

ACADEMIC COURSE SYLLABUS

COURSE TITLE:	CRIMINAL LAW	
COURSE NUMBER:	LAW 501A	Criminal Law - 1st semester of two-semester course*
	LAW 501B	Criminal Law - 2nd semester of two-semester course*
	LAW 501A/B*	Criminal Law
	* Denotes all non-severable, two semester courses. Both semesters must be successfully completed to receive final A/B course grade.	
UNITS:	3 Units/Semester (must complete both semesters to earn 6-Unit final grade at the end of both semesters)	
COURSE TYPE:	Required	
PROFESSOR(S) NAME:	Rudy Gerber. JD, LLM, PhD	
PROFESSOR CONTACT INFO:	RGerber5@att.net ; students may also visit during Tuesday office hours before class begins.	
SCHEDULE:	Spring and Summer 2016, Tuesdays 6-9:00pm, Room # 211	
PREREQUISITES:	Completion of LAW I401– Introduction to Law and LAW I402–Legal Research and Writing, or equivalent.	
COREQUISITES:	None	
TEXTS AND MATERIALS:	<p><i>Criminal Law and Procedure: Cases and Materials, 12th Edition;</i> Boyce, Dripps, & Perkins, Foundation Press, - 12th Edition ISBN #9781609302351</p> <p><i>Criminal Law, 3rd Edition;</i> Perkins & Boyce, Foundation Press, ISBN# 0882770675</p> <p><u>Optional:</u> <i>Criminal Law Hornbook,</i> LaFave, WestGroup (not required) 5th Edition, 6/2010, ISBN# 9750314912688</p>	
COURSE DESCRIPTION:	Nature and sources of criminal law; elements of crimes; analyses of specific crimes; legal defenses; California Penal Code and decisions	
COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.)	<p>This course will provide an understanding of common law and California Criminal Law. The California State Bar tests common law and also widely adopted modern statutes.</p> <p>Students should be prepared for general discussions in criminal law and current events in the area of criminal law plus learn the substantive criminal law as is contained in the casebook as well as defenses.</p> <p>Students should supplement the weekly assigned cases with the hornbook, which has been keyed with the text.</p> <p>On average students will be expected to brief, recite, and discuss twelve (12) cases per week.</p> <p>Students must demonstrate knowledge to pass a CA State Bar</p>	

	<p>Examination question involving issues of criminal law.</p> <p>To this end, students should spend a <u>minimum</u> of two hours/per hour of instruction time on assigned readings and briefing cases. For example, a 3-hour class would require at least 6 hours of outside preparation time per week.</p>
<p>FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)</p>	<p>Course material will be presented in a lecture-discussion and Socratic method format. Read the cases ahead of the class meeting and be prepared to be called on to explain and analyze them.</p> <p>.</p>
<p>EXAMS:</p>	<p>There will be three parts to 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 multiple-choice questions (MBE's). The remaining two parts will be essay questions. Each part of the exam will count for one third of the final grade.</p> <p>The midterm and final exams will be cumulative.</p> <p>Important skills in case analysis and exam answers:</p> <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(s) regardless of their merits. 2) <u>Discussion</u> - The student should discuss the applicable law with the facts given and analyze the issues leading to a conclusion about the likely result based on the written law. A prosecutorial viewpoint as well as a defense stance should be able to be demonstrated. <p>Exams begin promptly at 6 p.m. All students must take examinations as scheduled. Special circumstances of an emergency nature may allow for a delayed examination. An emergency is a serious illness or injury to the student or a member of his or her immediate family. Special Circumstances are defined as other situations that, in the opinion of the Dean, warrant delay in taking examinations. Any student taking delayed examinations <u>must have the prior written approval of the Dean.</u> No examination may be taken <u>prior</u> to the day of the scheduled examination. Failure to complete an exam is not sufficient reason for a late or re-take exam.</p>
<p>GRADING / ASSESSMENT CRITERIA/CLASS POLICIES:</p>	<p>Empire College uses the following grading system:</p> <p><u>Numerically graded classes:</u></p> <p>90 – 100 A Outstanding 80 - 89 B Superior 70 - 79 C Satisfactory 65 - 69 D Unsatisfactory 64 and Below Failing/No Credit</p> <p>Only numeric grades in required courses are used to calculate grade point average.</p>

ATTENDANCE:	Regular and punctual attendance is essential for the successful completion of law school. Students should 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.
ASSIGNMENTS: Spring, 2016	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.
WEEK 14:	Review
WEEK 15:	Exams during week of 4/11-4/21; vacation period 4/22-5/1

ASSIGNMENTS:	
Summer 2016	
WEEKS 1 – 2	CHAPTER 6: IMPUTABILITY (cont'd.) Beginning 5/2/2016
	Section: 5 Conspiracy
	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 Rea
	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 of 8/1/2016
WEEK 15:	FINAL EXAM – date TBA week of 8/8-8/18/16

Syllabus subject to change. Final exam will likely focus on CA and MPC laws as compared/contrasted to common law approaches.