Template for Issue Spotting Exam.

Defendant v. ____ (header)

Crime ____ (header)

IRAC

i. Issue:

1. The issue is whether D can be found liable for the crime of _
ii. Rule:

- To be held liable for the crime of ____, the plaintiff must prove the following elements beyond a reasonable doubt: (1)___, (2)__, and (3)___.
- iii. Application:
 - 1. Here, as to element 1, ____.
 - 2. Here, as to element 2, ____.
 - Here, as to element 3, _____.
- iv. Conclusion:
 - In conclusion, absent a defense, ______.

Examples of common law crimes with required intent.

Common law specific intent crimes with intent required:

- 1. Solicitation: Intent to have the person solicited commit the crime
- 2. Attempt: Intent to complete the crime
- 3. Conspiracy: Intent to have the crime completed
- Premeditated Murder (1st degree murder): Premeditated intent to kill
- Assault: Intent to commit a battery
- 6. Larceny and Robbery: Intent to permanently deprive another of his interest in the property taken
- Burglary: Intent to commit a felony in the dwelling
- 8. Forgery: Intent to defraud
- False Pretenses: Intent to defraud
- 10. Embezzlement: Intent to defraud

General intent crimes:

- 1. Battery
- Rape.
- Manslaughter
- Kidnapping, AND
- 5. False imprisonment

MPC § 2.02(2)—Mens rea

- (a) Purposely: Conduct/Result conscious goal AC - Aware of them or hope they exist
- (b) Knowingly: Conduct/AC aware Result – practically certain
- (c) Recklessly: Consciously disregards substantial and unjustifiable risk of C/AC/R Gross deviation from law abiding person's conduct

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SA Dillow

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