

EVIDENCE
PROFESSOR ALISSA RUBIN GOMEZ
SYLLABUS—SUMMER 2020

Highlighting = Asynchronous Assignments

CLASS	CLASS TOPIC	REQUIRED READING BEFORE CLASS
Monday, June 1 (PART 1) LIVE (80 minutes)	Introduction to Evidence (Relevance)	Rules 101, 102, 401, 402, 403 Study Guide - xxix Chapter 2: Types of Courtroom Evidence Chapter 5: Raising and Resolving Evidentiary Objections Chapter 6: Relevance
Monday, June 1 (PART 2) LIVE (55 minutes)	Relevance, cont'd	Rules 105, 106, 403 Chapter 7: Prejudice, Confusion, or Waste of Time Chapter 8: Fitting the Rules Together
Monday, June 1 ASYNCH (30 minutes) <i>Must be completed by 6 pm on June 8</i>	Relevance, cont'd	Learning Library – Take Quizzes for Chapters 6 and 7
Tuesday, June 2 LIVE (120 minutes)	Relevance v. Unfair Prejudice — Character Evidence and Habit	Rules 403, 404, 405, 406 Chapter 25: Character Evidence and the Rules Chapter 26: Evidence to Prove Character as an Element Chapter 27: Using Character Evidence to Prove Propensity Chapter 28: Character Evidence to Show Propensity in Criminal Prosecutions <i>SKIM</i> Chapter 30: Crimes, Wrongs, or Other Acts (read the Quick Summary, for sure) Chapter 31: Habit

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Tuesday, June 2 ASYNCH (45 minutes) <i>Must be completed by 6 pm on June 8</i>	Relevance v. Unfair Prejudice — Character Evidence in Certain Cases	Rules 412, 413, 414, 415 Chapter 32: Rape Shield Law Chapter 33: Propensity in Sexual-Assault and Child-Molestation Cases <u>Watch Lecture Videos on TWEN</u> Learning Library – Watch Simulation: <i>Character Evidence: State v. Newhouse</i>
Wednesday, June 3 LIVE (85 minutes)	Subsequent Remedial Measures, Compromises, and Pleas	Rules 407, 408, 409, 410, 411 Chapter 9: Subsequent Remedial Measures Chapter 10: Settlements and Offers to Compromise Chapter 11: Medical Expenses
Wednesday, June 3 ASYNCH (80 minutes) <i>Must be completed by 6 pm on June 8</i>	Subsequent Remedial Measures, Compromises, and Pleas	Chapter 12: Criminal Plea Bargaining Chapter 13: Liability Insurance <u>Watch Lecture Videos on TWEN</u> Learning Library – Take Quizzes on Chapters 9, 10, 11, and 12 Short Answer: Special Relevance (Subsequent Remedial Measures and Medical Expenses)
Monday, June 8 LIVE (90 minutes)	Authentication	Rules 901, 902, 201 Chapter 69: Authentication
Monday, June 8 ASYNCH (75 minutes) <i>Must be completed by 6 pm on June 15</i>	More Authentication & Judicial Notice	Chapter 59: Judicial Notice <u>Watch Lecture Video on TWEN</u> Learning Library – Take Quiz on Chapter 69

CLASS	CLASS TOPIC	REQUIRED READING BEFORE CLASS
Tuesday, June 9 (PART 1) LIVE (80 minutes)	The Rule against Hearsay	Rules 801(a)-(c), 802 Chapter 35: What Is Hearsay and Why Don't We Like It? Chapter 36: The "Truth of the Matter Asserted"
Tuesday, June 9 (PART 2) LIVE (55 minutes)	The Rule against Hearsay—What is an Assertion?	Rules 801(a)-(c), 802 Chapter 37: What Is a Statement?
Tuesday, June 9 ASYNCH (30 minutes) <i>Must be completed by 6 pm on June 15</i>	The Rule against Hearsay—What is an Assertion?	Learning Library – Take Quizzes on Chapters 36 and 37
Wednesday, June 10 LIVE (120 minutes)	The Rule against Hearsay—Statements that are called "Not Hearsay" (but that actually <i>are</i> hearsay) under 801(d)(1) and (d)(2) exceptions	Rules 801(d)(1) and 801(d)(2) Chapter 38: Admissible Hearsay Chapter 39: Hearsay Exemption: Prior Statements by Witnesses (<i>STOP at the end of p. 506</i>) Chapter 53: Hearsay Exemption—Statements by an Opposing Party
Wednesday, June 10 ASYNCH (45 minutes) <i>Must be completed by 6 pm on June 15</i>	The Rule against Hearsay – Statements that are called "Not Hearsay" (but that actually <i>are</i> hearsay) cont'd	Rules 801(d)(2) Chapter 55: Hearsay Exemption—Statements of Coconspirators <u>Watch Lecture Video on TWEN</u> Learning Library – Take Quizzes on Chapters 39 and 53

CLASS	CLASS TOPIC	REQUIRED READING BEFORE CLASS
Monday, June 15 LIVE (90 minutes)	The Rule against Hearsay – Unrestricted Hearsay Exceptions	Rules 803(1)-(4) Chapter 40: Hearsay Exceptions—Present Sense Impressions and Excited Utterances Chapter 41: Hearsay Exception—State of Mind Chapter 42: Hearsay Exception—Medical Treatment
Monday, June 15 ASYNCH (45 minutes) <i>Must be completed by 6 pm on June 22</i>	The Rule against Hearsay – Unrestricted Hearsay Exceptions	Rules 803(5)-(10), 612 Chapter 43: Hearsay Exception—Recorded Recollection Chapter 45: Hearsay Exception—Business Records Chapter 46: Hearsay Exception—Public Record <u>Watch Lecture Videos on TWEN</u>
Monday, June 15 ASYNCH (30 minutes) <i>Must be completed by 6 pm on June 22</i>	The Rule against Hearsay – Unrestricted Hearsay Exceptions	Rules 803(11)-(24) Chart on Page 486 Chapter 44: Rule 805—Hearsay Within Hearsay <u>Watch Lecture Videos on TWEN</u> Learning Library –Short Answer: Present Sense Impression versus Excited Utterance
Tuesday, June 16 (PART 1) LIVE (90 minutes)	Restricted Hearsay Exceptions	Rule 804 Chapter 48: Rule 804 Introduction—What Is Unavailability? Chapter 49: Hearsay Exception—Former Testimony Chapter 50: Hearsay Exception—Dying Declarations

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Tuesday, June 16 (PART 2) LIVE (45 minutes)	Restricted Hearsay Exceptions	Rules 804, 807 Chapter 51: Hearsay Exception—Statement Against Interest Chapter 52: Hearsay Exception—Forfeiture Chapter 56: Residual Exception
Tuesday, June 16 ASYNCH (30 minutes) <i>Must be completed by 6 pm on June 22</i>	Hearsay and the Confrontation Clause	Chapter 58: The Sixth Amendment and Hearsay <u>Watch Lecture Video on TWEN</u>
Wednesday, June 17 (PART 1) LIVE (60 minutes)	Witness Qualification, Competency, and Examination	Rules 601, 602, 611, 614, 701 Chapter 14: Putting a Witness on the Stand Chapter 15: Examining Witnesses
Wednesday, June 17 (PART 2) LIVE (60 minutes)	Witness Qualification, Competency, and Examination—Expert Witnesses	Rules 702-706, 615 Chapter 60: Lay Opinions Chapter 61: What Subjects Are Appropriate for Expert Testimony?
Wednesday, June 17 ASYNCH (45 minutes) <i>Must be completed by 6 pm on June 29</i>	Relevance Refresher	Learning Library – Take Quizzes for Chapters 30 and 31
Monday, June 22 (PART 1) LIVE (60 minutes)	More on Expert Witnesses	Chapter 62: Qualifying Experts
Monday, June 22 (PART 2) LIVE (60 minutes)	More on Expert Witnesses	Chapter 63: Bases of Expert Opinion Chapter 64: Limits on Opinion and Expert Testimony
Monday, June 22 ASYNCH (45 minutes)	Lay and Expert Witnesses	Learning Library – Take Quizzes for Chapters 61, 62, 63, and 64

CLASS	CLASS TOPIC	REQUIRED READING BEFORE CLASS
Tuesday, June 23 LIVE (120 minutes)	Impeachment	Rules 607, 608, 612, 613 Chapter 16: Refreshing a Witness's Memory Chapter 17: Impeaching Witnesses Chapter 18: Using Prior Statements to Impeach Witnesses
Tuesday, June 23 ASYNCH (45 minutes) <i>Must be completed by 6 pm on June 29</i>	Impeachment	Rules 609, 611 Chapter 19: Revealing Untruthful Character on Cross-Examination Chapter 20: Using Criminal Convictions to Impeach Witnesses <u>Watch Lecture Video on TWEN</u>
Wednesday, June 24 LIVE (90 minutes)	Texas Privileges—Attorney-Client Privilege	Federal Rule 501; Texas Rule of Evidence 503 Chapter 66: Introduction to Privileges Texas Rule of Evidence 511, 512 Chapter 67: Attorney-Client Privilege
Wednesday, June 24 ASYNCH (75 minutes) <i>Must be completed by 6 pm on June 29</i>	Spousal Privileges and Psychotherapist-Patient Privilege, and a Quick Review of Other Privileges	Texas Rules of Evidence 504, 505, 507, 508, 509, 510, 513 Chapter 68: Other Privileges <u>Watch Lecture Video on TWEN</u> Learning Library – Take Quiz for Chapter 67
Monday, June 29 (PART 1) LIVE (45 minutes)	The Best Evidence Rule, etc.	Rules 106, 1001-1008 Chapter 24: Rule of Completeness Chapter 70: Best Evidence
Monday, June 29 (PART 2) LIVE (60 minutes)	Review for Exam	

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Monday, June 29 ASYNCH (55 minutes) <i>Optional But Highly Recommended (progress will not be monitored)</i>	Review for Exam	Learning Library - Take Comprehensive Review