INSTRUCTOR: Prof. Jennifer Brobst; Office 244, jbrobst@siu.edu, 618-453-8702

OFFICE HOURS: Regular office hours on TUESDAYS from 12:15 – 1:15 pm. Also feel free to contact me directly or faculty assistant Carol Manis (cmanis@siu.edu) if you need assistance with scheduling. Additional office hours may be added as the course progresses. Walk-ins are fine for a quick chat, but office hours are better for longer discussions.

COURSE DESCRIPTION: This three credit required first year core course will provide law students with a basic understanding of the American criminal justice system and the structure, policies, interpretation, and application of substantive criminal law. Criminal procedure (e.g., arrest, search and seizure, Miranda warnings and custodial interrogation) and evidence (e.g., admitting evidence and examining witnesses in criminal trials) are taught in upper division courses in the second and third years of law school.

LEARNING OBJECTIVES: Students will learn to effectively advocate for defendants and the prosecution within the criminal justice system, both orally and in writing. Students will learn to interpret and apply the general principles of criminal law and the specific elements of common law crimes and defenses, as well as certain Model Penal Code distinctions. Students will be able to select and apply relevant facts to prove the elements of charges and defenses. Students will also understand the judicial standards in trial and appellate courts in determining whether to permit a charge or defense to be presented and what may constitute sufficiency of the evidence to support a conviction.

GRADED ASSIGNMENTS:
- **Class Participation** (10%) [ungraded mandatory assignments (e.g., problems, essays, case briefs, practice essays) count toward participation if completed satisfactorily]
- **Final Exam** (90%) [comprehensive closed book, 3 hour MC and essay, Tuesday 12/5 8:15am]
- **Midterm** [mandatory completion to receive a grade in the course, but ungraded/feedback only]

REQUIRED TEXTBOOK: **ELLEN S. PODGOR ET AL., CRIMINAL LAW: CONCEPTS AND PRACTICE** (3rd ed. 2013, Carolina Academic Press) (available used and for rent); other materials as assigned on syllabus or TWEN

FIRST WEEK’S READING ASSIGNMENT:

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<th>SUBJECT</th>
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(2) Chapter 2 (Podgor) pp. 47-53 |
| F 8/25 | Reading and briefing cases in criminal law | (1) Chapter 2 (Podgor) pp. 53-61  
(2) Submit brief of the second case (Donaldson) for in class discussion on case briefing (turn in hard copy after discussion) |
RECOMMENDED MATERIALS:


- Free library resources: Wayne LaFave, Criminal Law (hornbook) (5th ed., West Publications, 2010) is an excellent free resource to look at certain materials in depth if you need. In our law library, you can browse through the criminal law treatise section for similar resources and check them out (see section KF9219.3 in the law library)

MATERIALS NOT RECOMMENDED:

- I do not recommend use of Emanuel on Criminal Law, Dressler's Black Letter Outline on Criminal Law, Dressler's Understanding Criminal Law, or any "nutshell", because they are either too detailed or too superficial.

- Other students’ outlines from past years, other SIU professors, or other schools. Students in their first year will not be able to sufficiently identify whether material obtained from other courses or students is comparable to that focused on in the course in which they are enrolled. Also, it is quite obvious on exam answers when students raise issues that were not part of the course instruction because they found the issues in materials from other courses.

CLASS PARTICIPATION: This class will involve primarily calling on students at random to discuss the reading and problems (i.e., “cold calling”). Take your time in answering and continually improve how you take notes and brief cases before class so that you can anticipate the questions. Law school should be intellectually challenging, while also preparing students for ethical and professional practice in service to others. Treat your class participation as an opportunity to practice through professionally consistent and reliable preparation, good time management, and effective communication. This is a learned set of skills, so do not worry too much about how you appear when you speak, especially in your first year of law school. The class participation mark for your grade is essentially an assessment of academic effort, including your degree of preparedness and thoughtful and professional responses. It is not an assessment of who is more confident or outgoing or who gets the answer “right” every time. You need to get the law right and learn the process of legal analysis, but please know that I welcome diverse interpretations of policy and how the law applies to various facts. Criminal lawyers must learn to argue.

ATTENDANCE: In accordance with SIU School of Law Rules III.5(f)-(g), students may miss up to a maximum of five (5) classes. There is no excused or unexcused absence policy at SIU. Students who exceed the maximum number of absences at any time, including the last week of class, will be referred to the Associate Dean with the recommendation that the student be withdrawn from the course. Late arrival should be rare and may be counted as an absence at the professor’s discretion and/or the student may be asked to leave class that day if it interrupts the class. If you are called on and are wholly unprepared, you may be marked absent for the day.

WORKLOAD EXPECTATIONS: A student should study and prepare for approximately 2 hours before each 50 minute class. Students should take extensive notes in class, but in an organized and selective manner, and take time after each class to re-read and clarify their notes. The first semester of the first year of law school can be difficult, because most students are unsure how to gauge how much preparation is required and the level of competition among their peers. Approach the course as a marathon—be consistent from the beginning and pace yourself so that you have energy for the final push at the end. You’ll know you’ve done enough of the right kind of preparation when you begin to anticipate the legal points of discussion in class.
ADDITIONAL COURSE ADMINISTRATION MATTERS

INTERNET, LAPTOP, AND PERSONAL DEVICE POLICY: Use of laptops, tablets, smartphones, and other devices that provide internet access will NOT be permitted in this course during lectures, unless specifically permitted.

CLASS RECORDINGS: Unauthorized recording or distribution of class recordings will be prohibited.

CLASS EMAIL AND TWEN: Per the law school regulations, students must regularly check and be responsive to email communications with faculty. Students are expected to regularly check the TWEN course page (http://www.law.siu.edu/_common/documents/rules-code/email-rule-ay16-17.pdf).

ACADEMIC INTEGRITY: Students must adhere to the SIU Student Conduct Code policies prohibiting plagiarism, cheating on examinations, false statements regarding assignment completion and authorship, false assertions regarding attendance, and other forms of dishonesty in academic performance. Academic Support is available from Prof. McCubbin and other staff and can be very helpful.

STUDENT SERVICES: SIU has multiple resources through the law school and Saluki Cares for students with personal needs for support, including mental health, medical and other disability needs, as well as anti-discrimination, financial, legal, and other services (see http://www.law.siu.edu/about/student-experience/support-services.html). These support services are subsidized by your tuition dollars for a good reason. Law school is renowned for being academically difficult, but law students are also adults who frequently have other demands on their time, such as work and family. It is a professional strength, not a weakness, to seek additional support to cope with law school if you need. The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-5714, or siucares@siu.edu, http://salukicares.siu.edu/index.html. At the School of Law, Assistant Dean Judi Ray is also available to help you access university resources. Her email is judiray@siu.edu, and her phone number is 618-453-3135.

DISABILITY DISCLOSURE STATEMENT: Students with disabilities are entitled to reasonable accommodations and academic adjustments (see http://disabilityservices.siu.edu). Disability Support Services (DSS) provides the required academic and programmatic support services to students with permanent and temporary disabilities. DSS provides centralized coordination and referral services. To utilize DSS services, students must come to the DSS to open cases. The process involves interviews, reviews of student-supplied documentation, and completion of Disability Accommodation Agreements. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreement to the School of Law Registrar’s Office to ensure the School of Law provides the proper classroom and examination accommodations.

EMERGENCY PROCEDURES: Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT’s website at www.bert.siu.edu, Department of Safety’s website www.dps.siu.edu (disaster drop down) and in the Emergency Response Guideline pamphlet. Know how to respond to each type of emergency. Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.