EMPIRE COLLEGE SCHOOL OF LAW

EVIDENCE SYLLABUS

F221/S221
2009-2010

TOTAL HOURS/UNITS: 90 hours: 45 hours each semester. 6 units
PROFESSOR: Bruce Kinnison - 707/525-8075 email: kinnisonfamily@comcast.net

REQUIRED TEXT: Mendez, Evidence, The California Code and the Federal Rules, A Problem Approach, Fourth Edition, 2008, Thomson and West, publisher. ISBN: 978- 0 - 314 - 18366 - 8. Also by the author for background but not class discussion: Mendez: Evidence- A Concise Comparison of the Federal Rules with the California Code, 2009, West ISB 978-0-314-90674-8

Students will also read and discuss recent appellate cases pertinent to evidence.

DAY/TIME: Tuesday, 6:00 - 9:00 pm, both semesters.

COURSE DESCRIPTION: The purpose of this course is to develop a solid understanding of the California and Federal rules of evidence and to use such skills in a courtroom setting.

CLASS ATTENDANCE: Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. Students must attend a minimum of 80% of the classes to be eligible to pass the course. Roll will be taken at each class.

CLASS PREPARATION: Students are expected to be fully prepared to participate in each class. We will, among other topics, discuss the "Questions and Problems" at the end of each section in class. Students are expected to have prepared the first week's assignment for the first class.

GRADING POLICIES:

Grade Scale:

90% - 100%	A	Outstanding
80% - 89%	B	Superior
70% - 79%	C	Satisfactory
65% - 69%	D	Unsatisfactory
Below 65%	F	No Credit

Grading: Midterm 25 %. Final 75%

Each examination will have two essays (worth 80%) and one multiple choice series of questions (worth 20%). The multiple choice questions will not lower a grade by more than three points. Essays will be graded in five point increments. Class participation can add up to three additional points to the final grade.

EMPIRE COLLEGE SCHOOL OF LAW

FALL SEMESTER 2009

WEEK	ASSIGNMENT
1.	Chapter 1: Evidence in Perspective. Text pp.1-26.
2.	Chapter 2 - 3.06: Relevance and Character Evidence. Text pp. 25-54.
3.	Chapter 3.07- 3.14: Character Evidence, continued. Text pp. 54 - 76.
4.	Chapter 3.15 - 3.16: Character Evidence, cont. Text pp. 76 - 108.
5.	Chapter 3.17 - 4.04: Other types of Excluded Evidence. Text pp. 109 - 145.
6.	Chapter 4.05 - 5.04: Excluded Evidence and the Hearsay Rule. Text pp. 145 - 178.
7.	Chapter 5.05 - 6.03: The Hearsay Rule and Exceptions. Text pp. 178 - 211.
8.	Chapter 7: Exceptions to the Hearsay Rule, cont. Text pp 212- 246
9.	Chapter 8.: Exceptions to the Hearsay Rule, cont. Text pp 247-272
10.	Chapter 9.00 - 9.10: Exceptions to the Hearsay Rule, cont. Text pp 273-300
11.	Chapter 9.11 - 10.04: Exceptions to the Hearsay Rule, cont. Text pp 300-330
12.	Chapter 10.05 - 11.06: Exceptions to the Hearsay Rule, cont. Text pp. 331 - 360.
13.	Chapter 11.07 - 13.05: Exceptions to the Hearsay Rule, cont. Best Evidence Rule. Text pp. 361 - 394.
14.	REVIEW
15.	MIDTERM EXAMINATION

EMPIRE COLLEGE SCHOOL OF LAW

SPRING SEMESTER 2010

WEEK	ASSIGNMENT
1.	Chapter 13.06 - 14.02: Best Evidence Rule, Competency of Witnesses. Text pp. 395 - 424
2.	Chapter 14.03 - 15.02: Competency and Credibility of Witnesses. Text pp. 424 - 453
3.	Chapter 15.03 - 15.07: Credibility of Witnesses, cont. Text pp. 453 - 483
4.	Chapter 15.07 - 15.11: Credibility of Witnesses, cont. Text pp. 483 - 516
5.	Chapter 15.12 - 16.03: Credibility of Witnesses, Expert Opinions and Testimony. Text pp. 516 - 550
6.	Chapter 16.04 - 16.09: Expert Testimony and the Opinion Rule pp. 550 - 581
7	Chapter 17 - 18.03: Role of Judge and Jury; Presumptions. Text pp. 582 - 618
8.	Chapter 18.04 - 19.03: Presumptions, cont; Judicial Notice. Text pp. 618 - 659
9.	Chapter 20 - 21.01: Privileges; Attorney-Client Privilege. Text pp. 660 - 692
10.	Chapter 21.02 - 21.08: Attorney-Client Privilege. Text pp. 692 - 722
11.	Chapter 22.01 - 23.03: Work Product, More Privileges. Text pp. 723 - 757
12.	Chapter 23.03 - 25.03: More Privileges. Text pp. 757 - 787
13.	Chapter 26 - 29: More Privileges. Text pp. 788 - 817. Begin REVIEW.
14.	REVIEW
15.	FINAL EXAMINATION