMPUTABILITY (cont'd.) Section: 6. Agency 7. Incorporation
WEEKS 3 – 4	CHAPTER 6: IMPUTABILITY (cont'd.) Section: 8. Parties to Crime 9. Causation
WEEK 5	CHAPTER 7: RESPONSIBILITY—IN GENERAL Section: 1. Mens Rea 2. Criminal Negligence 3. Specific Intent 4. Other Particular States of Mind
WEEK 6	CHAPTER 7: RESPONSIBILITY—IN GENERAL (cont'd.) Section: 5. Strict Liability 6. Unlawful Conduct 7. Transferred Intent
WEEK 7	CHAPTER 7: RESPONSIBILITY—IN GENERAL (cont'd.) Section: 8. Motive 9. Concurrence of Mens Rea and Actus Rhus CHAPTER 8: RESPONSIBILITY, LIMITATIONS ON CRIMINAL CAPACITY Section: 1. Mental Disease or Defect (Insanity) 2. Intoxication
WEEK 8	CHAPTER 8: RESPONSIBILITY—LIMITATIONS ON CRIMINAL CAPACITY (cont'd.) Section: CHAPTER 9: RESPONSIBILITY—MODIFYING CIRCUMSTANCES Section: 1. Ignorance or Mistake

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(cont'd.)

WEEK 9	CHAPTER 9: RESPONSIBILITY—MODIFYING CIRCUMSTANCES (Cont'd.) Section: <ol style="list-style-type: none">1. Ignorance or Mistake (continued)2. Impelled Perpetration
WEEK 10	CHAPTER 9: RESPONSIBILITY—MODIFYING CIRCUMSTANCES (Cont'd.) Section: <ol style="list-style-type: none">3. Consent of the Other Party4. Guilt of the Injured Party5. Conduct of the Injured Party6. Condonation by Injured Party
WEEK 11	CHAPTER 10: SPECIAL DEFENSES Section: <ol style="list-style-type: none">1. Public Authority2. Domestic Authority3. Prevention of Crime4. Self Defense
WEEK 12	CHAPTER 10: SPECIAL DEFENSES (cont'd.) Section: <ol style="list-style-type: none">4. Self Defense (continued)5. Defense of Others6. Defense of Habituation
WEEK 13	CHAPTER 10: SPECIAL DEFENSES (cont'd.) Section: <ol style="list-style-type: none">7. Defense of Property8. Entrapment
WEEK 14:	Review
WEEK 15:	FINAL EXAM