

## CJ 223 CRIMINAL LAW I

Instructor: Lehua Fernandes Salling, Esq.

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*Location:* Navy College

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***Day/Time/Dates:*** Wednesday, 4:45-8:55pm, January 12, 2000 to March 15, 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 offenses against persons, property, public health and morals.

**TEXTBOOKS REQUIRED:**

Walston-Dunham, Introduction to Law (3rd Edition) West Publishing Company, 1999.

Walston-Dunham, Study Guide to accompany Introduction to Law (3rd Edition) West Publishing Company, 1999.

**ATTENDANCE & PARTICIPATION:** Class attendance is an expected and necessary requirement of this course. It is recognized that at times the student will not be able to attend class but absence from class will impact the student's grade. There will be a deduction of 10 points for any absence and any incidence of substantial tardiness. Any unexcused absences will result in a deduction of 25 points. In the event that a student will be absent, or has advance knowledge of an absence, IT IS THE RESPONSIBILITY OF THE STUDENT to contact the instructor prior to the class the student will miss or as soon as as the student has knowledge of an absence.

**Missing** class is not an excuse ~~for being~~ unprepared for the ~~next~~ class, completing reading assignments or other projects which were assigned during the missed class. Given the nature of this class there are some assignments which cannot be made up, as they involve group interaction. Participation points (up to ~~20~~ **points**) may ~~be~~ awarded ~~by the instructor as a~~ **WHO** to ~~3~~ **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 will 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. Up to 30 points may be awarded as a bonus to a student's grade should the instructor administer "pop quizzes".

Lectures on the Hawaii Revised Statutes (HRS) Penal Code Sections set forth in the Course Outline are for your **knowledge** and benefit only. 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 30 or 40 multiple choice, **true** or false, and 1-2 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)		<u>100 points</u> 250 points

**GRADING:**

<b>A</b>	= 225 - 250 <del>points</del> (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)

**BONUS POINTS:**

Class Participation	(Up to 20 Bonus Points)
Pop Quizzes	(Up to 30 Bonus Points)

**DEDUCTIONS:**

See Attendance and Participation Above.

**OUTLINE OF COURSE**

- Jan 12 Introduction and Overview of the Course
- Jan 19 Chapter 1- The Historical Basis and Current Structure of the American Legal System  
Chapter 2 - The Courts
- Jan 26 Chapter 3 - Legislation  
Chapter 4 - The Executive Branch and Administrative Authority
- Feb 2 Exam #1 - Chapters 1,2,3,4  
Legislative Mock Hearing
- Feb 9 Review Exam #1  
Chapter 5 - Substantive and Procedural Issues  
Chapter 6 - Jurisdiction
- Feb 16 Chapter 9 -Torts  
Chapter 14 - Family Law
- Feb 23 Exam #2 (Chapters 5,6,9,14)  
Chapter 12 - Criminal Law
- Mar I Review Exam #2  
Chapter 13 - Criminal Procedure  
HRS Section 707 - **Offenses** against the Person  
HRS Section 708 - Offenses against Property Rights
- Mar 8 Exam #3 (Chapters 12,13)  
HRS Section 709 - Offenses Against Family and Incompetents  
HRS Section 712 - Offenses against Public Health and Morals
- Mar 15 Final Examination - **Comprehensive**

END OF SYLLABUS