Criminal Law – Moscow Section

Spring 2019

Mark Anderson

Required Materials


Exam

The exam will be closed book.

Attendance and Class Participation

Attendance and class participation can affect your grade in either direction. It is your responsibility to record the dates of your absences, if any. If you are going to miss more than three (3) class sessions, you must contact me so that we can discuss the reasons for each of your absences and the effect the absences will have on your grade.

If for some reason you will not be able to adequately prepare for a class session, please contact me before class by leaving me a note on my office door asking not to be called on that day.

Clickers

We will be using clickers for multiple choice questions during the semester. Unless otherwise indicated during class, your responses to these questions will be graded and count toward your final grade for the course. Points from these clicker questions will be combined with the points from the final exam to equal the total points available for the course. The points available from clicker questions will equal no more than 20% of the points available for the course.

In determining the points earned from each student’s responses to clicker questions, only the top 80% of that student’s responses will be counted. The bottom 20% of the student’s responses will be disregarded. This means that a student can miss 20% of the clicker questions and still get a perfect score on the clicker questions.
Learning Objectives

Criminal prohibitions are composed of elements. Some of these elements are observable. They include conduct, circumstances that attend the conduct, and results. Other elements are internal to the defendant’s mind. The defendant may be purposeful, knowing, reckless or negligent regarding whether she is engaged in the prohibited conduct, whether the attendant circumstances exist or whether the results will occur. Some elements are part of the prima facie case and must be proven by the prosecutor. Other elements are part of affirmative defenses, such as self-defense and duress. By the end of the course the student should be able to identify elements of various criminal prohibitions and understand how different elements work together. These abilities will be assessed on the exam. We will emphasize issues that are common to many elements of many offences, particularly mental elements. L1

University Policies:

Center for Disability Access and Resources (CDAR) Reasonable Accommodations Statement:

Reasonable accommodations are available for students who have documented temporary or permanent disabilities. Ideally, students in Moscow and Boise should meet with CDAR by the end of the first week of class to assess if any accommodations are needed for courses and/or examinations. All accommodation requests are then submitted by CDAR to Dean Dodge for final approval. CDAR serves as the sole evaluator of medical documentation and determines reasonable accommodations on a per semester basis. The College of Law does not have the authority to evaluate or grant disability accommodations without CDAR first submitting a recommendation. You may contact CDAR by:

- Calling 208-885-6307
- Emailing cdar@uidaho.edu

It is ultimately the student’s responsibility to seek a disability accommodation, and until an accommodation is approved by CDAR and Dean Dodge, no student will be entitled to receive any accommodations. To learn more about CDAR, visit its website at http://www.uidaho.edu/current-students/cdar. Moscow students may also visit CDAR in suite 127 of the Pitman Center. Please review the College of Law Catalog and Student Handbook for more information on the disability accommodation process.
Civility

In any environment in which people gather to learn, it is essential that all members feel as free and safe as possible in their participation. To this end, it is expected that everyone in this course will be treated with mutual respect and civility, with an understanding that all of us (students, instructors, professors, guests, and teaching assistants) will be respectful and civil to one another in discussion, in action, in teaching, and in learning.

Should you feel our classroom interactions do not reflect an environment of civility and respect, you are encouraged to meet with your instructor during office hours to discuss your concern. Additional resources for expression of concern or requesting support include the Dean of Students office and staff (885-6757), the UI Counseling & Testing Center’s confidential services (885-6716), or the UI Office of Human Rights, Access, & Inclusion (885-4285).

Credit Hours for Coursework

In accordance with ABA Standard 310, the College of Law awards one credit hour for experiences that are reasonably designed to involve 50 minutes of classroom or direct faculty instruction and two hours of out-of-class student work per week, or at least the equivalent amount of work for academic activities including simulation, field placement, clinical, and other academic work leading to the award of credit hours.

The Course requirements outlined above with respect to materials and assignments, in my professional judgement, are complex enough in nature that it is expected that the amount of out-of-class time it will take students to complete the assignments will meet the rule.

Recording Class Sessions

Students may not electronically record classes unless they have the express consent of the instructor, except where the Dean of Students has allowed recording as a disability accommodation pursuant to a recommendation by CDAR. Recording classes without the instructor’s express consent violates the Honor Code. Students recording classes as a disability accommodation must follow procedures set down by CDAR. Students who are unable to attend class for reasons of illness or other exigencies must receive permission from the instructor before classes are recorded on their behalf. Contact the Law Library for recording equipment and information on recording procedures.

First List of Assignments

Set forth below are assignments for the first part of the course. Assignments for the later part of the course will be distributed later. The pages indicated below are in the course casebook.

Class 1: 89-95
Class 2: 221-234
Class 3: 234-253

Class 4: 253-259, Model Penal Code sections 1.13(9), 1.13(10), 2.02(1)

Class 5: 260-270

Class 6: 270-279

Class 7: 280-287