PLA 4263 EVIDENCE
Summer 2013/ 3 Credit Hours
Online Course Syllabus

Professor Information

Kimberly M. Tatum, J.D.
Associate Professor of Legal Studies and Assistant Dean
Department of Justice Studies
Office location: Bldg. 85/ Room 158 and Bldg. 85/ Room 120
E-mail: ktatum@uwf.edu

Course Description

This course will introduce students to the Federal Rules of Evidence and the state rules of evidence that govern the trial process and, to an almost equal extent, the pre-trial process. We will examine both the Federal Rules of Evidence and the Florida rules, which will be compared and contrasted when appropriate. This course will allow the student to understand the entire trial process which is essential for any successful litigation attorney, paralegal, investigator, and for those professionals who work in the court system in some other capacity.

Topics Covered in Course

-Structure of U.S. court system
-Overview of the Trial Process
-History of Federal Rules of Evidence
-Function and purpose of Federal Rules of Evidence
-Application of the Federal Rules of Evidence
-Roles of Parties Involved in Trial Process
-Balance between application of Federal Rules of Evidence and a criminal defendant’s constitutional rights

Texts/ Materials


Course Requirements

**Weekly Discussions**: In order to master the material in the online classroom, you must participate meaningfully in weekly discussions. I will post discussion questions, based on the readings and lectures, which you must address. You must also post responses to the posts of others in your discussion group. I will grade these posts for content, grammar, and critical analysis. There will be a total of ten (10) discussion questions for this course.

**Quizzes**: There will be a total of six (6) quizzes given during the term. The quizzes will cover the lecture material and the readings. The format for the quizzes will consist of short answer questions and multiple choice questions. The dates for the quizzes are indicated on the syllabus. Unless you have a documented medical emergency, or obtain prior permission from me, you will NOT be allowed to make up a quiz. You will have a limited amount of time to take each quiz. While you may use your notes and book, do not expect to have enough time to look up every answer.

**Examinations**: You will have one midterm exam and one final exam in this course. The exam dates are indicated on the attached schedule. The exam format will consist of multiple choice questions, short answer questions, and essays. The final exam will primarily focus on the chapters covered after the midterm exam. Unless you have a documented medical emergency, or obtain prior permission from me, you will NOT be allowed to make up an examination.

**Trial Report**: You must attend one jury trial, and submit a double-spaced, typewritten report (6-7 pages minimum) based upon your observations. The trial may be either criminal or civil, and in may be either a state or federal court case, so long as it is a jury trial. You should note, however, that criminal trials are typically concluded in less than one day, and will likely feature more objections, and evidentiary rulings by the judge than a civil trial. I have posted a detailed description of this assignment including what information should be included in the report on the eLearning site. I will also send you a weekly trial schedule for Escambia County, Florida.

Trial reports are due according to the schedule, and late papers will not be accepted absent exceptional circumstances. If you are absolutely unable to attend a jury trial, you will be required to complete an alternative trial assignment. If you fall into this category, you should contact me for more details as soon as possible. You are strongly encouraged to attend court, and I offer this alternative for students who are simply unable to attend court due to extreme circumstances.
**Research Project:** You will be required to write a short research paper (3-4 pages) using APA style, using a minimum of 3 scholarly sources, and to develop a brief PowerPoint presentation (minimum of 10 slides, not including references or title slides) based on the application of a particular rule of evidence. You will be required to discuss at least one case where your rule was applied. I will provide a list of topics for you to review and you will be allowed to select your own topic.

**Grade Determinants**

Discussion Questions 10%
Quizzes 15%
Midterm Examination 20%
Final Examination 20%
Trial Report 20%
Research Project 15%

**Grading Scale**

A 92-100  
A- 90-91  
B+ 87-89  
B 82-86  
B- 80-81  
C+ 77-79  
C 70-76  
D+ 67-69  
D 60-66  
F 59 and below

**Student Learning Outcomes**

After successfully completing this course, students should be able to:
1. Explain the purpose and function of the rules of evidence during trial.
2. Explain how the rules of evidence govern the trial process, including how the rules of evidence differ from the rules of procedure.
3. Identify all stages of the trial process, and explain the role of the participants in each stage.
4. Analyze and explain cases.
5. Explain how the burdens of proof operate at trial.
6. Discuss how a judge determines relevance, and how the balancing test is conducted.
7. Explain how objections should be used at trial, and determine what effect the judge’s ruling on these objections will have on the trial.
8. Define character evidence and identify the acceptable uses for character evidence at trial.
9. Explain the hearsay rule, and be able to explain the public policy reasons for the numerous exceptions to the rule.
10. Identify the commonly used privileges and explain the underlying reasons for these exceptions.
11. Identify the roles of the paralegal, investigator, and the attorney in preparing for and conducting trials.
12. Analyze how the rules of evidence function within the context of the Fourth, Fifth, and Sixth Amendments to the U.S. Constitution.

**Minimum Technical Skills and Special Technology Utilized by Students**

This course is totally online. All instructional content and interaction takes place over the WWW. In addition to baseline word processing skills and sending/receiving email with attachments, students will be expected to search the internet and upload / download files. In addition, students may need one or more of the following plug-ins:

- Real Player: [http://www.real.com/realplayer/search](http://www.real.com/realplayer/search)
- eLearning's Accessibility Resource Guides for users: [http://www.desire2learn.com/access/resources/](http://www.desire2learn.com/access/resources/)

**Assistance for Students with Disabilities**

The Student Disability Resource Center (SDRC) at the University of West Florida supports an inclusive learning environment for all students. If there are aspects of the instruction or design of this course that hinder your full
participation, such as time-limited exams, inaccessible web content, or the use of non-captioned videos and podcasts, please notify the instructor or the SDRC as soon as possible. You may contact the SDRC office by e-mail at sdrc@uwf.edu or by phone at (850) 474-2387. Appropriate academic accommodations will be determined based on the documented needs of the individual.

**Honor Policy and Student Behavior**

The Student Code of Conduct sets forth the rules, regulations and expected behavior of students enrolled at the University of West Florida. Violations of any rules, regulations, or behavioral expectations may result in a charge of violating the Student Code of Conduct or the Academic Misconduct Policy. It is your responsibility to read the Student Code of Conduct and conduct yourself accordingly. You may access the current Student Academic Misconduct Policy at: [http://uwf.edu/academic/policies/misconduct/Academic_Misconduct_Code_2012_2013.pdf](http://uwf.edu/academic/policies/misconduct/Academic_Misconduct_Code_2012_2013.pdf)

I believe that all students who are current or future members of the legal or criminal justice profession should be held to high ethical standards. All students at this University must abide by the UWF Student Code of Conduct. Please read the code fully. You may not give assistance or receive assistance from other students on your examinations or written assignment in this course. Do not share your written work with other students. You should also report any other student who violates the code. I will report any student who violates this code to the proper UWF authorities and I will give that student a failing grade for this course. Please do not put me in that position.

**Disruptive Behavior**

Any member of the University community who intentionally acts to impair, interfere with, or obstruct the mission, purposes, order, operations, processes, and/or functions of the University shall be subject to appropriate disciplinary action by University authorities for disruptive conduct, as described in the applicable rules and laws governing such actions. Disruptive behavior (in an on line environment) includes, but is not limited to allowing unauthorized guests, verbal abuse or threats directed to others in the classroom, flaming of others on discussion boards, and unprofessional conduct while in class.