

# Criminal Law and Procedure

- I. Homicide
  - A. Intended killings
    - 1. Premeditation-deliberation
    - 2. Provocation
  - B. Unintended killings
    - 1. Intent to injure
    - 2. Reckless and negligent killings
    - 3. Felony-murder
    - 4. Misdemeanor-manslaughter
- II. Other crimes
  - A. Theft
    - 1. Larceny
    - 2. Embezzlement
    - 3. False pretenses
  - B. Receiving stolen goods
  - C. Robbery
  - D. Burglary
  - E. Assault and battery
  - F. Rape; statutory rape
  - G. Kidnapping
  - H. Arson
- III. Inchoate crimes; parties
  - A. Inchoate offenses
    - 1. Attempts
    - 2. Conspiracy
    - 3. Solicitation
  - B. Parties to crime
- IV. General principles
  - A. Acts and omissions
  - B. State of mind
    - 1. Required mental state
    - 2. Strict liability
    - 3. Mistake of fact or law
  - C. Responsibility
    - 1. Mental disorder
    - 2. Intoxication
  - D. Causation
  - E. Justification and excuse
- V. Constitutional protection of accused persons
  - A. Arrest, search and seizure
  - B. Confessions and privilege against self-incrimination
  - C. Lineups and other forms of identification
  - D. Right to counsel
  - E. Fair trial and guilty pleas
  - F. Double jeopardy

Approximately 40% of the Criminal Law questions for each MBE will be based on category V, and approximately 60% will be based on the remaining categories, I through IV. All of the major topics (designated by Roman numerals) will be represented in each examination, but not necessarily all of the subtopics.