

ISSUE CHECKLIST – CRIMINAL LAW

HOMICIDE

- Common law murder
 - Malice aforethought
 - Felony murder rule
 - Inherently dangerous felony
 - Foreseeable
 - Proximate cause
- First degree murder
 - Premeditated
 - Deliberate
- Second degree murder
 - Malice aforethought
 - Felony murder rule
- Voluntary manslaughter
 - Provocation – reasonable person
 - Actual provocation
 - Sufficient time to cool off – reasonable person
 - D not cool off
- Involuntary manslaughter

OTHER CRIMES AGAINST THE PERSON

- Battery (general intent)
- Assault (specific intent)
- Rape (general intent)
- Statutory rape (strict liability)
- Kidnapping (general intent)

CRIMES AGAINST PROPERTY

- Larceny (specific intent)
- Robbery (specific intent)
- Embezzlement (specific intent)
- False pretenses (specific intent)
- Larceny by trick (specific intent)
- Receipt of stolen goods (specific intent)

CRIMES AGAINST HABITATION

- Burglary (specific intent)
- Arson (general intent)

INCHOATE CRIMES

- Attempt (specific intent)
- Conspiracy (specific intent)
- Solicitation (specific intent)

PARTY LIABILITY

- Accomplice liability (specific intent)
 - Foreseeability
 - Withdrawal
 - Members of protected class
- Accessory after the fact (specific intent)

DEFENSES

- Insanity
 - M'Naughten rule
 - Irresistible impulse test
 - Durham test
 - MPC test
- Intoxication
 - Voluntary intoxication
 - Involuntary intoxication
- Self-defense
 - Unreasonable self-defense
 - Defense of others
 - Defense of a dwelling
 - Regaining possessions
- Duress
 - Intentional homicide