

EVIDENCE**FALL 2022 SYLLABUS**

Professor Jennifer Zedalis

Office: 327 Holland Hall

Office Hours: Tuesday and Wednesday 11am-Noon and by appointment.

Professor Zedalis has an open-door policy. Students are welcome to drop by.

352-273-0814; zedalis@law.ufl.edu

Course Description

This course covers the Federal Rules of Evidence. The nature, purpose, and application of the rules will be addressed. Evidence is an inherently interesting subject, dealing with questions of how best to test proof in a court of law, and how fairness comes into play in the fact-finding process. This subject lies at the heart of lawyering.

Course Goals and Objectives

Students will develop an understanding of the evidence rules, with emphasis on relevance, hearsay, impeachment evidence, opinion testimony, character evidence, and privilege.

Learning Outcomes

Students will recognize evidentiary issues. They will possess entry level skill at analyzing evidentiary problems, understanding admissibility, applying the rules, and making and meeting objections.

Course Materials

Rules: The Federal Rules of Evidence (included in textbook)

Textbook:

LEARNING EVIDENCE from the Federal Rules to the Courtroom (Deborah Johns Merritt and Ric Simmons, West Academic Publishing). While the latest edition is preferred, but students may use an older edition.

In addition to the text, students may be assigned recent cases for illustrative purposes.

Attendance Policy

Attendance and class participation is important. Students who miss more than 5 classes may risk a deduction of grade points.

EVALUATION

CLASS GRADING

Quiz #1	25 points
Quiz #2	25 points
Final exam	50 points
Total	100 points

The final exam in the course will be scheduled and administered in accordance with the policies and procedures of the law school and student affairs. The law school policy on exam delays and accommodations can be found [here](#).

GPA SCALE

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

CLASS SCHEDULE

August 22 WEEK ONE: Introduction to Evidence. Chapters 1-7

August 23

August 24

August 29	WEEK TWO: Chapters 8-13
August 30	
August 31	
September 5	NO CLASS, LABOR DAY
September 6	WEEK THREE: Chapters 14-18
September 7	
September 12	WEEK FOUR: Chapters 19-25
September 13	
September 14	
September 19	WEEK FIVE: Chapters 26-31
September 20	
September 21	<u>QUIZ ONE</u>
September 26	WEEK SIX: Chapters 32-36
September 27	
September 28	
October 3	WEEK SEVEN: Chapters 37-42
October 4	
October 5	
October 10	WEEK EIGHT: Chapters 43- 48
October 11	
October 12	
October 17	WEEK NINE: Chapters 49-54
October 18	
October 19	<u>QUIZ TWO</u>
October 24	WEEK TEN: Chapters 55-58
October 25	

October 26

October 31 WEEK ELEVEN: Chapters 59-64

November 1

November 2

November 7 WEEK TWELVE: Chapters 65-69

November 8

November 9

November 14 WEEK THIRTEEN: 70-72

November 15

November 16

PREPARATION

ABA Standard 310 requires that students devote 2 hours to out-of-class preparation for every “classroom hour” of instruction. Evidence has 3 hours of in-class instruction each week, requiring at least 6 hours of preparation outside of class each week.

University of Florida Policies:

ACADEMIC HONESTY

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at: <http://www.dso.ufl.edu/students.php>

CLASS RECORDING

Class Recording Policy: “Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer

during a class session. Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), 9 including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

UNIVERSITY POLICY ON ACCOMMODATING STUDENTS WITH DISABILITIES:

Students requesting accommodation for disabilities must first register with the Dean of Students Office (<http://www.dso.ufl.edu/drc/>). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the quizzes or exams.

Accommodations are not retroactive. Therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

NETIQUETTE: COMMUNICATION COURTESY:

All members of the class are expected to follow rules of common courtesy in all email messages, threaded discussions and chats.

COURSE EVALUATION:

Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results/>

Other resources are available at <http://www.distance.ufl.edu/getting-help> for:

- Counseling and Wellness resources
- Disability resources
- Resources for handling student concerns and complaints
- Library Help Desk support

