

EVIDENCE

SYLLABUS

SPRING SEMESTER – 2008

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JANUARY 15, 2008

INTRODUCTION

JANUARY 16 - JANUARY 22, 2008

OVERVIEW OF THE TRIAL PROCESS AND EVIDENCE

Mueller and Kirkpatrick 1-49

Problems: 1-A and 1-B

RELEVANCE

Mueller and Kirkpatrick 51-105; Weissenberger 103-109

Problems: 2-A, 2-B, 2-C, 2-D, 2-E, 2-F, 2-G and 2-I

JANUARY 23, 2008

RELEVANCE (EXPRESS LIMITATIONS)

Mueller and Kirkpatrick 397-427; Weissenberger 111-153

Problems: 5-A, 5-B, 5-C, 5-D, 5-E, 5-F, 5-G, 5-H, 5-I, 5-J, 5-K and 5-L

JANUARY 29 - JANUARY 30, 2008

RELEVANCE (MISCELLANEOUS LIMITATIONS)

Mueller and Kirkpatrick 428-448; Weissenberger 155-214

Problems: 5-M, 5-N, 5-P, 5-Q and 5-R

FEBRUARY 5 - FEBRUARY 6, 2008

WITNESSES (COMPETENCY)

Mueller and Kirkpatrick 449-476; Weissenberger 263-292

Problems: 6-A, 6-B, 6-C, 6-D, 6-E and 6-F

FEBRUARY 5 - FEBRUARY 6, 2008 (cont'd)

WITNESSES (MODE OF INTERROGATION)

Mueller and Kirkpatrick 477-498; Weissenberger 333-345

Problems: 7-A and 7-B

FEBRUARY 12, 2008

WITNESSES (IMPEACHMENT)

Mueller and Kirkpatrick 501-581; Weissenberger 293-332

Problems: 8-A, 8-B, 8-C, 8-F, 8-G and 8-H

FEBRUARY 13, 2008

WITNESSES (IMPEACHMENT CONTINUED)

WITNESSES (REPAIRING CREDIBILITY)

Mueller and Kirkpatrick 581-593

Problem: 8-I

FEBRUARY 19, 2008

OPINION AND EXPERT TESTIMONY

Mueller and Kirkpatrick 595-643; Weissenberger 373-403

Problems: 9-A, 9-B, 9-C and 9-D

FEBRUARY 20, 2008

OPINION AND EXPERT TESTIMONY, CONTINUED

Mueller and Kirkpatrick 643-666; Weissenberger 405-414

Problems: 9-E and 9-F

FEBRUARY 26 - FEBRUARY 27, 2008

AUTHENTICATION AND IDENTIFICATION

Mueller and Kirkpatrick 849-875; Weissenberger 627-671

Problems: 13-A, 13-B, 13-C, 13-E, 13-F, 13-G and 13-H

MARCH 4, 2008

AUTHENTICATION AND IDENTIFICATION, CONTINUED

Weissenberger 673-693

MARCH 5, 2008

BEST EVIDENCE RULE

Mueller and Kirkpatrick 877-897; Weissenberger 701-758

Problems: 14-A, 14-B, 14-C, 14-D, 14-E, 14-F, 14-G, 14-K, 14-L and 14-M

MARCH 11, 2008

BEST EVIDENCE, CONTINUED

PRIVILEGES

Mueller and Kirkpatrick 757-848; Weissenberger 229-257
No Problems

MARCH 12 - MARCH 18, 2008

BURDENS OF PROOF AND PRESUMPTIONS

Mueller and Kirkpatrick 667-732; Weissenberger 87-93
Problem: 10-A

JUDICIAL NOTICE

Mueller and Kirkpatrick 733-755; Weissenberger 73-84
Problems: 11-A, 11-B, 11-D, 11-F, 11-G, 11-H, 11-I and 11-J

MARCH 19, 2008

HEARSAY (OVERVIEW)

Mueller and Kirkpatrick 107-134; Weissenberger 421-467
Problems: 3-A, 3-B, 3-C, 3-D, 3-E, 3-F, 3-G and 3-I

MARCH 25 & 26, 2008

SPRING BREAK. NO CLASSES!

APRIL 1, 2008

HEARSAY (DEFINITIONS)

Mueller and Kirkpatrick 134-155
Problems: 3-J and 3-K

APRIL 2 - APRIL 8, 2008

HEARSAY (DEFINITIONS/ADMISSIONS)

Mueller and Kirkpatrick 157-226
Problems: 4-A, 4-B, 4-C, 4-E, 4-F, 4-G and 4-H

APRIL 9, 2008

HEARSAY EXCEPTIONS (PRESENT SENSE IMPRESSIONS/EXCITED
UTTERANCE)

Mueller and Kirkpatrick 227-239; Weissenberger 469-491
Problem: 4-I

APRIL 15, 2008

HEARSAY EXCEPTIONS (STATE OF MIND, STATEMENTS FOR PURPOSE OF MEDICAL DIAGNOSIS AND TREATMENT, RECORDED RECOLLECTION)

Mueller and Kirkpatrick 239-271; Weissenberger 491-505

Problems: 4-J and 4-K

APRIL 16, 2008

HEARSAY (BUSINESS RECORDS, ABSENCE OF RECORDS, PUBLIC RECORDS)

Mueller and Kirkpatrick 271-301; Weissenberger 505-539

No Problems

APRIL 22, 2008

HEARSAY (MISCELLANEOUS EXCEPTIONS)

Mueller and Kirkpatrick 355-359; Weissenberger 539-566

No Problems

APRIL 23, 2008

HEARSAY EXCEPTIONS (DECLARANT UNAVAILABLE)

Mueller and Kirkpatrick 301-346; Weissenberger 566-608

Problems: 4-L, 4-M and 4-N

APRIL 29, 2008

REVIEW

NO ASSIGNMENT

APRIL 30, 2008

REVIEW

NO ASSIGNMENT

LAST CLASS!