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CJ 223 CRIMINAL LAW I

Instructor: Lehua Fernandes Salling, Esq.

(R) 739-0393

Location: Schofield Bks

FAX: 739-0393

Office Hours: **Arranged** as needed

e-mail: ilikelehua@yahoo.com

Day/Time/Dates: Saturday, 8:00am - 12:10pm October 7, 2000 to December 9, 2000

BIOGRAPHY: Ms. Fernandes Salling has been licensed to practice law in the State of Hawaii since 1976 and has been in private practice with her husband from 1976-1992 and 1998 to the present. She received her J.D. from Cleveland-Marshall College of Law and her B.S. from Colorado State University. In 1978 Ms. Fernandes Salling was elected as a Delegate to the 1978 Hawaii State Constitutional Convention and in 1982, she was elected as a State Senator from the Island of Kauai. She has served 16 years as Kauai's Senator from 1982 to 1998. She and her husband have an 11 year old son.

COURSE DESCRIPTION: Basic understanding of the American Legal System from a variety of perspectives, both civil and criminal. Nature and origins of criminal law, general principles of criminal liability and defenses and elements of various crimes such as often a persons, property, public with and morals.

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3rd Edition) West Publishing Company, 1999.

ATTENDANCE & PARTICIPATION: Class attendance and participation is an expected and essential requirement of this course. Missing class is not an excuse for being unprepared for the next class. A student's absence from or late arrivals to class will impact the student's grade. Attendance and participation points (up to 20 points) may be awarded by the instructor as a bonus to a student's grade as appropriate.

In general, THERE IS NO MAKE-UP PROCEDURE FOR MISSED EXAMINATIONS. However, students who have advance knowledge that they will miss an examination should contact the instructor to make arrangements to take the examination at another time. These arrangements may be made on a case-by-case basis depending upon the circumstances. Alternative arrangements may be denied if the absence is due to frivolous reasons. If a student did not have advance notice of the fact that he/she would miss the examination, the instructor must be contacted within 24 hours. Messages can be left at any time or the student can send a FAX or Email. The student should be prepared to make up the examination immediately (usually within 48 hours). MAKE-UP EXAMINATIONS MAY BE DENIED AT THE DISCRETION OF THE INSTRUCTOR, AS APPROPRIATE.

READING ASSIGNMENTS: Reading assignments must be completed prior to class or the student will not be prepared to participate meaningfully in discussions. Lectures are prepared on the assumption and expectation that the student has read the assigned material and completed all assigned exercises. The instructor reserves the right to administer "pop quizzes" to test this assumption.

Any lectures on the Hawaii Revised Statutes (HRS) Penal Code are for your knowledge and benefit. You will not be tested on this material.

COURSE EVALUATIONS: There will be 3 unit examinations and 1 comprehensive examination as set forth below. The examinations will be comprised of multiple choice, true/false questions, and short-answer essay questions. Final course grades will be based upon the following factors

EXAMINATIONS:

Examination 1 (Chapters 1,2,3,4)	50 points
Examination 2 (Chapters 5,6,9,14)	50 points
Examination 3 (Chapters 12,13)	50 points
Final Examination (Comprehensive)	100 points
	250 Points

BONUS POINTS:

Class Attendance and Participation - Up to 20 bonus points
(at the option of the instructor where appropriate)

GRADING:

A = 225 - 250 points	(90 - 100%)
B = 200 - 224 points	(80-89%)
C = 175 -199 points	(70-79%)
D = 150 - 174 points	(60-69%)
F = Less than 150 points	(59%-0)

NOTE: Your grade may be reduced to the next lower grade in the event of excessive tardiness or absences.

OUTLINE OF COURSE

- Oct 7 Introduction and Overview of the **Course**
Chapter 1- The Historical Basis and Current **Structure** of the **American** Legal System
Video - The Constitution: That Delicate Balance (60 **Min.**)
- Oct 14** Chapter 2 - The Courts
Chapter 3 - Legislation
Chapter 4 - The Executive Branch and Administrative Authority
- Oct 21 Chapter 4 - The **Executive** Branch and **Administrative** Authority (Coat.)
EXAM #1 - Chapters 1,2,3,4
Review Exam #1
- Oct 28 **Chapter 5 - Substantive** and **Procedural Issues**
Chapter 6 - Jurisdiction
Chapter 9 - Torts
- Nov 4 Chapter 9 - **Torts** ()
Chapter 14 - **Family Law**
- Nov 11 EXAM #2 - (Chapters **5,6,9,14**)
Review Exam #2
Video - ~~The~~ **Constitution: That** Delicate Balance - Crime **and Insanity** (60 **Min.**)
- Nov 18 Chapter 12 - Criminal Law
Hawaii Revised Statutes (HRS) Penal Code - **Review/Discussion (Optional)**
Video - Search & **Seizure** (30 Min.)
- Nov 25 Chapter 13 - Criminal Procedure*
Video -The Constitution: That Delicate Balance - Criminal **Justice** and a Defendant's
Right to a Fair Trial (60 **Min.**)
- Dec 2 **EXAM #3 - (Chapters 12,13)**
Review **Exam #3**
Hawaii Revised Statutes **WS**) Penal Code - **Review/Discussion (Optional)**
- Dec 9 **FINAL EXAMINATION - Comprehensive**

END OF SYLLABUS

NOTE: Students shall be notified in advance of any changes to the syllabus.