REQUIRED TEXTS:

1. **EVIDENCE** - Weinstein, Mansfield, Abrams & Berger  
   Cases and Materials (9th ed., 1997)  
2. **FEDERAL RULES OF EVIDENCE 2012**, West Group

**TIME:**  
Tuesday, Thursday:  Days:  2:30--3:45  
Eve:  7:30--8:45

**CASEBOOK ASSIGNMENTS**

**AUGUST**

21  Introduction  
23  CHAPTER ONE:  RELEVANCY AND RELATED PROBLEMS  
28,30  (pp. 1-8, 15-27, 35-61, 82-86)

**SEPTEMBER**

4  CHAPTER TWO:  1. REAL PROOF  
   a. Conditions of Admissibility (pp 97-122)  
   b. Demeanor (pp 122-124)  
   c. Views (pp 136-137)  
   d. Demonstrations and Experiments (pp 139-147)  
   e. Reproductions of the Event and Evidence of the Event (pp 150-172)

6  CHAPTER TWO:  1. REAL PROOF  
   f. Writings and Related Matters  
      1. Authentication (pp 181-191 & 206-207)  
      2. Best Evidence Rule (pp 212-229)

11, 13  CHAPTER THREE:  TESTIMONIAL PROOF (pp 237-255)  
   1. The Dead Man Rule (pp 272-277)  
   2. Truthfulness (pp 285-288)  
   3. Ability to Observe, Remember & Relate (pp 291-314)

18  PREPARATION OF WITNESSES (pp 316-318)
SEPTEMBER, CONTINUED

20, 25  FORM OF EXAMINATION
27      a.  Leading, Misleading, Argumentative & Narrative Questions (pp 333-335)
        b.  Present Knowledge - Refreshing (pp 340-345)
        c.  Opinions
           1.  Lay Witnesses (pp 352-354)

OCTOBER

2, 4, 9,11  CHAPTER THREE:
3 FORM OF EXAMINATION
9,11  CROSS-EXAMINATION (pp 367-380)
      REDIRECT AND RECROSS EXAMINATION (pp 381-384)
      CREDIBILITY
         a.  Accrediting (pp 385-387)
         b.  Discrediting
            1.  Own Witness (pp 390-394)
            2.  Opponent's Witness
               a.  Bias, Interest & Corruption (pp 406-411)
               b.  Prior Convictions (pp 416-426)
               c.  Prior Bad Acts (pp 429-431)
               d.  Reputation and Opinion of Character (pp 438-452)
               e.  Prior Inconsistent Statements (pp 453-456)
      REHABILITATING (pp 464-465)
      MECHANICAL AND CHEMICAL MEANS OF ASSESSING CREDIBILITY
         a.  The Lie Detector and Truth Serum (467-472)

16, 18  CHAPTER SIX:  EXPERT EVIDENCE
        b.  Basis of Expert Testimony (pp 1036-1041)

25, 30  CHAPTER FOUR:  HEARSAY
        a.  Definition and Rationale (pp 475-484; 489-494; 500-512)
        b.  Prior Statements of Witnesses (pp 522-540)

NOVEMBER

1  CHAPTER FOUR:  HEARSAY
   a.  Definition and Rationale (pp 475-484; 489-494; 500-512)
   b.  Prior Statements of Witnesses (pp 522-540)
6, 8 ALTERNATIVE INSTRUCTION WEEK--EXPERT WITNESS
DIRECT AND CROSS EXAMINATION

CHAPTER FOUR: HEARSAY
   c. Admissions (pp 563-572, 578-600)
   d. Declarations Against Interest (pp 605-616)
   e. Spontaneous and Excited Utterances (pp 634-638)
   f. Physical or Mental Condition of Declarant (pp 645-674)
   g. Business Entries and Public Records (pp 692-699, 718-722)
   h. Former Testimony (pp 723-725)
   i. Dying Declarations (pp 753-757)

20 CHAPTER FIVE: CIRCUMSTANTIAL PROOF: FURTHER PROBLEMS
   a. Evidences of Other Crimes (pp 808-811)
   b. Evidence of a Criminal Defendant's Reputation and Opinion
      Evidence of his Character; Evidence of Victim's Character
      (pp 875-893)
   c. Character Evidence in Civil Cases (pp 907-912)
   d. Similar Occurrences (pp 914-916)
   e. Habit and Custom (pp 921-924)
   f. Repairs, Liability Insurance (pp 929-934)

27 CHAPTER EIGHT: JUDICIAL NOTICE (pp 1238-1245, 1265-1269,
1293-1299, 1308-1313)

29 REVIEW