

MBE Subject Matter Outline – Criminal Law and Procedure

NOTE: Approximately half of the Criminal Law and Procedure questions on the MBE will be based on category V, and approximately half will be based on the remaining categories— I, II, III, and IV.

MBE Subject Matter Outline – 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



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II. Other crimes

- A. Theft and receiving stolen goods
- B. Robbery
- C. Burglary
- D. Assault and battery
- E. Rape; statutory rape
- F. Kidnapping
- G. Arson
- H. Possession offenses



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III. Inchoate crimes; parties

A. Inchoate offenses

1. Attempts
2. Conspiracy
3. Solicitation

B. Parties to crime



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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
- F. Jurisdiction

