CRIMINAL LAW SYLLABUS (LAW 516 § 1)

M/W 11:00am-12:15pm (Room 204) – Spring 2017

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

COURSE DESCRIPTION: This three credit required core course will provide law students with a basic understanding of the criminal justice system and the structure, policies, and interpretation of substantive criminal law.

LEARNING OBJECTIVES: Students will learn to effectively advocate for defendants and the State within the State criminal justice system, understanding and applying the general principles of criminal law and the specific elements of crimes and defenses. Students will also learn to draft a charging document, exercising their understanding of statutory interpretation, the elements of charges, and the identification of pertinent facts.

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

RECOMMENDED MATERIALS:


- 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).

- Flashcards and audiobooks: Be careful on purchasing these materials. More is not better and these companies don't necessarily offer anything different. If you find you are superficially studying a variety of expensive resources and still not understanding the material in class, then you probably need to use fewer resources, slow down, and spend more time reading and thinking about them in depth. Also, websites like flashcardmachine.com allow you to create flashcards for free and create your own online memory quizzes.

OFFICE HOURS: In the first half of the semester, there will be no set office hours. You may drop in or set an appointment. In the second half of the semester, I will begin to have regular office hours. Feel free to contact me directly or faculty assistant Paula Hartsock (http://law.siu.edu/our-people/civil-service/hartsock.html) (second floor top of the stairs) if you need assistance with scheduling a meeting.

ATTENDANCE: In accordance with SIU School of Law Rules III.5(f)-(g), students may miss up to a maximum of four (4) classes. There is no excused or unexcused absence policy at SIU. Students who exceed the maximum number of absences at any time will be referred to the Associate Dean with the recommendation that the student be withdrawn from the course. Late arrival and early departure from class should be rare and may be counted as an absence based on the professor’s discretion. If you are called on and are unprepared, you may be marked as absent for the day, and may be required to attend a conference with the instructor to discuss class preparation.
INTERNET & LAPTOP POLICY: Use of laptops and other devices which provide internet access will NOT be permitted in this course during lectures, unless specifically allowed.

WORKLOAD EXPECTATIONS: A student can expect to study for 3 hours per each 1.5 hour class.

CLASS EMAIL AND TWEN: Per the law school regulations, students must regularly check and be responsive to email communications with faculty (see: http://law.siu.edu/_common/documents/rules-code/email-rule-ay14-15.pdf). Students are expected to regularly check the TWEN course page.

CLASS RECORDINGS: This course will not be recorded. Students may audio record the class without prior approval from the instructor, but may not redistribute the recordings to others not enrolled.

ACADEMIC INTEGRITY: ALL STUDENT WORK MUST BE THE STUDENT’S OWN WORK. No assistance in advance of a graded assignment is permitted other than from the professor. Students are encouraged, however, to visit the Writing Specialist or Academic Support AFTER a student has completed and submitted a graded assignment. 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. Study groups may not be used to collaborate on individual assignments.

GRADED ASSIGNMENTS:

Note: All assignments must be completed and turned in to obtain credit for the course.

Charging Information (15%)

Midterm (15%) (multiple choice)

Final Exam (70%) (bar exam style closed book 3 hour comprehensive exam, multiple choice and essay)
Also, a timed bar exam style essay will be assigned, which must meet a passing standard for completion.

FIRST WEEK

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<th>DATE</th>
<th>SUBJECT</th>
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| W 1/18 | PART ONE: Systems Overview | (1) Overview of criminal justice process and basic interpretation of crimes: Chapter 6 (proof) pp. 201-214 (problems 16-17)  
(3) State v. Harris, 556 S.W.2d 468 (Mo. Ct. App. 1977) (common assault) [look up on Westlaw or Lexis]  
(4) https://www.washingtonpost.com/posteverything/wp/2015/12/29/in-tamir-rices-case-the-grand-jury-process-was-turned-upside-down/  
| F 1/20 | Makeup class (Room 202) | (1) Boston bombing federal indictment (see TWEN)  
(2) Chapter 2 (Podgor) pp. 47-66 (problems 4-5)  
(3) http://prosecutor.cuyahogacounty.us/en-US/Grand-Jury-Unit.aspx (Ohio grand jury process overview)  
(4) https://www.washingtonpost.com/posteverything/wp/2015/12/29/in-tamir-rices-case-the-grand-jury-process-was-turned-upside-down/  
ADDITIONAL COURSE ADMINISTRATION MATTERS:

Wellness and Disability Disclosure Statement: SIU has multiple resources for students with personal needs for support, including legal, mental health, medical, disability, anti-discrimination, and other services (see http://www.law.siu.edu/about/student-experience/support-services.html). Students with permanent or temporary disabilities are entitled to reasonable accommodations and academic adjustments. Any student requiring official accommodation because of a disability should contact SIU Disability Support Services (DSS) (see http://disabilityservices.siu.edu). To utilize DSS, students must come to the DSS to open cases. The process involves interviews, reviews of student-supplied documentation, and completion of Disability Accommodation Agreements.

Saluki Cares: 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 contact: (618) 453-5714, siucares@siu.edu, or http://salukicares.siu.edu/index.html. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources (judiray@siu.edu or 618-453-3135).

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 and administrative staff 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.