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Law 5357 Section 25924
EVIDENCE
Fall 2025

1.   Overview and Course Objectives

This course aims to provide you with a working knowledge of the Federal Rules of Evidence. The Rules of Evidence govern the introduction of proof at trial (e.g., testimonial, tangible, documentary, photographic, demonstrative, or scientific). To fully comprehend the Rules as applied during a trial, it is essential to study them in the context of litigation. We will therefore study the Rules and their application through case law and practice multiple-choice and short essay questions. The practice questions are generally formatted like the multi-state and uniform bar exams and are also good practice for the final exam in this class.

This class will meet in person, face-to-face, on Mondays and Wednesdays, from 9-10:30 am in Room 210.

2.   Course Materials

There is one required textbook for this class:

- Evidence: A Contemporary Approach (4th ed.) (West Academic 2020), ISBN: 9781642427646

This is a CasebookPlus textbook. While not required, I ***highly recommend*** that you purchase the CasebookPlus version because it comes with a learning library that helps to reinforce the learning we are doing in the classroom and is great practice for both the final in this course as well as the Bar exam.

You ***will*** be required to purchase course-specific flashcards on Spaced Repetition - Award Winning Law School Study Software. I will provide additional information about this resource before class begins. Expect the cost to be something less than $50.

Our classroom will be managed via Canvas. Once enrolled in the course, you will be able to find our class page using the Canvas Dashboard through Access UH.

There are many other helpful additional materials available on the subject of Evidence. None of these other materials is required, but you might find them helpful for explaining difficult concepts or for practice on multiple choice questions. These include the Q&A series on Evidence (available on the LexisNexis store online), the Examples & Explanations series on Evidence, as well as Goode's Sum and Substance Audio on Evidence (Downloadable Audio Format). In addition, the library has a subscription to exercises available on CALI.

3.   **Grading**

Your grade in this class will be based on the following:

(a)   **15% of Grade:** An interim assessment will be given on relevance, character, and some hearsay. The interim assessment will be **closed book, but I will provide you with a hard copy of the Evidence Rules**. If your interim assessment grades raise your average, they will count towards your final grade; if they do not, your final grade will be based solely on your final exam.

(b)   **85% of Grade:** The Final Exam will be given in person in accordance with the UHLC exam schedule. The Final Exam will be a combination of multiple-choice and essays and will be a cumulative assessment of your knowledge of the course material. The final exam will be **closed book, no Rules**.

UHLC uses an anonymous grading system to ensure fairness in grading. Your name should not appear anywhere on the final exam. You should not give me your exam number, and you should take care to avoid providing information on graded assignments that may identify you.

This course is subject to a mandatory grading curve. The average grade in each section must be between 3.2 and 3.4.

The UHLC Honor Code applies to this class. http://www.law.uh.edu/student/HONOR-CODE-AND-PROCEDURES.pdf. Students are responsible for knowing its provisions and complying with them. Please direct any questions regarding the Honor Code's applications to specific activities to me.

4.   **Class Times and How to Reach Me**

Class meets two times each week, on Mondays and Wednesdays, from 9:00 am until 10:30 am. Any changes to the regularly scheduled class time will be announced via e-mail and/or in class.

I am also typically very quick to respond to e-mails, so please do not hesitate to reach out anytime at argomez3@central.uh.edu. If talking over the phone or Zoom is easier for you, simply send me an e-mail to set up a time.

Office hours are TBD.

5.   **Preparing for Class**

Evidence is a dense subject that is heavily tested on the Bar exam, for which you will not be able to use outside materials, including the Rules. I therefore recommend that you prepare well for class to maximize your ability to internalize the materials.

You should carefully read the evidence rules, as well as the assigned materials in the book. In class, we will discuss the application of the rules to various situations. I will assign and provide you with the Texas rules when they vary significantly from the federal rules.

You are expected to be prepared to discuss the material that I assign for each day of class. I will call on you at random. If you will not be prepared for class, I ask that you let me know by e-mail before class.

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

6.   Honor Code and AI Generated Text

The UHLC Honor Code applies to all aspects of this course. **You are responsible for knowing all Honor Code provisions and for complying with the Honor Code.** Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

Generative artificial intelligence is a form of machine learning that creates new and original output based on the data it has been trained on or has access to, employing algorithms to generate content in response to prompts. Examples of the technology include what are known as generative "large language models" (LLMs). Two well-known LLM implementations are ChatGPT and Claude. LLM output can include text, images, music, code, and more. This syllabus policy covers the textual output of generative LLMs (AIGenerated Work Product)—which can include computer code or programs and human-language content. Because AIGenerated Work Product can often mimic human intelligence, it could potentially be used as a substitute for a student's own work product. Such use is potentially problematic to the extent that it becomes a substitute for internalized student understanding of the material or creates a dependency on AI-Generated Work Product, which may be strictly prohibited in settings that include the bar examination.

Subject to the exceptions immediately below, your continuing enrollment in this course constitutes your pledge not to generate or to use any AI-Generated Work Product—whether from yourself or others—in relation to any assessment in this course. The term "assessment" means any graded or ungraded work product for this course that is submitted to the instructor, presented in a class session, or used in an oral or written graded assessment for this course.

The following AI-Generated Work Product uses are exceptions to the preceding prohibition. The exceptions' intent is to allow the generation and use of AI-Generated Work Product for specific, narrowly defined activities related to this course.

- You may generate and use AI-Generated Work Product for class preparation, although you must disclose the full extent of that use if your instructor asks. You may generate and use AI-Generated Work Product for study supplements to aid with general understanding of course content. This could take different forms that include creating examples or explanations of a concept, generation of diagrams and flow charts, "gamification" of course content, flash cards for study, or sample questions and answers.

- You may generate and use AI-Generated Work Product for an outline that summarizes the course content.

- You may use AI-Generated Work Product to check your originally drafted text for misspellings, grammar and punctuation errors, strength and clarity of prose, verbosity, effective transitional language and thesis sentences, word choice, excessive passive voice, and like things.

- You may use AI-Generated Work Product for the purpose of language translation.

7.   **Laptops and Electronic Devices**

Consistent with UHLC's computer use policy, improper use of a computer during class (including, but not limited to, composing, sending, or reading emails; instant messaging; searching or browsing the Internet; playing games; and/or viewing movies) may result in dismissal from the class session or a reduction in your final grade. Unless you are instructed otherwise, please turn off cell phones and similar devices. *See* http://www.law.uh.edu/jd/current/handbook.pdf

The University of Houston is committed to student success and provides information to optimize the online learning experience through our Power-On website. Please visit this website for a comprehensive set of resources, tools, and tips including obtaining access to the internet, AccessUH, and Blackboard; requesting a laptop through the Laptop Loaner Program; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

8.   **Reasonable Academic Adjustments/Auxiliary Aids**

The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/auxiliary aid, please contact the Justin Dart Jr. Student Accessibility Center (formerly the Justin Dart, Jr. Center for Students with DisABILITIES).

9.   **Counseling and Psychological Services**

Counseling and psychological services (CAPS) is available to help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. www.uh.edu/caps. You can reach CAPS by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No

appointment is needed for the "Let's Talk" program, a drop-in consultation service held at convenient locations and hours around campus. http://www.uh.edu/caps/outreach/lets_talk.html.

The Texas Lawyers' Assistance Program (TLAP) also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: https://www.tlaphelps.org/law-students.

10.   <u>**Student Health and Safety**</u>

<u>Title IX/Sexual Misconduct</u>

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/.

<u>Security Escorts and Cougar Ride</u>

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. Our Security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called Cougar Ride that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at https://uh.edu/af-university-services/parking/cougar-ride/.

<u>Other Helpful Information</u>: **Coogs Care**: https://uh.edu/dsa/coogscare/
Student Health Center: https://www.uh.edu/healthcenter/ https://www.uh.edu/healthcenter/