

**EVIDENCE (Mueller Section)
Fall 2012 SYLLABUS**

The text is Evidence Under the Rules (Mueller & Kirkpatrick, 7th Edition 2011) plus the 2012 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. We have a makeup class on Friday August 31: There are not enough days in the Semester, and Labor Day causes the need for a makeup.

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

1. Mon, Aug 27 -- M&K 1-4; 12-29 (Problem 1-A)
2. Wed, Aug 29 -- M&K 29-48 (Problem 1-B) (*assignment continues on next line*)

CHAPTER 2 -- RELEVANCE

2. Wed, Aug 29 -- M&K 49-65 (Probs 2-A, 2-B, 2-C)
3. Thurs, Aug 30 -- M&K 65-84 (Probs 2-D, 2-E, 2-G, 2-H)
4. Fri, Aug 31 [*Makeup Class*] -- M&K 84-104 (Probs 2-I, 2-J)

CHAPTER 3 -- HEARSAY

- Mon, Sept. 3 -- No Class Because of Labor Day (already made up)
5. Wed, Sept 5 -- M&K 105-118 (Probs 3-A, 3-B)
 6. Thurs, Sept 6 -- M&K 118-126 (Probs 3-C, 3-D, 3-E, 3-F)
 7. Mon, Sept 10 -- M&K 126-147 (Probs 3-G, 3-H, 3-I, 3-J, 3-K)
 8. Wed, Sept 12 -- M&K 147-152 (Hearsay Quiz, ungraded exercise)

CHAPTER 4 -- HEARSAY EXCEPTIONS

9. Thurs, Sept 13 -- M&K 155-166 (Prob 4-A)
10. Mon, Sept 17 -- M&K 166-182
11. Wed, Sept 19 -- M&K 182-201 (Probs 4-B, 4-C, 4-D 4-E)
12. Thurs, Sept 20 -- M&K 201-224 (Probs 4-F, 4-G, 4-H)
13. Mon, Sept 24 -- M&K 224-251 (Prob 4-I, 4-J, 4-K)
14. Wed, Sept 26 -- M&K 251-265
15. Thurs, Sept 27 -- M&K 265-285
16. Mon, Oct 1 -- M&K 285-312 (Prob 4-L)
17. Wed, Oct 3 -- M&K 312-335 (Prob 4-M)
18. Thurs, Oct 4 -- M&K 335-363
19. Mon, Oct 8 -- M&K 366-404
20. Wed, Oct 10 -- M&K 404-414 (Prob 4-O) (*assignment continues on next line*)

CHAPTER 5 – RELEVANCE REVISITED

- 20. Wed, Oct 10 – M&K 415-421 (Probs 5-A, 5-B)
- 21. Thurs, Oct 11 -- M&K 421-438 (Probs 5-C, 5-D, 5-E, 5-F, 5-G, 5-H, 5-I, 5-J)
- 22. Mon, Oct 15 -- M&K 438-447 (Probs 5-K, 5-L, 5-M)
- 23. Wed, Oct 17 -- M&K 447-461 (Probs 5-N, 5-O, 5-P)
- 24. Thurs, Oct 18 -- M&K 461-470 (Probs 5-Q, 5-R, 5-S, 5-T)

CHAPTER 8 – IMPEACHMENT OF WITNESSES

- 25. Mon, Oct 22 -- M&K 521-534 (Prob 8-A)
- 26. Wed, Oct 24 – 534-555 (Prob 8-B)
- 27. Thurs, Oct 25 -- M&K 555-572 (Probs 8-C, 8-D, 8-E)
- 28. Mon, Oct 29 -- M&K 572-597 (Probs 8-F, 8-G)
- 29. Wed, Oct 31 -- M&K 597-611 (Prob 8-H)

**CHAPTER 9 – OPINION AND EXPERT TESTIMONY; SCIENTIFIC
AND MATHEMATICAL EVIDENCE**

- 30. Thurs, Nov 1 -- M&K 613-627 (Probs 9-A, 9-B, 9-C)
- 31. Mon, Nov 5 -- M&K 628-649
- 32. Wed, Nov 7 -- M&K 649-666 (Prob 9-D)
- 33. Thurs, Nov 8 -- M&K 666-681 (Probs 9-E and 9-F)

CHAPTER 10 – BURDENS OF PROOF AND PRESUMPTIONS

- 34. Mon, Nov 12 -- M&K 683-704 (Probs 10-A, 10-B)
- 35. Wed, Nov 14 -- M&K 704-729 (Probs 10-C, 10-D)

CHAPTER 12 – PRIVILEGES

- 36. Thurs, Nov 15 -- M&K 755-771 (Probs 12-A, 12-B and 12-C)
Mon, Nov 19 through Fri, Nov 23: Fall/Thanksgiving Break
- 37. Mon, Nov 26 -- M&K 771-786 (Prob 12-D)
- 38. Wed, Nov 28 -- M&K 786-804 and 816-833 (Probs 12-E, 12-F, 12-G)

CHAPTER 13 – FOUNDATION REQUIREMENT; AUTHENTICATION

- 39. Thurs, Nov 29 -- M&K 853-868 (Probs 13-A, 13-B, 13-C, 13-D)
- 40. Mon, Dec 3 -- M&K 868-880 (Probs 13-E, 13-F, 13-G, 13-H, 13-I, 13-J)

CHAPTER 14 – THE “BEST EVIDENCE” DOCTRINE

- 41. Wed, Dec 5 -- M&K 881-896 (14-A, 14-B, 14-C, 14-D, 14-H, 14-I, 14-J, 14-K)
- 42. Thurs, Dec 6 -- REVIEW