

APPENDIX
to Reading List for Criminal Law

Class meeting times:

T 2-4 pm
Th 2-4 pm
 ..for 13 weeks plus a final exam

If you must miss a class ...

Regular attendance is important to law school success. In addition, our school's accreditation rules require us to take steps to assure attendance. Here is the policy for our class:

If must miss a class, you should let me know *in advance* by email. You do not need to tell me your reason for missing. I will assume that your reason is legitimate.

Even if you have a legitimate reason for missing class, you'll still be missing important material. So that absent students do not fall behind on the material, the following applies *for students who miss three or more classes* (i.e., more than 10% of the scheduled classes):

Students who miss 3 or more classes should (beginning the third missed class) prepare a one-to-1½ page memo summarizing the main points that were covered in the missed class and turn in a printed copy to me at the next class. The memo can be based on the reading assignments, listening to the Panopto recordings (when available), or both.

If you don't notify me in advance or don't turn in the memo for each class missed, the absence will not be regarded as excused.

More than three unexcused absences (i.e., more than 10% of the scheduled classes) or failure to turn in the memos on time may also involve additional consequences.

Learning objectives:

To acquire by experience the crucial self-teaching abilities that all lawyers must have.

To learn to use personal analytical and critical-thinking skills to discern the point of this course and what students are supposed to get out of it.

To gain familiarity with the basic conceptual structure and vocabulary of the substantive criminal law as it exists in American common-law jurisdictions, especially as it is exemplified in the selection of specific areas listed in the reading assignment.

To become aware of the characteristic outlooks and modes of thought of lawyers who practice in different roles within the criminal justice system as prosecutors, defense counsel and judges.

To develop a critical consciousness of the actual and supposed role of criminal law in the larger society and a critical ability to evaluate both the favorable and adverse social consequences of the criminal-law project.

To learn what it means to comport oneself with a professional demeanor. This includes speaking up clearly and audibly in class, arriving before the class discussion begins, and anticipating possible personal bathroom needs in order to avoid disruptive exits and returns while the class is in session.

To achieve the “Learning Outcomes for JD Students” at the Elisabeth Haub School of Law (http://law.pace.edu/sites/default/files/academics/Pace_Law_School_Learning_Outcomes.pdf), to the extent applicable to the subject matter and content coverage of this course, including particularly:

1. Knowledge and understanding of substantive and procedural law

Students will be able to demonstrate understanding of the

- Rules and policies of the fundamental areas of US substantive law, including civil procedure, constitutional law, contracts, criminal law, property, and torts, as well as subjects most frequently tested on the bar exams.
- Structures and processes of the US legal system, including the role of the lawyer within that system.
- Meanings of legal language and terminology.
- Role of case law, precedent, and statutory and regulatory law in our legal system.
- Rules of statutory construction.
- Advantages and disadvantages of various processes for resolving problems.

2. Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context

Students will be able to

- Use legal doctrine to solve problems by:
 1. Identifying and articulating the legal issues in a factual scenario.
 2. Using cases, treatises, secondary materials and classroom studies to extract and synthesize legal rules and evaluate key rules, standards, and policies.
 3. Analyzing the hierarchy of legal authority and determining when a rule announced in a judicial opinion constitutes binding precedent, including the ability to distinguish “holdings” from “dicta.”
 4. Expressing the position of dissenting and concurring opinions.
 5. Reconciling conflicting authorities.
 6. Analogizing to and distinguishing from facts of relevant authorities.
 7. Drafting clear, effective, professional and well-organized objective and persuasive written documents.
 8. Delivering clear, effective, professional, and well organized oral argument.

PACE UNIVERSITY SYLLABUS STATEMENT

Procedure for Students with Disabilities Who Wish to Obtain Reasonable Accommodations for this Course: The University's commitment to equal educational opportunities for students with disabilities includes providing reasonable accommodations for the needs of students with disabilities. To request a reasonable accommodation for a qualified disability, a student with a disability must self-identify and register with the Office of Student Accessibility Services (*formerly the Office of Disability Services*) for his or her campus. No one, including faculty, is authorized to evaluate the need for or grant a request for an accommodation except the Office of Student Accessibility Services. Moreover, no one, including faculty, is authorized to contact the Office of Student Accessibility Services on behalf of a student. For further information, please see Resources for Students with Disabilities at <https://www.pace.edu/counseling/student-accessibility-services>

Office hours:

I will generally be available in my office following each class for questions and discussion about the course. Other times are available by appointment.