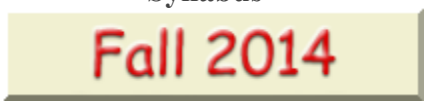
Activities
law home
lamission.edu/online
Student Services & Support
Etudes Student Help Desk

Syllabus



Academic Calendar
textbooks
online textbook chapters

Law 16 - Civil & Criminal Evidence - Section #0304

Prof David Jordan - Activities - Textbooks

Read Dear Online Student - Study Guide and Welcome Message

Instructor: David Jordan, Esq.
Office: Faculty Office #20
Office hours: Wednesdays 4:00 – 5:00 PM, or by appointment.
Phone: 818/364-7720 - cell phone 818-415-2015
Email: abogado@pacbell.net

etudes site http://etudes.org - etudes help desk
Calendar http://duedates.pbworks.com
Textbook: *Evidence for Paralegals* by Cummins & Marlowe - 4th edition or later

ISBN: ISBN-10: 0735558523 ISBN-13 9780735558526 (see table of contents)

Course Description: **Study of the rules of civil and criminal evidence and the admissibility of such evidence in court including relevancy, hearsay, hearsay exceptions, character evidence, habit and custom, witness & competency, impeachment, authentication and identification of documents, constitutional restraints, and common law privileges. Students analyze evidentiary objections to trial transcripts, and other legal documents.**

Course Organization: **Law 16 is organized into assignments, quizzes, contracts, a final contract project, and forum discussions.**

Distribution of Grades

Tests 40% of your grade

Assignments 45% of your grade

Forum Discussions - 15% of your grade and entered at the end of the semester

---

A = 90% or above

B = 80% or above

C = 70% or above

D = 60% or above

A grade of C or greater is required to pass the class

Week 1 - Due 9/7/14

- **Read the syllabus for the class and order the textbook - *Evidence for Paralegals* - go to http://lamission.edu/online**
- **Read Chapter 1 Introduction to Evidence**
- **Use this Summary of Evidence throughout the class to supplement your book and provide further explanations - http://profj.us/summary**
- **Dear Online Student**
- **Post your Introduction**
- **Read Law Study**
- **Read Legal Argumentation**
- **Read Learning Ethics**
- **Read Strategies against Procrastination**
- **Read Reading Law Cases-Codes**

Week 2 - Due 0/14/14

- **Read Chapter 2 - Relevance**

- **#1 Evidentiary Objections**
- **#2 Kinds of Evidence - Monroe case**
- **#3 Relevance Questions**
- **#4 Veronica Hypothetical**
- **Post "The Importance of Evidence"**

Week 3 - Due 9/21/14

- **no chapter to read**
- **#5 Cofeld case**
- **#6 7-11 Hypo**
- **#7 Danielle Hype**
- **Test #A Intro to Evidence Quiz**
- **weekly discussion forum**

Week 4 - Due 9/28/14

- **Read Chapter 9 - Hearsay (skip chapters 3-8, we will come back to cover those)**
- **Read Witkin on Evidence - http://profj.us/25w/law16/hearsaywitkins.htm - who is B.E. Witkin? - read - http://www.witkin.com/pages/be_witkin_pages/biography.htm**
- **Read more on hearsay - http://profj.us/25w/law16/hearsayadd.htm**
- **Look at "hearsay triangle" diagram - http://profj.us/25w/law16/triangle.gif**
- **#8 Analyze Pinsky Transcript - Relevance**
- **#9 Find Search and Seizure "Dog Sniffing case"**
- **Test #B - Relevance Quiz**
- **read how to improve your test scores - http://profj.us/26w/law1/improvemc.htm**
- **weekly discussion forum**

Week 5 - Due 10/5/14

- **Read more on "Hearsay" - http://profj.us/25w/law16/more.htm**
- **Read Hearsay "exemptions" - do not confuse with "hearsay exceptions" which we will cover in the next chapter - http://profj.us/25w/law16/exemptions.htm**
- **#10 Analyze O'hare Transcript - Relevance**
- **Test #C Hearsay Worksheet quiz questions**
- **weekly discussion forum**

Week 6 - Due 10/12/14

- **Read Chapter 10 - Hearsay Exceptions**
- **Test #D Hearsay Quiz**
- **weekly discussion forum**

Week 7 - Due 10/19/14

- **no chapter to read**
- **#11 Compare and Contrasts California Evidence Code (CEC) with the Federal Rules of Evidence (FRE)**
- **#12 Analyze the Keaton transcript - Hearsay**
- **Test #E Hearsay Exceptions Review Questions Quiz**
- **weekly discussion forum**

Week 8 - Due 10/26/14

- **Read Chapter 3 - Character Evidence**
- **#13 Hearsay exceptions - Rachel and Jim - listen to podcast - http://lawteacher.us/26sp/law16/audio/racheljim.wav**
- **Test #F Hearsay Exceptions Quiz**
- **weekly discussion forum**

Week 9 - Due 11/2/14

- **Read Chapter 4 - Habit and Custom**
- **#14 Analyze Estate of Giddy Transcript**
- **Test #G Character Evidence Quiz**
- **weekly discussion forum**

Week 10- Due 11/9/14

- **Read Chapter 5 - Witness and Competency**
- **#15 Analyze Dunbar Transcript**
- **#16 Character Discussion**
- **#17 Character Evidence Review**
- **Test #H Habit & Custom Quiz**
- **weekly discussion forum**

Week 11 - Due 11/16/14

- **Read Chapter 6 - Impeachment**
- **#18 Habit and Custom Discussion**
- **#19 Habit and Custom - 3 cases**
- **Test #I Witness and Competency**
- **weekly discussion forum**

Week 12 - Due 11/23/14

- **Read Chapter 11 Authentication, Identification and Exhibits**
- **#20 Witness and Competency Discussion**
- **#21 Impeachment End of Chatpter Discussions**
- **Test #J Impeachment Quiz**

- **weekly discussion forum**

Week 13 - Due 11/30/14

- **Read Chapter 12 Constitutional Constraints**
- **#22 Impeachment case**
- **Test #K Authentication, Identification & Exhibits Quiz**
- **weekly discussion forum**

Week 14 - Due 12/7/14

- **Read Chapter 13 Common Law Privileges**
- **#23 - Impeachment Applications Questions**
- **Test #L Constitutional Restraints Quiz**
- **weekly discussion forum**

Week 15 - Due 12/14/14

- **Test #M Common Law Privileges Quiz**
- **weekly discussion forum**

Student Learning Outcomes:

Upon successful completion of this course, a student will be able to:

1. Brief law cases in criminal and civil evidence including hearsay, hearsay exceptions, relevance, habit, custom, authentication, privileges, constitutional restraints, and other issues relating to evidence.

2. Critically analyze and argue issues of evidence and the other subject matters listed in #1 above.

3. Prepare legal documents, forms or papers including evidentiary analysis of transcripts, objections at trial, and during discovery, objections to evidentiary questions in interrogatories, and request for admissions, arbitration and mediation.

Students will read evidence cases and write a case brief demonstrating their understanding and application of the essential facts and rules of law and legal principles of the case. see

case brief rubric at http://missionparalegal.pbworks.com/briefing

Skill Level: College level reading and writing; ability to access the internet. Necessary skills include proficiency using a word processing program, including spell checker, using a web browser, sending and receiving email, saving documents as RTFs (rich text format), uploading and attaching documents.

Estimated Time per Week: 10 hours (see Carnegie Rule)

Class format: The class is an entirely online class. We use the Moodle Course Management System. Carefully read our policies.

The class follows a weekly format. If you click on "Section Links" in upper left corner of your moodle class, you will see the weekly assignments, quizzes, forums and activities. There are many opportunities for you to participate and earn points to attain a good grade.

Online classes require your attention and effort. If you fail to log into the class during the first two weeks you will be excluded from the class. There are activities and assignments each week; you will need to log into the class several times a week.

To be a successful online/hybrid student, you need to do schedule a regular time for studying, read and complete on line activities, and more.

Technical Requirements: The minimum computer requirements are: Computer, either a Macintosh or IBM compatible; modem, minimum 28.8, broadband or high speed internet access is preferred and is required to view the videos. Software: Web browser software, preferably Firefox 3.5 or Internet Explorer 8, an e-mail address and a word processing program.

Get Firefox: http://www.mozilla.com/en-US/firefox/all.html

Get Internet Explorer: http://www.microsoft.com/windows/Internet-explorer/default.apx

Get a free email account at: www.mail.google.com

Students who do not have regular computer access may use computers in the campus Learning Resource Center. Be sure to save all your papers and assignments on a flash drive.

Course Login: http://etudes.org

First Assignment: Introduce yourself to the class under the forum discussions for the first week. This is where you will get to know your classmates. Post your introduction by Sunday evening, 11:59 pm, 9/7/14. You may be dropped from class if you do not post your introductions by the end of the 2nd week of class.

Contacting Your Instructor: I check my email several times a day and respond to emails within 24 hours. Please don't hesitate to contact your online instructor Prof. Lopez with any questions.

Discussion Forums: The discussion forums are the main area for class participation. The weekly discussions open on Mondays and close the following Sunday at 11:55 PM. Initial posts are due by Wednesdays at 11:55 pm. Initial posts should be at least two paragraphs in length (approximately 120-150 words), respond directly to the topic in a reflective manner, referencing the topic link and content provided, and applying the law or case materials. Respond to at least *two* students to each forum by Sunday evening at 11:55 pm.

CLASS BIOGRAPHIES/INTRODUCTION : You will find your instructor's autobiography posted in the "Discussion Board" of the class website. Please post your bio in the discussion board by Friday of week one. In your bio, please be sure to include:
Your name (firstname only),
Academic/Career GoalsExpectations of the class
How you found out about the class/program

Other items of interest, and
Include any preliminary questions or concerns you have at this point.

<u>DISCUSSION FORUMS</u>: Every week a discussion questions posted to the website "FORUMS." You are required to post a answer to each discussion question by Wednesday of the forum week. Further, you are required to post, at least, one response to two or more of your classmates' initial responses. You are not required to respond to every classmate. You may, although this is a decision each student will make.

<u>Minimum THREE different days per forum week.</u> As we begin our online work together I want to discuss an important aspect of online learning, namely participation. Participation is an important part of this collaborative online learning environment. It is well documented that participation and collaboration does enhance learning & whether it be in-class or at a distance. You are encouraged to initiate and respond regularly and make sure *your ideas are presented clearly and are substantive. Postings that lack substance will receive little or no credit. For example, "I agree," "Good posting," or similar messages that add little or nothing to the discussion will receive few, if any credits.* Discussions posted to the website are an important part of the learning that takes place in this class. In essence, we learn from each other. Share ideas or questions with your colleagues. Ask them questions. Share your own experiences.

<u>SOME SPECIFIC EXPECTATIONS ABOUT PARTICIPATION:</u>

<u>Class Meeting Discussions:</u>

- **Please read, review, and reflect on each message PRIOR to posting to the forums. Remember: Others cannot get visual clues as to meaning, therefore, be careful in what and how you communicate. <u>Once posted, messages cannot be deleted!</u>**
- **All postings to any meeting in this class are to be considered CONFIDENTIAL and for consideration and discussion only by members of this class.**
- **Ask questions about areas of the subject that you wish to better understand or for clarification and/or amplification.**
- **Read your classmates comments and presentations, and respond constructively.**

- **Offer personal/professional experiences/observations relevant to the items being discussed.**

Participation Rubric:

	Unsatisfactory	Satisfactory	Exemplary
A minimum of 3 postings per forum on at least 3 separate days.	Less than 3 substantial postings.	Three requiredsubstantial postings.	More than the 3substantial required posting.
Answers by Wednesday - - - - - - - - - - - - - - Respond to classmates by Sunday	Posting answers after Wednesday	Posting answers on Wednesday	Posting answers before Wednesday
Well reasoned with appropriate analysis.	No response or lacks applicability.	Response is applicable, but may not be thorough or lacks depth.	Thorough response with appropriate depth.
Appropriate dialog with classmates	Responses do not clearly relate to topic.	Responses relate to topic.	Responses clearly relate to topic.
Appropriate grammar, spelling, and APA references.	Spelling and/or grammar errors.	No spelling or grammar errors..	No spelling, grammar errors, or punctuation errors.

Student deliverables should be submitted on the specified date by midnight of the student's time zone. For purposes of scheduling, each week or module begins on Monday 12:01 AM and concludes the following Sunday at Midnight.

EXPECTATIONS FOR WRITTEN WORK:

VOCABULARY - You are expected to read and understand the material presented in the assigned text and articles you locate.

FORMAT - Papers submitted should be written in accordance with the *APA*, *Bluebook*, or *other recognized formatting style*.

GRAMMAR - Use active voice in your writing. Also use the spelling and grammar check feature of your Word Processor before submitting your papers.

Homework Assignments: Assignments require you to read and brief law cases. Read the information on "briefing law cases". Below is the grading rubric for your case "briefs"

CASE BRIEF GRADING RUBRIC

	Outstanding A	Proficient B	Adequate C	Inadequate D/F
Case Name and Citation	Complete case name and properly formatted citation appear at the top of the case brief	Complete case name is provided but citation is incomplete	Complete case name is provided but no citation is give	Neither the case name nor the citation appears at the top of the case brief OR both case name and citation are incorrect.
Operative Facts	Operative facts are relevant to the issue being examined by the court and are logically organized.	Facts are relevant to the question being answered but lack coherence or organization.	Irrelevant facts are included. Lack of logical organization.	Relevant facts are omitted or lost in discussion of unrelated information.

Procedural Facts	**Procedural history of the case is clearly and logically presented in proper chronology.**	**Procedural history of the case is presented but chronology is confusing.**	**Some procedural history is presented.**	**No procedural history is presented.**
Issue/Short Answer	**Includes all elements (applicable law, issue being examined and relevant facts) in a well crafted, grammatically correct question. Answer responds to question being posed.**	**Issue is separately articulated, but does not include all elements; applicable law, issue being examined and relevant facts. Answer responds to question being posed.**	**Issue is not separately articulated, but implied through description of facts or discussion of law. Answer does not respond to question being posed.**	**Issue is not articulated** **No answer is given.**
Law	**Law is correct and is relevant to the question being answered. Rule(s) of law succinctly paraphrased rather than quoted.**	**Law is correct and is relevant to the question being answered, but is not paraphrased**	**Rules of law are used in providing answer, but it is unclear if writer understands the law and is properly applying it.**	**Rules of law are omitted from answer or incorrect law is used.**
Rationale	**The court's reasoning is presented in a clear and logical fashion, leading the reader to an understanding of the rationale behind**	**Law is applied to the facts, but the underlying rationale is not clear.**	**Analysis is unclear, causing the reader to question whether the law is correct.**	**No analysis of the law is given.**

	the law.			
Writing Mechanics	Sentence structure, grammar, punctuation are substantially correct. Each component's material is logically organized and presented in a clear, concise manner.	Sentence structure, grammar, punctuation are substantially correct. Organization is logical but needs better consistency and clarity.	Adherence to rules of writing is poor. Material lacks organization and/or is unclear, making it difficult to understand.	Rules of writing are ignored or misunderstood. No apparent logic to the organization of the material. Writing lacks clarity.

****above adopted from case grading rubric - AAFPE.org website**

Students who plagiarize will receive zero credit on the assignment.

Quizzes: The class is divided into weekly quizzes (20 multiple choice questions each). This is 40% of your grade.

Assignments: The class is divided into weekly assignments. This is 45% of your grade.

Forum Discussions: The class is divided into weekly discussion forums. This is 15% of your grade.

Late Assignments Our "Late Work" Policy is firm.

Dropping your class/Exclusion: see Academic Calendar h for the last day to drop the class with a "W"

College regulations state that a student may be excluded from a course following accumulation of absences equal to a week of course work. The 12th week of class is the last date a student may drop a class with a "W". (or the 8th week in a "Late Start" class). Thereafter, the student must receive a grade in the class.

If a student has a accumulated score of 50 or below in the 12th week (or the 8th weeek in a "Late Start" class) , it is deemed that the student has accumulated absences in excess of a week of course work, and the instructor MAY, but is NOT required to DROP the student from class, with or without notice. It is the sole responsibility of the student, and not the instructor, to drop the class.

In addition, students who fail to login and post their introduction to class within the first (ten) days of class may be dropped from their online class.

Grading Policy: Letter grades will be determined based upon the following:

Grade Scale:

A	**90-100**
B	**80-89**
C	**70-79**
D	**60-69**
F	**≤ 60**

Please note that a grade of C or higher is required for each of the 12 paralegal certificate classes.

Points will be posted on the class website after each activity closes.

Reasonable Accommodation: For students requiring accommodation the DSPS office provides special assistance in areas like: registering for courses, specialized tutoring, note-taking, mobility assistance, special instruction, testing assistance, special equipment, special materials, instructor liaisons, community referrals, and job placement. The phone number for the Office of Students with Disabled Student Programs and Services is: (818) 364-7732. see their website athttp://lamission.edu/dsps

-

After September 8, 2013 please note : This is an earlier and revised deadline. A "W" will appear on your transcript record after this date. This is a new LACCD enrollment limit.

The limit is now three times to take a class and includes both substandard grades and withdrawals.
If you stop attending a class (or wish to drop a class), YOU MUST DROP THE CLASS YOURSELF ONLINE– OFFICIALLY Failure to do so may result in a grade of "F" in that class.
REGISTRATION INFORMATION Website – http://www.laccd.edu (Student Information System)

Admission Regular Office Hours (Subject to change) Monday and Thursday – 8am-5pm Tuesday and Wednesday – 8am-7pm Friday – 8am-12noon

---

New 3 Repeat Rule
IMPORTANT NOTICE
All Students Please Read
Beginning Summer 2012: New 3 Repeat Rule
EFFECTIVE SUMMER 2012, course withdrawal ("W") or a substandard grade ("D," "F," or "NP") count as an attempt at a course. Only three attempts at any one course will be allowed, with some exceptions. Listed below are the new rules that all students need to know about.
• Students who drop or are excluded after the last day to drop without a grade of "W" will have a "W" appear on their transcript. The "W" will count as an attempt for that course.
• For the Fall semester, September 8th, 2013 is the last day to drop a 16-week semester length class without a "W." Students will be able to drop a class online until this date. Contact the office of Admissions and Records for deadlines on late start, short-term and special program classes.
• A course in a student's transcript which currently shows a recorded "W" counts as an attempt for that course.
• Students will not be allowed to register for any course within the LACCD if there are three recorded attempts for that course in any combination of W, D, F, or NP grades.
• Add permits for a course within the LACCD will not be processed if there are three recorded attempts for that course in any combination of W, D, F, or NP grades.
• For courses specifi cally designated as "repeatable," students may repeat up to three times (See Title 5 California Code of Regulations sections 55040, 55041, 58161).
• Where the student's number of enrollments in a course exceeds the allowable amount, the student may petition for an additional enrollment in cases of extenuating circumstances.

What students should do:

• Be sure you are academically ready for classes you enroll in.

• If you must drop a course, drop before the specifi ed deadline for dropping a class without a grade of "W."

SPECIAL ACCOMMODATIONS

If you require special accommodations for a disability, religious holiday, or any other reason please inform your instructor(s) within the first week of the course and we will accommodate you if at all possible. For accommodations due to disability, you must consult with the Disabled Students Programs and Services Office after which we will abide by their recommendations.

COLLEGE RESOURCES FOR LAMC STUDENTS

see http://lamission.edu/de/student-services

Admissions and Records: Students can register for classes, request transcripts, file petitions for graduation, and drop classes at this office. For more information call 818-833-3322 or visit:http://www.lamission.edu/admissions/

Assessment Center: Offers student assessments in English, English-as-a-Second-Language (ESL) and Mathematics. Please contact the Assessment Center at (818) 364-7613 for more information or visithttp://www.lamission.edu/assessment/

Bookstore: For hours of operation, book availability, buybacks, and other information call 818-364-7767 or 7768 or visithttp://eagleslanding.lamission.edu/default.asp

Counseling Department: For appointments and information call 818-364-7655 or visit http://www.lamission.edu/counseling/

Disabled Students Programs and Services (DSP&S): For appointments, eligibility and information call 818-364-7732 or visit http://www.lamission.edu/dsps/

Extended Opportunity Programs and Services (EOP&S): For appointments, eligibility and information call 818-364-7645 or visit http://www.lamission.edu/eops/

Financial Aid: For information and applications call 818-364-7648 or visit http://www.lamission.edu/financialaid/

Library: For information on hours, resources, workshops, and other services contact 818-364-7106 or visithttp://www.lamission.edu/library/

STEM Office: For information on free tutoring, resources and academic counseling for STEM (Science, Technology, Engineering, and Technology) students visit: http://www.lamission.edu/stem

Tutoring Services in Learning Center: Laboratories for Learning, Writing, Math & Science. Walk-in and appointment services offered. Call 818-364-7754 or visit www.lamission.edu/learningcenter/

Three Attempt Limit

A new state policy in effect as of 2012 limits students to three attempts per course. Receiving a grade or a "W" for a course counts as an attempt, regardless of when the course was taken. Withdrawal by the deadline to avoid a "W" will not count as an attempt.

updated: 7/9/14