

EVIDENCE (Mueller Section)
FALL 2005 SYLLABUS (August 28, 2006)

The text is Evidence Under the Rules (Mueller & Kirkpatrick, 5th Edition 2004) plus the 2006 Edition of the Federal Rules of Evidence that goes with the text. You may bring the Rules to the exam, so please don't write words in them (apart from name and other identifying information). In the assignments, listed Problems will be discussed in class. Problems on assigned pages that are not mentioned in the Syllabus may be omitted. Please note that we have a makeup class at 9AM on Friday September 15th (which is not the usual time or day) because there are not enough days in the semester to accommodate the required number of class meetings.

CHAPTER 1 -- EVIDENCE LAW AND THE SYSTEM: WHY WE HAVE
RULES OF EVIDENCE AND HOW THEY WORK IN AN
ADVERSARY SYSTEM

1. Mon, Aug 28 -- M&K 1-4; 13-30 (Problem 1-A)
2. Wed, Aug 30 -- M&K 30-49 (Problem 1-B) (*assignment continues on next line*)

CHAPTER 2 -- RELEVANCE

2. Wed, Aug 30 -- M&K 51-64 (Prob 2-A)
3. Thurs, Aug 31 -- M&K 64-82 (Probs 2-B, 2-D, 2-E)
Mon, Sept 4th -- Labor Day (No Class)
4. Wed, Sept 6 -- M&K 82-105 (Probs 2-F, 2-G, 2-H, and 2-I)

CHAPTER 3 -- HEARSAY

5. Thurs, Sept 7 -- M&K 107-119 (Probs 3-A and 3-B)
6. Mon, Sept 11 -- M&K 119-128 (Probs 3-C, 3-D, and 3-E)
7. Wed, Sept 13 -- M&K 128-134 (Probs 3-F, 3-G, 3-H, 3-I)
8. Thurs, Sept 14 -- M&K 134-150 (Probs 3-J and 3-K)
9. *Fri, September 15 -- M&K 150-155 (Hearsay Quiz) (ungraded exercise)*
[Make Up Class, Room207, 9AM to 9:50AM Because of Insufficient Days in Semester]

CHAPTER 4 -- HEARSAY EXCEPTIONS

10. Mon, Sept 18 -- M&K 157-178 (Prob 4-A)
11. Wed, Sept 20 -- M&K 178-198 (Probs 4-B, 4-C, 4-D)
12. Thurs, Sept 21 -- M&K 198-213 (Probs 4-E, 4-F, 4-G)
13. Mon, Sept 25 -- M&K 213-227 (Prob 4-H)
14. Wed, Sept 27 -- M&K 227-245 (Prob 4-I, 4-J)
15. Thurs, Sept 28 -- M&K 245-257 (Prob 4-K)
16. Mon, Oct 2 -- M&K 258-271
17. Wed, Oct 4 -- M&K 271-292

18. Thurs, Oct 5 -- M&K 292-306 (Prob 4-L)
19. Mon, Oct 9 -- M&K 309-325
20. Wed, Oct 11 -- M&K 325-346 (Prob 4-M and 4-N)
21. Thurs, Oct 12 -- M&K 359-388

CHAPTER 5 -- RELEVANCE REVISITED

22. Mon, Oct 16 -- M&K 397-413 (Probs 5-A, 5-B, 5-C, 5-D, 5-E, 5-F)
23. Wed, Oct 18 -- M&K 413-427 (Prob 5-G, 5-H, 5-I, 5-J, 5-K, 5-L)
24. Thurs, Oct 19 -- M&K 428-441 (Probs 5-M, 5-N, 5-O)
25. Mon, Oct 23 -- M&K 441-448 (Probs 5-P, 5-Q, 5-R)

CHAPTER 8 -- IMPEACHMENT OF WITNESSES

26. Wed, Oct 25 -- M&K 501-525 (Prob 8-A)
27. Thurs, Oct 26 -- M&K 525-542 (Probs 8-B, 8-C, 8-D 8-E)
28. Mon, Oct 30 -- M&K 542-555 (Prob 8-F)
29. Wed, Nov 1 -- M&K 555-573 (Prob 8-G)
30. Thurs, Nov 2 -- M&K 573-589 (Prob 8-H)
31. Mon, Nov 6 -- M&K 589-593 (Prob 8-I)

CHAPTER 9 -- OPINION AND EXPERT TESTIMONY; SCIENTIFIC AND MATHEMATICAL EVIDENCE

32. Wed, Nov 8 -- M&K 595-619 (Probs 9-A, 9-B, 9-C, 9-D)
33. Thurs, Nov 9 -- M&K 620-643
34. Mon, Nov 13 -- M&K 643-666 (Prob 9-E, 9-F, 9-G)

CHAPTER 10 -- BURDENS OF PROOF AND PRESUMPTIONS

35. Wed, Nov 15 -- M&K 667-683 (Probs 10-A and 10-B)
36. Thurs, Nov 16 -- M&K 712-732 (Prob 10-D)
- Mon, Nov 20 through Sun, Nov 26 – Fall and Thanksgiving Break

CHAPTER 12 -- PRIVILEGES

37. Mon, Nov 27 -- M&K 757-759 & 764-775 (Prob 12-C & 12-D)
38. Wed, Nov 28 -- M&K 775-777 (Prob 12-E) & 780-790
39. Thurs, Nov 29 -- M&K 816-830 (Probs 12-G and 12-H)

CHAPTER 13 -- FOUNDATION REQUIREMENT; AUTHENTICATION

40. Mon, Dec 4 -- M&K 849-859 (Probs 13-A & 13-C) & 866-869 (Probs 13-I & 13-J)

CHAPTER 14 -- THE “BEST EVIDENCE” DOCTRINE

41. Wed, Dec 6 -- M&K 877-892 (14-B, 14-C, 14-D, 14-H, 14-I, 14-J)
42. Thurs, Dec 7 -- REVIEW

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