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Law, Common Law



Joanna King The Model Penal Code The Model Penal Code was enacted to specify certain offenses. The Model Penal Code is one of the most vital improvements in American law; possibly the most important influence on American criminal law since it was completed in 1962. Conceived as a way to standardize and categorize the often fragmentary criminal codes enacted by the states; the Model Penal Code has influenced a large majority of states to change their laws. Some provisions of the Model Penal Code are now considered outdated, it still manages to help. Members of the American Law Institute, which is a group of judges, lawyers, and legal scholars whose purpose is to clarify and progress the law, began working on the Model Penal Code in 1952. The group had deserted two preceding attempts to generate a model criminal code. The third attempt took ten years, and the American Law Institute produced numerous drafts. Herbert Wechsler, a Columbia Law School professor, served as the chief reporter or principal drafter. From 1953 to 1962, American Law Institute council members scrutinized, judged, and debated the work of Wechsler, in a total of 31 drafts. Finally, in 1962, the Model Penal Code was accomplished and published. The impact of the Model Penal Code was immediate. For many states, the perception of codifying their criminal code was unfamiliar. Their criminal statutes were often poorly organized and did not define their crimes. The Model Penal Code arranged matters differently, organizing itself into four parts: (1) general provisions containing definitional functions and presumptive rules; (2) definitions of specific offenses; (3) provisions governing treatment and correction; and (4) provisions governing the organization of corrections departments and divisions such as the divisions responsible for parole or probation. Although

the Model Penal Code has come under some criticism in recent years, some critics suggest that it may be time for revision. The Model Penal Code remains firmly ensconced as an influence in the criminal laws of more than two-thirds of the states.