

EVIDENCE
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
SPRING 2024 SYLLABUS—LAW 6330—4 CREDITS

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Office Hours: Mondays 3:15-5:15p.m. in my office

MEETING TIME: M, Tu and W, 1:45 pm - 3:00 pm

LOCATION: HH 285C

COURSE DESCRIPTION AND OBJECTIVES:

Registration priority given to second-year students. A study of the law governing the proof of issues of fact before a judicial tribunal. Topics covered may include judicial notice, presumptions, burden of proof, hearsay, relevancy, testimonial proof, demonstrative and scientific proof, documentary proof and privileged communications. Emphasis is placed on the Federal Rules of Evidence

STUDENT LEARNING OUTCOMES:

At the end of this course, students should be able to:

- Understand the most essential federal evidence rules
- Understand how to apply these rules in criminal and civil contexts
- Understand the rationales underlying the rules

REQUIRED READING MATERIALS:

Evidence Cases and Materials (13th ed.) (Foundation Press), Park and Friedman. Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

COURSE EXPECTATIONS AND GRADING EVALUATION:

There will be a final examination that will be worth 100% of your final grade. The exam will be closed book. Grades can be lowered in the event of excessive absenteeism.

CLASS ATTENDANCE POLICY:

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed six (6) absences during the course of the semester. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school's policy on attendance can be found [here](#).

UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link:

<https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>.

ABA OUT-OF-CLASS HOURS REQUIREMENTS: ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction.

FIRST DAY ASSIGNMENT

There are no assigned readings for Day 1.

COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS

This syllabus is offered as a guide to the direction of the course. Our pace will depend in part on the level of interest and the level of difficulty of each section and is subject to change.

1. Chapter 1, “Making the Record.” Although only limited class time will be devoted to these materials, the Chapter provides an excellent overview of the course. [FRE 611]
2. Introduction to Relevance 75, 80-84; 87-107 [FRE 401, 403]
3. The Decisional Framework 749-753; 763-767; 772-780 [FRE 301]
4. The Hearsay Rule 199-231 (top) [FRE 801]
5. Exceptions to Hearsay Rule 249-289; 291-292; 312-337; 342-353; 356-367; 369-370; 373-375; 385; 386-420; *followed by a discussion of various miscellaneous exceptions* [FRE 104, 801, 803, 804, 805 and 807]
6. Confrontation Clause 238-248; 293-312; 378-385; 420-423 [Sixth Amd. U.S. Const.]
7. Character Evidence 109; 113-120; 124-125; 133-150; 151-168; 178-192; [FRE 404-409, 412-415]
8. Impeachment and Rehabilitation 485; 490-496; 497-505; 516--520; 525-545; 551-555 [FRE 607-609, 613]
9. Privileges 563-578; 587-603 [FRE 501]
10. Writings 669-676; 679-687 [FRE 901-902; 1001-1005]

11. Opinion Evidence

781-785; 842-850; 854-862 [FRE
701-705]