

# SYLLABUS

- COURSE NUMBER:** F120B.3/S120B.3  
**COURSE NAME:** CRIMINAL LAW
- PROFESSOR:** Daum email: edaum@sonomacourt.org
- WHEN:** Tuesdays, 6:00-9:00 p.m.  
Fall 2011/Spring 2012
- UNITS:** 6 units/90 hours—3 units/45 hours per semester
- TEXT:** ***Criminal Law and Procedure: Cases and Materials, 11<sup>th</sup> Edition***; Boyce, Dripps, & Perkins, Foundation Press, ISBN #9781599415925.  
***Criminal Law, 3<sup>rd</sup> Edition***; Perkins & Boyce, Foundation Press, ISBN# 0882770675
- HORNBOOK:** ***Criminal Law Hornbook***, LaFave, WestGroup (not required)
- 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
1. Issue spotting - 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. Discussion - 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.
- 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

## Reading Assignments—Criminal Law

Fall 2011

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**PLEASE BE PREPARED TO DISCUSS AND HAVE BRIEFED THE FIRST 9 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

Reading Assignments—Criminal Law  
Fall 2011  
(cont.)

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- 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**

Reading Assignments—Criminal Law  
Spring 2012

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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

# Reading Assignments—Criminal Law

## Spring 2012 (cont'd.)

- 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
- WEEK 9            CHAPTER 9: RESPONSIBILITY—MODIFYING CIRCUMSTANCES (Cont'd.)  
Section:  
    1. Ignorance or Mistake (continued)  
    2. Impelled Perpetration
- WEEK 10          CHAPTER 9: RESPONSIBILITY—MODIFYING CIRCUMSTANCES (Cont'd.)  
Section:  
    3. Consent of the Other Party  
    4. Guilt of the Injured Party  
    5. Conduct of the Injured Party  
    6. Condonation by Injured Party
- WEEK 11          CHAPTER 10: SPECIAL DEFENSES  
Section:  
    1. Public Authority  
    2. Domestic Authority  
    3. Prevention of Crime  
    4. Self Defense
- WEEK 12          CHAPTER 10: SPECIAL DEFENSES (cont'd.)  
Section:  
    4. Self Defense (continued)  
    5. Defense of Others  
    6. Defense of Habituation
- WEEK 13          CHAPTER 10: SPECIAL DEFENSES (cont'd.)  
Section:  
    7. Defense of Property  
    8. Entrapment
- WEEK 14:            Review**
- WEEK 15:            FINAL EXAM**