CRIMINAL LAW/ INTRO TO LAWYERING SKILLS
PROFESSOR JAROS, LAW 614-329, FALL 2015

COURSE INFORMATION

Professor David Jaros
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410-837-4193
Office AC-1009

Class Meetings:  Monday and Thursday:  9:00- 11:45 a.m.
                Wednesday: 10:30-11:45 a.m.

Office Hours:  Wednesday, 3:30 pm – 5:00 pm, or by appointment, or by pop-in
              (seriously, I get lonely… drop by).

REQUIRED TEXTS

4. THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION

COURSE OBJECTIVES

This course will integrate substantive Criminal Law with legal analysis, research, and
writing, combining skills and doctrine, as lawyers must do in everyday practice. You
will be called upon to write and speak in every class, and you will work regularly with a
partner or a team. Through these methods and others, you will develop an ability to
perform legal analysis based on the doctrine of criminal law, and you should be able to
apply your new skills of legal analysis (especially rule synthesis and analogical
reasoning) to other courses and assignments. You will also learn to slip esoteric criminal
law doctrine into casual conversation to wow your friends and impress your neighbors.
COLLABORATION

Everyone has a different learning style. You are encouraged to form study groups for reviewing Criminal Law if that works for you. Because this course will, at times, seek to replicate situations you will experience in real practice, there may be exercises that require close collaboration and group work. However, unless otherwise directed, you may not collaborate on any writing assignments.

ASSIGNMENTS AND GRADING

Although this is a six credit course, the two components of the course are graded separately. Therefore, you will get a grade for Criminal Law (3 credits) and a grade for Introduction to Lawyering Skills (3 credits). The grades will be calculated as follows:

*Introduction to Lawyering Skills* –

The final grade will be based on the following: Closed Memo First Draft/Consultation (10%); Closed Memo Second Draft (30%); Open Memo (40%); Letter to Client (10%); Research and Citation (10%). To ensure consistency, grades for each assignment will be subject to the “First Year Curve.” The final class grade will be subject to the same curve.

I retain the discretion to reward strong class participation by raising your grade one-half step (e.g., A- to A); or to penalize weak class participation by reducing your grade by one-half step (e.g., A to A-).

There may be several mini-writing exercises in this course. *(See e.g. The Peeping Tom Exercise, Email to the Partner).* Your performance on these exercises will be reflected in your class participation.

Please note, that the above grading formula is subject to revision if any assignments are added or subtracted during the semester.

*Criminal Law*-- The final grade will be based on the following: Final Exam (90%); Class Participation (10%).

You must submit all written assignments electronically to TWEN, and you must maintain a copy. Points will be deducted for lateness as well as failure to follow formatting directions.

You should review the entire syllabus (to the degree that you have it) and assess your personal conflicts (religious or otherwise) with the class schedule. If you identify any conflicts, you must alert the professor no later than Thursday, August 20, 2015, of all known conflicts.
THREE CREDITS IN CRIMINAL LAW:

There will be one three-hour, closed book Criminal Law examination at the end of the semester. You will be encouraged to use exam software to type your answers. (You will also be encouraged to write hilarious and entertaining answers. This, however, will not have a discernable effect upon your grade.)

CLASS PREPARATION
This class relies on everyone arriving fully prepared to participate in the day’s discussion and exercises. Getting answers wrong is entirely forgivable. Failing to read the day’s assignment is not.

There may, of course, be entirely unforeseen events (meteor strikes, alien invasions, etc.) that prevent you from completing a given class assignment. In such a circumstance, you should notify me BEFORE class starts. I can be quite understanding when I am informed ahead of time... not so much when I discover you are unprepared during class discussion.

TWEN
Each of you must enroll in the TWEN site for this course. You will have access to TWEN through Westlaw. A Westlaw identification card and introduction to TWEN will be provided to you. It is your responsibility to check TWEN for any course announcements. In addition, you can rely on TWEN for course materials such as handouts and reading assignments.

USE OF THE INTERNET DURING CLASS (This is huge.)
Don’t get me wrong-- wireless internet is amazing. Facebook is bringing people together. I love my iphone… but you absolutely cannot be on the internet during class. You are required to turn off your wireless internet before the start of class. We will discuss this more on the first day. Suffice to say- we will cover some pretty serious crimes this semester. This may be the biggest.

PROFESSIONALISM
Learning cannot effectively take place in an environment that is unprofessional or uncivil. To that end, I expect that you will observe basic professional courtesies such as arriving on time and turning off your cell phone. (We will discuss lateness in greater detail in class.) Since one of the key goals of the class is learning how to make effective arguments, it is my hope that we can have lively class debates where all students feel comfortable participating and expressing their opinions. Respect for your colleagues is vital to fostering a healthy debate environment. At all times, remain mindful of the diversity of perspectives and experiences in our classroom and be respectful as you articulate your arguments. We need not agree on everything, but we do need to disagree professionally.
DETAILED SYLLABUS¹

NOTE: Documents on TWEN must be downloaded in order to see the proper formatting. (Just hit the “download” button. It also looks much prettier that way.)

WEEK ONE

CLASS 1:  
Vehicles in the Park  
Monday, 8-17-15  
Please Read:

Moskovitz: pp. 1-13  
Neumann: Chs. 1, 2, 3

“How Not to Talk to Your Kids: The Inverse Power of Praise.” This (short) article can be found at: http://nymag.com/news/features/27840/.  
Orin Kerr, How to Read a Legal Opinion: A Guide for New Law Students (posted to TWEN)

Introduction Exercise attached to First Day Assignment on Twen

Optional Reading:
Laurel Currie Oates, Leveling the Playing Field: Helping Students Succeed by Helping Them Learn to Read like Expert Lawyers (posted to TWEN)

** Don’t forget to bring your object for the Introduction Exercise **

CLASS 2:  
Case briefing  
Wednesday, 8-19-15  
Please Read First:

DLD Memo: How to Brief a Case (posted to TWEN)  
Neumann Chapter 5, 6

After, please read and brief:
Keeler v. Superior Court, 2 Cal. 3d 619, 87 Cal. Rptr. 481, 470 P.2d 617 (1970) (posted to TWEN)

Note: This case, like many of the cases we will discuss this semester, involves ugly and disturbing facts.

** YOU MUST BRING YOUR CASE BRIEF TO CLASS **

¹ This syllabus is for informational purposes only. The Managing Partners at Dallas, Lippincott, and Dubois reserve the right to change, amend, alter, modify, or otherwise mess with this syllabus… and your heads.
CLASS 3:
Crim: Intro Mental States and Mistake
ILS: Authority
Thursday, 8-20-15
Please Read:
  Moskovitz; pp. 14-35, 761-64 (MPC 2.04)
  Neumann: Ch. 23

* Posted on TWEN: Peeping Tom Assignment
  Thursday, 8-20

WEEK TWO

CLASS 4:
Crim: Larceny
ILS: Analyzing a Statute
Monday, 8-24-15
Please Read:
  Moskovitz: pp. 37-57
  Neumann: Ch. 4, 7, 10
  “Canons of Statutory Construction” (Posted on TWEN) (It’s 1 page)

*** Bring a copy of your Peeping Tom Statute to class ***

CLASS 5:
Wednesday ILS: Welcome To The Bluebook
Wednesday, 8-26-15
Please Read:
  Skim Blue Book 1-15
  Neumann: ch. 23 (review)
  Sloan: Chapter 1 (skip 21-24)

CLASS 6:
Crim: Larceny II
ILS: Structure of a memo
Thursday, 8-27-15
Please Read:
  Moskovitz: pp. pp. 57-6
  Neumann: Ch. 14, 16, 17

* Posted on TWEN: Closed Memo Assignment
  Thursday, 8-27
WEEK THREE

CLASS 7:
Crim: Embezzlement  
ILS: Rule Synthesis (Paintings)  
Monday, 8-31-15  
Please Read:  
  Moskovitz: pp. 69-87  
  Neumann: Ch. 9

CLASS 8:  
Wednesday ILS: Authority  
Monday, 9-2-15  
Please read:  
  Neumann 8, 23

CLASS 9:  
Crim: False Pretenses  
ILS: Rule distillation  
Thursday, 9-3-15  
Please Read:  
  Moskovitz: 89-109  
  Neumann: Ch. 18, 19

WEEK FOUR

NO CLASS – LABOR DAY HOLIDAY  
Monday, 9-7-15  
Listen to: https://www.youtube.com/watch?v=6mCgbyv9uw

CLASS 10:  
WEDNESDAY ILS  
TBA  
Please Read  
  Sloan Ch.2, 3

CLASS 11:  
Crim: Robbery  
ILS: Fact Narrative, Case Summations, Rule Statements  
Thursday, 9-10-15  
Please Read:  
  Moskovitz: 89-109  
  All cases provided for the Closed Memo

*** Due in Class: Case Charts ***
WEEK FIVE

Class 12:
Crim: Burglary
ILS: Rule Statements Continued
Monday, 9-14-15
Please Read:
Moskovitz: pp. 137-160

Class 13:
Wednesday ILS
Wednesday, 9-16-15
Please Read:
Neumann: pp. 20, 21
Sloan Ch. 4 (Secondary Sources)

Class 14:
Crim: Murder and Involuntary Manslaughter
ILS: Take a Memo
Thursday, 9-17-15
Please Read:
Moskovitz: pp. 161-191

WEEK SIX

Class 15:
Crim: Felony Murder
ILS: Take a Memo
Monday, 9-21-15
Please Read:
Moskovitz: pp. 193-209

Class 16:
Wednesday ILS
Wednesday, 9-23-15
Please Read:
Sloan: Ch. 5 (Case Research)

Class 17:
Crim: Felony Murder Cont.
ILS: Take a Memo II
Monday, 9-24-15
Please Read:
Moskovitz: pp. 209-243;
Sloan ch. 10 (Electronic Research)
WEEK SEVEN

Class 18:
Crim: First Degree Murder
ILS: Electronic Research
Monday, 9-28-15
Please Read:
   Moskovitz: pp. 245-266;
   Sloan Ch. 11 (Research Plans)

Class 19:
Wednesday ILS
Wednesday, 9-30-15
   Sloan Ch. 6 (Research Plans)

Class 20:
Crim: Voluntary Manslaughter
ILS: Electronic Research
Thursday, 10-1-15
Please Read:
   Moskovitz: pp. 267-284

WEEK EIGHT

Class 21:
Crim: Rape
ILS: TBA
Monday, 10-5-15
Please Read:
   Moskovitz: pp. 717-752, 790-92 (MPC §§ 213.1-213.2)

Class 22:
Wednesday ILS
Wednesday, 10-7-15
TBA
Please Read:
   Sloan Ch. 7 (Statutory Research)

Class 23:
Crim: Causation
ILS: Memo Review
*Thursday, 10-8-15*
Please Read:
  Moskovitz: pp. 287-314

**WEEK NINE**

**Class 24:**
Crim: Insanity, Diminished Capacity, and Incompetency
ILS: Interviewing
*Monday, 10-12-15*
Please Read:
  Moskovitz: pp. 315-360
  Neumann: Ch. 15

***Closed Memo due (Second Draft)***
*Tuesday, 10/13 (9:00 am)*

*Client Interviews*
*October 14-16*

**Class 25:**
Wednesday ILS
*Wednesday, 10-14-15*
TBA

**Class 26:**
Crim: Self Defense
ILS: TBA
*Thursday, 10-15-15*
Please Read:
  Moskovitz: pp. 377-418

**WEEK TEN**

**CLASS 27:**
Crim: Defense of Habitation, Prevention of Felony and Escape
ILS: Discussion of New Client’s Case with Managing Partner
*Monday, 10-19-15*
Please Read:
  Moskovitz: pp. 419-439

***Bring Memo to File Regarding Client Interview***

**Class 28:**
Wednesday ILS
*Wednesday, 10-21-15*
TBA
Please Read:
  Sloan Ch. 6

**CLASS 29:**
Crim: Duress
ILS: Discussion of New Client’s Case with Managing Partner
*Thursday, 10-22-15*
Please Read:
  Moskovitz: 441-454, 466-495

**WEEK ELEVEN**

**CLASS 30:**
Crim: Solicitation
ILS: TBA
*Monday, 10-26-15*
Please Read:
  Moskovitz: pp. 535-567

**Class 31:**
Wednesday ILS
*Wednesday, 10-28-15*
TBA

**CLASS 32:**
Crim: Attempt
ILS: TBA
*Thursday, 10-29-15*
Please Read:
  Moskovitz: pp. 569-609, 784-786 (MPC 5.01)

**WEEK TWELVE**

**CLASS 32:**
Crim: Conspiracy
ILS: TBA
*Monday, 11-2-15*
Please Read:
  Moskovitz: pp. 611-648

**Class 33:**
Wednesday ILS
*Wednesday, 11-4-15*
TBA

**CLASS 34:**
Crim: Conspiracy Continued
ILS: TBA
*Thursday, 11-5-15*
Please Read:
WEEK THIRTEEN

CLASS 35:
Crim: Accomplice Liability
ILS: TBA
Monday, 11-9-15
Please Read:
Moskovitz: pp. pp. 693-714

Class 36:
Wednesday ILS
Wednesday, 11-11-15
TBA

CLASS 37:
Crim: TBA
ILS: TBA
Thursday, 11-12-15

WEEK FOURTEEN

CLASS 38:
Crim: TBA
ILS: TBA
Monday, 11-16-15

*** Open Memo Due ***
Tuesday, 11-17-15 (9:00 am)

CLASS 39:
Wednesday ILS
Wednesday, 11-18-15
TBA
Please read:
Neumann: Ch. 24-26

CLASS 40:
Crim: TBA
ILS: TBA
Thursday, 11-19-15

WEEK FIFTEEN

CLASS 41:
Crim: Review
Monday, 11-23-14

*** Letter to Client Due ***
Tuesday, 11-23-15 (9:00 am)