



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

EVIDENCE

COURSE LAW 600, SEC. 4

FALL 2021

PROFESSOR SHAUNDRA KELLAM LEWIS

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THE PROFESSOR

NAME: Shaundra Kellam Lewis

TELEPHONE: (713) 313-1348

EMAIL: shaundra.lewis@tmslaw.tsu.edu

LOCATION: Room 226

OFFICE HOURS: On Zoom only MWF 4:00 to 6:00 p.m.
(All other times by appointment only)
Zoom Meeting ID 447 572 6474

NOTE FROM THE PROFESSOR:

Welcome back! I look forward to working with every single one of you this semester as you learn the Federal Rules of Evidence. To protect each other and cultivate the safest learning environment possible, I strongly encourage all of you to wear masks inside the classroom, regardless of whether you have been fully vaccinated or not.

COURSE BOOKS & MATERIAL

The following textbooks are *required* for this course.

Arthur Best, Evidence: Practice, Problems, and Rules (3d Edition Wolters Kluwer 2021) (main textbook).

Special Note: When you purchase the Best textbook new, you can access the ebook version of it and all its learning tools by registering your product at [CasebookConnect.com](https://www.casebookconnect.com). Use the access code inside your book to register your product and start using the ebook and learning tools. If you purchased the digital only Connected Casebook, which is 40% off the listed price of the print book, you have access to the learning tools immediately.

Federal Rules of Evidence 2021-2022 Edition prepared by Professor Daniel J. Capra (West Academic Publishing)

The following textbooks are recommended but not required.

Paul C. Giannelli, Understanding Evidence (5th Edition Carolina Academic Press 2018)

Steven Goode & Olin Guy Wellborn III, Courtroom Evidence Handbook 2021-2022 Student Edition (2021)

COURSE DESCRIPTION & OBJECTIVES

DESCRIPTION:

This course focuses on the Federal Rules of Evidence. We will study in-depth several critical areas in Evidence, including hearsay, character evidence, expert testimony, impeachment and privileges. Our study of Evidence will not only entail dissecting rules and examining how it is applied in caselaw but applying these rules in practical settings. For example, you will have some short drafting exercises, such as drafting a motion to admit or exclude evidence, to give you a better understanding of the rules. You also will review courtroom-based scenarios to determine how a judge should rule on the admissibility of certain evidence. In other words, in this course, you will not only learn the doctrine of Evidence but how evidence rules are applied in a courtroom setting.

OBJECTIVES:

There are two primary purposes of this course. The first is for you to sufficiently master Evidence to the extent necessary to perform well on the Evidence portion of the bar exam. The second is for you to have a functional mastery of Evidence to enable you to not only become an exceptional litigator but an outstanding lawyer, as everyone needs a good understanding of evidence rules since every case could eventually result in litigation.

STUDENT LEARNING OUTCOMES

Upon completion of this Evidence course, you should have:

- 1) developed a greater understanding of the litigation process and the role that evidence plays in that process;
- 2) gained competent knowledge of the most critical rules of evidence and the rationale behind those rules;
- 3) honed your critical thinking skills and how to effectively argue and analyze evidentiary issues orally and in writing;
- 4) learned how to predict a trial court's ruling on the admissibility of evidence; and
- 5) practiced your professionalism by completing assignments by the deadline, collaborating well with others, and being on time for class.

GRADING

Your final grade in this course will be based upon a midterm examination, a comprehensive final examination, a motion *in limine*, short practical exercises, and your professionalism and participation. More specifically, your grade will be comprised of the following:

Final Comprehensive Exam	40%
Midterm	25%
Motion in Limine	15%
Short Practical Exercises and Other Assignments	15%
Participation and Professionalism	5%

A brief description of each of the grade components is below.

Final Comprehensive Exam: This is a three-hour exam consisting of 100 multiple-choice and true-false questions. The test will be given during Exam Week.

Midterm Examination: This will be a one-hour timed essay examination.

Motion in Limine: You will have several weeks to draft a motion in limine.

Short Practical Exercises and Other Assignments: Throughout the semester you will be given short practical exercises on some of the most critical Evidence topics and you will post your answers on TWEN. Most of these exercises will be done during class. Additionally, you will have a practice essay exam that will be graded for completion.

Last, but not least, this second-year-course is graded on a curve. The mandatory curve for this class is a **class average between 2.5 and 2.75**. Because the curve is based upon a class average, there are no required number or percentage of grades that must be a certain letter grade.

ACCOMMODATIONS

The TMSL administrative process for student accommodations will be carried out by the TSU Student Accessibility Services Office (SASO). Managed by Director Sharron Benavides, SASO specializes in accommodation services and will provide efficient and professional services to Thurgood Law students who may need accommodations.

New Accommodation Requests

1. Students must have a diagnosed disability and authentic documentation to apply for services.
2. Once the applicant's disability information is received, SASO will contact the student to schedule an Intake appointment (virtual) for the student to self-report any disability challenges/barriers associated with the condition that impacts functioning abilities in the learning environment.
3. SASO will next determine the student's eligibility status and accommodation plan based on the disability, historical documentation, and self-reporting data. SASO will send a notification letter indicating the applicant's service status. The notification letter requires the applicant's signature.
4. Upon receipt of the signed notification letter, SASO will forward a copy of the accommodation letter to the student, with instruction on how to complete the accommodation process.
5. Students must meet with each Instructor to discuss how accommodations will be implemented. The student and Instructor must sign the accommodation letter. The student will return a copy of the signed accommodation letter to SASO electronically. The signed accommodation letter is used for advocacy purposes if accommodation concerns are reported.

COVID-Related Accommodations

TSU is completely re-opening for the Fall 2021 academic term for synchronous in-person courses. If at any time during this semester, you test positive for COVID or were exposed to someone with COVID, please notify me and the Student Accessibility Services Office (SASO) immediately and follow the COVID-related protocols below.

1. COVID accommodations will be processed for those who report testing positive or who had exposure to COVID. **Documentation is required.**
2. Students will quarantine for 10 days.
3. Students must submit Release of Care documentation from a licensed health care professional to the SASO upon their return to class and discuss plans for making up



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missed assignments/exams with professors. Students will not engage in class activities during the quarantine period.

4. Students must communicate if more time is needed. Documentation is required to support additional time needs.

Professors cannot re-teach the course for excessive absences. Students are encouraged to seek assistance from the professor and pursue tutoring. It is anticipated that students will engage in self-study during the absence time.

Accommodation services are not to fundamentally alter course formats, requirements, standards, or guidelines. Consequently, no remote or online attendance or learning modalities will occur for in-person courses for the Fall 2021 academic term.

If you have questions, please contact SASO via email DisabilityServices@tsu.edu or phone 713.313.4210.



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WELLNESS RESOURCES

Law school is hard. If you are struggling, I encourage you to seek help. If you see someone else struggling, encourage that person to reach out. We must take care of ourselves and each other.

Associate Dean Ratra works with students to resolve issues that might impact their course of study. You can reach her by calling or stopping into the Dean's suite or by email at miamy.ratra@tsu.edu.

As part of your tuition, TSU's University Counseling Center (in the Student Health Center) offers confidential counseling and support, crisis intervention, grief counseling, outreach, and referral services to all enrolled students. Contact the counseling center through <http://students.tsu.edu/departments/university-counseling-center/> or by calling 713.313.7804 during business hours (Monday-Friday, 8:00 a.m.-5:00 p.m.). For an emergency after business hours, call 911. For a non-emergency crisis after business hours, call 713.313.7863.

The Texas Lawyers Assistance Program from the State Bar of Texas is an amazing resource, not only for practicing lawyers but specifically for law students as well. TLAP offers confidential crisis counseling, referrals, and peer assistance relating to alcohol and drug abuse, mental health issues, and wellness. Contact TLAP through <https://www.tlaphelps.org> or by calling 800.343.8527 (available 24/7).

I am available if you need a sounding board or have any other type of problem you need to discuss. Please drop in during office hours or email me.

PARTICIPATION, ATTENDANCE & PROFESSIONALISM

Class participation and attendance will be considered in determining your final course grade. “Participation, Professionalism, and Attentiveness” points (“PPA points”) **will be deducted** for the following: not being prepared for class; not actively participating in class discussions or exercises; being disrespectful to me or your classmates (for example, talking or looking at your phone when one of us is speaking); missing a scheduled or mandatory conference with me without providing adequate notice beforehand (at least 24 hours before the scheduled meeting except in emergency situations); failing to timely sign up for a mandatory conference as instructed; writing the wrong exam number on an exam or assignment; excessive tardiness; and displaying immature or unprofessional conduct. Examples of “immature or unprofessional conduct” include but are not limited to: sighing out loud in class or making other inappropriate outbursts; walking in and out of class after instruction has begun (unless you have a medical problem and have received an accommodation from the Dean of Students); permitting your cell phone or other electronic device to ring during class; viewing material on your laptop or smart electronic device unrelated to class; using profanity or offensive language during class; and engaging in a verbal/physical altercation in class. Generally, in gauging what constitutes unprofessional behavior, consider whether your conduct would be acceptable in a court of law. If it would not be tolerated, please do not do it in my classroom.

POLICIES & PROCEDURES

1. Class Preparation

To maximize your learning experience, you should complete the reading and writing assignments in the Syllabus no later than the date the assignments are due. For instance, if under the date “Monday, August 16, 2021,” it says read pages 1-20 in Evidence by Arthur Best, you should have done this reading before class on that day. Please note that reading and other assignments are subject to change and sufficient notice will be given in advance for any alterations to assignments.

2. Exam Numbers

You will be required to use an anonymous exam number for your exams and your motion in limine. By “anonymous,” I mean the Registrar will assign you several exam numbers that are unknown to me and the other professors that you are to use on your exams and the motion in limine. I will advise you whether an anonymous exam number is needed for any assignment other than your exams. You will not need an exam number to post short Evidence practicum exercises as those are graded for completion only.

3. Assessment

This course is designed to help you acquire the knowledge and skills to apply evidence rules in a courtroom setting. To help you meet that goal, you will have some short practical assignments to practice those skills in addition to your exams.

3.1 **Faculty Assessment.** I will go over every exam with you and provide individualized critiques on your essay exams. Throughout the semester, I also will provide group critiques on various practice exercises.

3.2 **Evidence Teaching Assistant Assessment.** You may at times receive individualized written or oral critique on exercises from my teaching assistant. She will also provide you with practice Evidence questions. If you feel that your tutor has provided advice that is inconsistent with something that I have said in class, you should defer to me. You are ultimately responsible for your own work; thus, if you are presented with conflicting advice, it is your responsibility to seek clarification from me.

3.3 **Self-Assessment.** Finally, and perhaps most importantly, you will engage in self-assessment. For example, I will provide sample answers to essay exams, evidence motion exemplars (such as a sample motion in limine), and annotated responses to short evidence practicum exercises. You should use these samples and answers to critique your own work and identify the areas where you need to gain a greater understanding.



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4. Consequences for Late or Over-Length Assignments

Because failure to timely submit a legal document in real life can have detrimental, irreversible, and sometimes fatal consequences, it is important to learn early in your legal education the importance of submitting assignments on time. Thus, I do not accept late assignments. Please turn in assignments on time to avoid a zero and serious damage to your grade.

You will be required to upload most, if not all, of your assignments on TWEN. Whenever you have successfully uploaded a document to TWEN, you will receive an email confirmation from TWEN. If you do not receive this confirmation, this means that your document has not been successfully uploaded and you need to try it again. Accordingly, do not wait until the very last minute to submit an assignment online, as this could result in a late submission for the assignment. Finally, it is your responsibility to prove that you submitted an assignment on TWEN by the deadline; thus, for your own protection, you should save your TWEN confirmation emails.

5. Attendance

Class attendance is mandatory. I will take attendance at the beginning of each class. Per the Student Rules and Regulations, for this three-hour course, you will be permitted three absences. Tardiness will not be permitted and will be considered an absence, as will dismissal from class for misconduct or lack of proper preparation. Please see the Student Rules and Regulations for information on grade reduction and further details on absences. The class attendance rule is strictly enforced. In addition, please review the Covid-19 Policy (see pages 20-21) for further information regarding the Attendance Policy.

6. Cheating and Plagiarism

Plagiarism or cheating in any form is strictly prohibited and will not be tolerated. All exams are closed book. You may not consult any other person rely on outside materials doing your exams. For practice writing exercises, you may not plagiarize any other written work, including, but not limited to, another student's writing, a sample, a document from a law firm, something you find on the internet, or any document filed with any court. Doing so is a violation of school policy, and the matter will be forwarded to the Dean and Honor Court for appropriate action. In addition, you will receive zero points for that assignment and may receive an F in the course on this basis alone, regardless of your points on other assignments.



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7. Gun Policy

State law permits you to carry a concealed firearm on campus into areas that have not been designated as gun-free zones. My office and any space in which I work or meet with students is a *gun-free zone*; thus, it is unlawful to carry a firearm inside these spaces. Bringing a firearm into my office or any other designated gun-free zone on campus could lead to criminal charges and/or expulsion from this university. For a complete list of the gun-free areas on campus and the rules governing campus carry at this university, please visit Texas Southern University's website.

8. Covid-19 Policy

If you test positive for Covid during the school year or have any reason to believe you have Covid, do not attend my class in person. Also, please notify me of your Covid status immediately. Additionally, you are strongly encouraged, but not required, to wear a mask in the classroom. The more people who wear masks, however, the less likely someone in our classroom will get sick and the less likely we will have to revert to virtual learning. Wear a mask. For more information on the school's Covid-related guidelines and procedures, see the school's Covid information sheet on page 18.

9. Online Class (if needed)

All classes are supposed to be held in person on the date and time specified in the syllabus. If our class must switch to an online forum for any reason, this online class policy will apply.

9.1 The same attendance and participation rules and expectations apply for virtual class sessions. The school requires me to take attendance for every class. You must have your video on during class the entire time to be counted present.

9.2 If you attend class on campus, regardless of whether I am teaching in our classroom or online, you must be in our physical classroom during class and have a computer and headphones with you.

9.3 If you attend class off campus, you should be in a space with minimal distractions and interferences and be able to access your course materials. Silence notifications on your computer and phone. We must all do our best to maintain a professional environment.

9.4 When you join the Zoom class, turn your video camera on but mute your microphone. Turn on your microphone only when you speak in class.

9.5 Treat the online class as a professional environment. Do not join a Zoom class while engaging in other activities, such as driving a car, taking a walk, or lying in bed.

9.6 You can access our online Zoom class with meeting code 447 572 6474. You must be logged in and ready to go before class begins so that we can begin class on time.



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9.7 If technical difficulties occur during class, please check your email for further instructions. Please be patient and expect technical difficulties. If you experience technical problems, please rejoin our Zoom class as soon as you are able.

9.8 If possible, use a desktop or laptop computer rather than a mobile device. The connection will be better, the video will be more stable, and using a mobile device for a Zoom class will consume an enormous amount of data.



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COVID-19 INFORMATION SHEET

HEALTH AND SAFETY ON CAMPUS

1. The University does not require COVID-19 vaccination as a condition for attending school. However, as a protective measure, students are encouraged to get vaccinated. The St. Luke's vaccination clinic, located on campus in the Nabrit Science Building, is open and accessible to the entire University community, Monday-Friday, 9 a.m. – 7 p.m. There is no cost for the vaccination.

2. Students are expected to continuously self-screen for the symptoms of COVID-19. If you have symptoms and are not fully vaccinated, you should call the Student Health Center at (713) 313-7173. Please remember to exercise caution and be courteous of your fellow students.

3. Students who experience a medical emergency on campus should call (713) 313-7000. If off campus, call 911. Please inform the dispatch operator if you are experiencing shortness of breath, difficulty breathing, coughing, or have a fever.

4. Students who are unable to attend classes for health reasons, including those relating to COVID-19, should immediately contact the Associate Dean of Student Services, Amy Ratra (miami.ratra@tsu.edu), for further guidance.

5. Students who contract the COVID-19 virus must report the information to the Associate Dean of Student Services, Amy Ratra, and the Student Accessibility Services Office (SASO), by phone at 713-313-4210 or by email at disabilityservices@tsu.edu.

6. Students who contract the COVID-19 virus will be required to quarantine under the advice of Student Accessibility Services Office (SASO). Such students are required to submit Release of Care documentation from a licensed health care professional to SASO and notify the Associate Dean of Student Services, Amy Ratra, before they return to the law school.

7. While on campus and in classrooms, students are encouraged to conduct themselves in a manner conducive to the health and safety of the entire TSU community.

7.1 Students should practice hand hygiene, cough etiquette, and general cleanliness.

7.2 Face coverings (over the nose and mouth) are not required as per the guidelines from the State of Texas. However, students are strongly encouraged to wear face coverings (over the nose and mouth) while in the law school building regardless of whether you have been fully vaccinated, in accordance with CDC recommendations.



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7.3 Students should wash or disinfect their hands before each class and after physical interaction with other persons in the classroom.

7.4 Students should maintain classroom cleanliness. Students should create a clean classroom environment by putting away unnecessary personal items and cleaning their seating area intermittently.

7.5 Students who do not conduct themselves on campus in a manner conducive to the health and safety of those with whom they come in contact may be subject to discipline up to expulsion from law school.

ATTENDANCE POLICY

1. Law school classes will be fully in-person this fall. The law school attendance policy will be strictly enforced.

2. Students who contract the COVID-19 virus will be barred from attending in-person classes until submitting Release of Care documentation from a licensed health care professional to Student Accessibility Services Office (SASO). Such students will be required to study and keep up with the prescribed readings.

3. Students who are excused from in-person class attendance because they contracted the COVID-19 virus should designate a student in each of their classes to make audio recordings of the lectures. Professors are required to allow such recordings to be made. Furthermore, professors are required to meet with such students to answer questions about the materials covered during their COVID-19-related absence.

UNIVERSITY RESOURCES

1. COVID-19 Testing

1.1 Located in H&PE 109

1.2 Hours: Tuesday – Thursday, 8 a.m. – 11:30 p.m. No appointments are necessary.

1.3 Results will be available within 24 hours if the test is taken by 11:30 a.m.

2. St. Luke's vaccination clinic

1.1 Open and accessible to all University personnel and community.

1.2 Hours: Monday – Friday, 9 a.m. – 7 p.m. in the Nabrit Science Building.

3. Student Health Services

3.1 Hours: Monday – Friday, 8 a.m. – 5 p.m., by appointment only.



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3.2 A nurse is available at 713.313.7173, Monday – Friday, 8:00 a.m. – 5:00 p.m., to schedule appointments.

3.3 Appointments will be scheduled virtually and in-person, as needed.

3.4 If you are currently enrolled and need a copy of your immunization record go to <https://tsu.medicatconnect.com>.

3.5 If you are off campus but in the local area and need assistance, contact the Harris County Health Department COVID-19 hotline: www.ReadyHarris.org. If you do not have internet availability, call (832) 927-7575 or the Houston Health Department COVID-19 Call Center at (832) -393-4220.

4. University Counseling Center

4.1 The University Counseling Center (UCC) is providing convenient Telemental Health Services to all students.

4.2 Students may call 713-313-7800 to request an appointment. If someone does not answer, please leave your T-Number, name, and a contact number. Students may also complete this form to request an appointment, and someone will contact them during business hours:

https://forms.office.com/Pages/ResponsePage.aspx?id=ViJL72KUK0Su4urH7Z-1ZFNJ2YNoWsVPstLk4r8W_X1UOUk2SUxMRVoyVEdQTVkzV09YRVBLNU5OTy4u

4.3 Students may receive a call from a blocked or private number, please answer, as it may be your counselor trying to contact you.

4.4 If a student experiences a crisis outside of regular business hours, the student can call 833.848.1765.

4.5 Other resources for support outside of the UCC include:

4.5.1 Crisis text line – Text Steve to 741-741.

4.5.2 National Suicide Hotline – 800.273.TALK (8255).



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TITLE IX POLICY

Texas Southern University is committed to fostering a safe learning environment. As a professor, one of my responsibilities is to foster a safe learning environment in class. Federal Title IX regulations and Texas Southern University prohibit discrimination based on sex, which includes sexual harassment, sexual violence and misconduct, dating violence, domestic violence, and stalking. Because these incidents can undermine a student's academic success, the university encourages students who have experienced sexual conduct prohibited by this policy to report these incidents when they happen to the university's Title IX coordinator or University Confidential Resource so that the students can get the help they may need.

My goal is for students to comfortable sharing information related to their life experiences in classroom discussions, in written work, and in one-to-one meetings. I will seek to keep private any information shared to the greatest extent possible. However, I also have a mandatory responsibility to notify the university's Title IX coordinator when I become aware of incidents of prohibited conduct that violate the university's Title IX policy. If a student chooses to share with me about having survived sexualized or intimate partner violence including rape, sexual assault, dating violence, domestic violence or stalking, Texas Southern University requires me to share this information with the university's Title IX coordinator.

Students may also speak confidentially to the University Counseling Center. Please feel free to visit the center's website, www.tsu.edu/ucc, for more information about their services. Also, students may speak with the university's Title IX coordinator by calling 713.313.1371 or emailing titleix@tsu.edu



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READING ASSIGNMENTS

WEEK 1

Monday, August 16, 2021

Topic: Overview of Evidence and Introduction to Relevancy Concepts

Read: Course Guidelines and Syllabus (posted on TWEN); FRE 101-106, 401-402;
Best pp. 1-20 (stop at Lovick)

Wednesday, August 18, 2021

Topics: Recurring Relevance Patterns; Conditional Relevance; Discretion to Exclude Relevant Evidence

Read: FRE 403; Best pp. 20-44

Friday, August 20, 2021

Topic: Special Policy Relevancy Rules

Read: FRE Evidence 407-411; Best pp. 45-72

WEEK 2

Monday, August 23, 2021

Topic: Introduction to Hearsay; Hearsay Statements That Are Only Relevant if True

Read: FRE 801(a)-(c) and 802; Best pp. 159-174 (stop at “Words that Make an Impression on a Person Who Hears Them”)

Wednesday, August 25, 2021

Topic: Hearsay Statements that Are Relevant Regardless of Veracity

Read: FRE 801(d)(1); Best pp. 174-198



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Friday, August 27, 2021

Topic: Hearsay Exception Opponents' Statements

Read: FRE 801(d)(2); Best pp. 199-226

WEEK 3

Monday, August 30, 2021

Topic: Hearsay Exception Witnesses' Own Out-of-Court Statements

Read: FRE 801(d)(1); Best pp. 226-245 (stop at Part E)

Wednesday, September 1, 2021

Topic: Statements Identifying A Person Made After Perceiving the Person

Read: Best pp. 245-257

Friday, September 3, 2021

Topics: Hearsay Exceptions Spontaneous and Personal Statements (Present Sense Impression, Excited Utterance, and Statements of Then-Existing Mental, Emotional, or Physical Condition)

**Read: FRE 803; Best pp. 259-279 (stop after question 8-3)
Drafting Exercise on Hearsay Assigned**

WEEK 4

Monday, September 6, 2021

LABOR DAY—NO CLASS

Wednesday, September 8, 2021

Topics: Hearsay Exceptions Statements of Then-Existing Mental, Emotional, or Physical Condition (cont'd) and Medical Diagnosis or Treatment

Read: Best, pp. 279-308



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Friday, September 10, 2021

Topic: Hearsay Exception Recorded Statements

Read: Best pp. 309-333

WEEK 5

Monday, September 13, 2021

Topics: Business and Public Records Hearsay Exception

Read: Best pp. 333-358

Wednesday, September 15, 2021

Topics: Hearsay Unavailability Required Exceptions (Former Testimony; Dying Declarations; Statements Against Interest, Statement by a Declarant Rendered Unavailable)

Read: FRE 804; Best pp. 359-382

Friday, September 17, 2021

Topics: Modifications of the Basic Hearsay Rules: Residual Exception; Due Process Clause

Read: FRE 805-807; Best pp. 383-403

WEEK 6

Monday, September 20, 2021

Topics: Hearsay Exceptions (cont'd)--Confrontation Clause

Read: Best pp. 403-427

Due: Short Drafting Exercise on Hearsay (Post on TWEN by 8:00 a.m.)

Wednesday, September 22, 2021

Topic: Confrontation Clause (cont'd)

Read: Best pp. 427-445



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Friday, September 24, 2021

Topic: Hearsay Review

WEEK 7

Monday, September 27, 2021

Topic: Proof of Character (Basic Rule Against Propensity Evidence, Permitted Propensity Inference)

Read: FRE 404; Best pp. 73-92

Wednesday, September 29, 2021

Topics: Permitted Propensity Inferences About the Victim; Non-Propensity Use of Evidence That May Also Show Propensity

Read: FRE 405; Best pp. 92-125

Friday, October 1, 2021

Topics: Habit and Sexual Conduct in the Context of Character

Read: FRE 406, 412; Best pp. 127-158

WEEK 8

Monday, October 4, 2021

Timed-Practice Essay in Class

Wednesday, October 6, 2021

Topic: Impeachment

Read: FRE 607-611; Best pp. 447-467 (stop at Part C—Criminal Convictions to Show Character for Telling the Truth)



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Friday, October 8, 2021

Topic: Impeachment (cont'd): Criminal Convictions to Show Character for Truth Telling; Bias

Read: Best pp. 467-487 (stop after Notes to *Olden v Kentucky*)

WEEK 9—MIDTERM EXAM WEEK

Monday, October 11, 2021

Midterm Exam Part I—Timed Essay

Wednesday, October 13, 2021

Midterm Exam Debriefing

Friday, October 15, 2021

Topic: Bias (cont'd); Contradiction and Prior Inconsistent Statements

Read: Best pp. 487-512

WEEK 10

Monday, October 18, 2021

Topic: Witnesses (Competency Personal Traits and Status)

Read: FRE 601-606; Best pp. 513-529

Wednesday, October 20, 2021

Topic: Witnesses' Competency Status (cont'd);

Read: Best pp. 529-552

Friday, October 22, 2021

Topic: Science Based Opinions

Read: FRE 702; Best pp. 553-573



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WEEK 11

Monday, October 25, 2021

Topic: Experience-Based Opinions; Topics for Expert Testimony

Read: FRE 704-705; Best pp. 574-594

Wednesday, October 27, 2021

Topic: Inadmissible Evidence as a Basis For Expert Testimony; Lay Testimony

Read: FRE 701 and 703; Best pp. 595-606

Friday, October 29, 2021

In-Class Evidence Practicum on Opinion Testimony

WEEK 12

Monday, November 1, 2021

Topic: Lawyers and Clients Privilege

Read: FRE 501-502; Best pp. 607-636 (stop at spousal privilege)

Wednesday, November 3, 2021

Topic: Confidential Spousal Communications Privilege; Clergy-Penitent Privilege; Mental Health Care Practitioners and Patients; Participants in Peer Review Process

Read: FRE 503-505; Best pp. 636-661

Friday, November 5, 2021

Topic: Other Privileges (Political Vote, Trade Secrets; Gov't Secrets and Privileges; Identity of Informer and Waiver of Privilege

Read: FRE 506-510

In-Class Evidence Practicum on Privileges



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WEEK 13

Monday, November 8, 2021

Topic: Authentication; Original Writing Rule

Read: FRE 901-903; Best pp. 663-676 (stop at Part C Original Writing Rule)

Wednesday, November 10, 2021

Topic: Original Writing Rule

Read: FRE 1001-1008; Best pp. 676-690

Due: Motion in Limine (post on TWEN by 8:00 a.m.)

Friday, November 12, 2021

Topic: Presumptions and Judicial Notice

Read: FRE Best pp. 691-711

WEEK 14

Monday, November 15, 2021

Review—In-class evidence practicum

Wednesday, November 17, 2021

Review—In-class evidence practicum

Friday, November 19, 2021

Review—In-class evidence practicum

WEEK 15

Monday, November 22, 2021

Review—LAST DAY OF CLASS

**FINAL EXAMINATION (3 hours multiple-choice)
Monday, December 6, 2021, at 2:00 p.m. in Room 208**



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL of LAW

ACADEMIC CALENDAR



THURGOOD MARSHALL SCHOOL OF LAW

TEXAS SOUTHERN UNIVERSITY
ACADEMIC CALENDAR 2021 – 2022

FALL SEMESTER 2021

FALL SEMESTER 2021 (SEVENTY DAYS OF CLASSES)

Orientation	Monday-Friday	August 9-13, 2021
First Day of Class	Monday	August 16, 2021
Last Day to ADD/DROP	Wednesday	August 18, 2021
Labor Day (NO CLASSES)	Monday	September 6, 2021
<i>Purge of all unpaid course selections</i>	Wednesday	September 15, 2021
Mid Term Examinations	Monday – Friday	October 11-15, 2021
Last Day to Drop a Class	Friday	November 5, 2021
Last Day of Classes	Tuesday	November 23, 2021
First Year Professors' Grades due	Tuesday	November 23, 2021
Reading Period	Wednesday	November 24, 2021
Thanksgiving Holiday	Thursday – Friday	November 25-26, 2021
Reading Period	Saturday- Sunday	November 27-28, 2021
Final Examinations	Monday - Friday	November 29–Dec. 10, 2021
Commencement Exercises	Saturday	December 11, 2021