GOAL: Know and be able to apply (1) the rules governing relevance, unfair prejudice, character evidence, impeachment, hearsay, and opinion testimony; (2) the rules as they intersect with a few constitutional provisions, such as the Sixth Amendment confrontation right; and (3) some housekeeping rules, such as Rules 102-105, 201, and 611.

MATERIALS AND E-REGISTRIES: Required readings are listed below and organized by topic. The main texts are Fisher, EVIDENCE (Foundation Press, 2d Ed. 2008). You also need access to the Federal Rules as well as the legislative history and Advisory Committee notes. The latest version of Fisher’s Federal Rules Supplement works well, or you can use an electronic source if you prefer. For treatises, Mueller & Kirkpatrick is on library reserve. Weinstein and McCormick also are good.

Any changes to the syllabus will be posted in advance with email notice on TWEN.

Please register your preferred email address with the course TWEN site. Supplemental materials, problem sets, and CALI lessons also will be available on TWEN. I strongly recommend that you work CALI lessons or other supplemental practice exercises regularly throughout the semester, and that you consult one of the treatises listed above.

In-class interactive Turning Point exercises require a clicker, which you must purchase and then register by doing the following:
1. Go to the website student.turningtechnologies.com
2. Enter your ResponseCard ID (found on back of unit)
3. Enter your first name and last name in the appropriate fields
4. Complete security entry
5. Press Next
6. Enter instructor’s email address (janet.moore@uc.edu)
7. Select class that you are in for this instructor and add it to the list on the right
Click Next and confirm information. Click Back if you need to correct something.

OFFICE HOURS: M 1-3 PM and by appointment. Stop by, call, or email any time.

ATTENDANCE, PARTICIPATION & GRADES: You are expected to be in class on time with your gear unpacked and ready to participate actively throughout the class period. Turn off and stow all electronic communication devices. If you must use a laptop in class, you may do so only to access and take notes on materials for use in class. Other forms of electronic communication interfere with class participation, will lower your final grade, and may result in other sanctions in the instructor’s discretion.

If you arrive at or after 10:40 AM and a seat is available in the back row, you are welcome to join us. Otherwise, please return another day. If you have a medical or other issue that requires you to leave during class, please sit in the back so that you do not disrupt class. Absence, lack of
preparation and early departure require advance notice unless they result from a sudden emergency (email is fine).

Your grade is based on the final exam, which is multiple choice. Excellent preparation and participation can increase your final grade. Class participation involves a little case analysis, a lot of on-your-feet argument and discussion, and occasional mini-exams. Unexcused absences, tardiness, lack of preparation or early departures may lower your final grade or result in other sanctions permissible under the rules and regulations of the University and College. Class participation is credited after the final exam score has been determined.

**PREPARING FOR CLASS:** *Textbook:* Where the syllabus says “skim,” I will hit the main points through lecture. When the syllabus says “Read,” you will hit the main points through your in-class activities discussed above. *So when the syllabus says “Read,” read carefully.*

*Rules:* Look in the text for the “Focus on FRE [fill-in-the-number]” flag. Turn to the Fisher Federal Rules Supplement (or electronic source, if you prefer) and *read the flagged rule(s) carefully,* along with the legislative history, in conjunction with the corresponding segment of the Fisher textbook.

*NB* your textbook cites an older version of the Rules. *The meaning of the old and new Rules is the same.* The main difference is numbering of Rule subsections. You are responsible for knowing the new version of the rules. Get a good grasp on the reasons for the rules, their structure and text, and how the courts have interpreted them. Then *be ready to present your best arguments for admission and exclusion of the evidence presented in the assigned problem sets and new problems that will be posed in class.*

**EXAM:** You are responsible for material covered in the syllabus and in class. The exam is multiple choice. The exam is closed book and closed note, with the exception that you may bring in a 2-page outline (two 8.5 x 11 inch pages, front and back, any size font) that you have prepared yourself or to which you have contributed significantly as part of a study group.

**ASSIGNMENTS**

<table>
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<tr>
<th>Date</th>
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| M 8/24 | Read Fisher pp. 1-7, 17-30 (skip Problem 1.5)  
– *Relevance:* Rules 401-402 and 104(b) |
| W 8/26 | Read Fisher pp. 38-44, 50-52, 54-61 (skip Problem 1.10)  
– *More Relevance + Some Unfair Prejudice:* Rules 401-403 |
| M 8/31 | Read Fisher pp. 77-95, 104-107  
| W 9/2 | Read Fisher pp. 110-122 & 127-134 (skip Problem 2.6); skim 122-127  
– *More Specialized Relevance:* Rules 408-410 |