

**SYLLABUS**  
**Evidence–Law 606**  
**Professor Correales- Fall 2009**

**Course Materials**

GEORGE FISHER, EVIDENCE, SECOND EDITION (2008)

GEORGE FISHER, FEDERAL RULES OF EVIDENCE STATUTORY SUPPLEMENT (2008-2009 edition).

**Professor's Contact Information**

Professor Robert I. Correales

Office: room 446

Phone: (702) 895-2406

email: [robert.correales@unlv.edu](mailto:robert.correales@unlv.edu)

**Course Goals and Objectives**

To develop basic background knowledge of the Federal Rules of Evidence, which form the basis for most states' evidence codes, with a particular focus on the rules of relevance, character evidence, hearsay, lay and expert opinion, and evidentiary privilege. To facilitate exploration of the principles that animate the policy choices inherent in formulating and interpreting the rules of evidence, and the relationship of these principles to issues of fairness and impartiality that govern the procedures of an adversary system of justice. To challenge students to assess the soundness of the assumptions about truth, fact finding, and jury decision making that justify the rules of evidence.

**Attendance and Participation**

Class attendance is required. **Anyone missing more than 6 class meetings without a valid excuse will receive a grade of F for the course.** Classes will focus on discussion of the cases and problems in the assigned reading. All students should come to class having read and prepared to discuss those cases and problems when called on by the professor, **as well as having read the relevant Federal Rules of Evidence from the supplement.**

**Grading Policy**

Grades will be based on:

Class participation – 5% of the final grade.

A final examination comprising 95% of the final grade. The final exam will be composed of 75 multiple-choice questions. The exam will be closed book.

## **Disabilities**

The Disability Resource Center (DRC) coordinates all academic accommodations for students with documented disabilities. The DRC is the official office to review and house disability documentation for students, and to provide them with an official Academic Accommodation Plan to present to the faculty if an accommodation is warranted. The DRC strongly encourages faculty to provide accommodations only if and when they are in receipt of said plan. Faculty should not provide students accommodations without being in receipt of this plan.

UNLV complies with the provisions set forth in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, offering reasonable accommodations to qualified students with documented disabilities. If you have a documented disability that may require accommodations, you will need to contact the DRC for the coordination of services. The DRC is located in the Student Services Complex (SSC), Room 143, and the contact numbers are: VOICE (702) 895-0866, TTY (702) 895-0652, FAX (702) 895-0651. *For additional information, please visit: <http://studentlife.unlv.edu/disability/>*

**Assigned Reading:** All assigned reading is from the Fisher textbook. **Students are also responsible for reading any evidence rules that are discussed in the assigned reading from the rules supplement.** Though I will endeavor to cover one lesson per class, we will often slow down to allow for in-depth discussions of the concepts being examined. The assignments therefore represent an approximation of the pace for the course.

## **Introduction**

Lesson 1      Introduction to the Rules of Evidence  
pp. 1-16

### **Relevance**

Lesson 2      General Principles of Relevance  
pp. 18-34; 38-50

Lesson 3      General Principles (cont'd)  
pp. 50-61; 75- 89

Lesson 4      Specialized Rules of Relevance  
pp. 90-95; 104-116

Lesson 5      Specialized Rules of Relevance  
pp. 116-134

## **Character Evidence**

- Lesson 6      Character and Propensity  
pp. 135- 159
- Lesson 7      Character and Propensity (con't)  
pp. 159-180
- Lesson 8      Character and Propensity (con't)  
pp. 180-197
- Lesson 9      Propensity in Sexual Assault Cases  
pp. 197-223
- Lesson 10     Proof of Defendant's and Victim's Character  
pp. 223-245
- Lesson 11     Proof of Witness' Character for Truthfulness  
pp. 246-248; 250-258; 263-278; 285-287; 295 (problem 4.6); 298-300; 304  
(problem 4.9)
- Lesson 12     Rape Shield Law  
pp. 306-347

## **Hearsay**

- Lesson 13     Competency & Defining Hearsay  
pp. 357- 359; 362-389
- Lesson 14     Admissions by Party-Opponents  
pp. 389-411; 415 (problem 7.16)
- Lesson 15     Past Statements of Witnesses  
pp. 416- 424; 430-456
- Lesson 16     Exceptions When Declarant is Unavailable  
pp. 457-490
- Lesson 17     Hearsay Exceptions Regardless of Availability  
pp. 490-527
- Lesson 18     Admissibility of Business and Public Records/Residual Exception  
pp. 528-547; 552-564

## **Opinion and Expert Testimony**

- Lesson 19 Lay Opinions and Expert Testimony  
pp. 680-684; 691 (problem 9.4); 692-717
- Lesson 20 Expert Testimony  
pp. 718-753
- Lesson 21 Authentication Identification and the Best Evidence Rule  
pp. 805-835
- Lesson 22 Privileges  
pp. 842-855; 886-904
- Lesson 23 Confrontation Clause – Lecture and Handout