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Paralegal Studies Program

Los Angeles
Mission College

Syllabus

Spring 2017

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Law 16 - Civil & Criminal Evidence - Section #3323

Hybrid Class meets Weds. 6:50 pm - 8:15 PM , CMS 004

[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: jordandc@lamission.edu or abogado@pacbell.net

Canvas <https://ilearn.laccd.edu>

Calendar <http://lamission.org>

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.

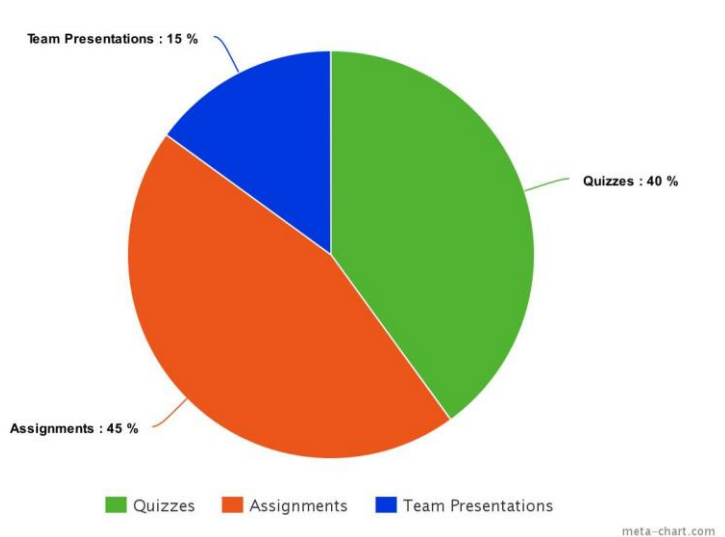
Course Organization: Law 16 is organized into assignments, quizzes, contracts, a final contract project, and forum discussions.

Distribution of Grades

Quizzes 40% of your grade

Assignments 45% of your grade

Team Presentations - 15% of your grade



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 2/12/17

- 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
- [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 2/19/17

- Read Chapter 2 - Relevance
- #1 Evidentiary Objections
- #2 Kinds of Evidence - Monroe case
- #3 Relevance Questions

Week 3 - Due 2/26/17

- no chapter to read
- #4 Veronica Hypothetical
- #5 Cofeld case
- #6 7-11 Hypo
- #7 Danielle Hype
- Test #A Intro to Evidence Quiz

Week 4 - Due 3/5/17

- Read Chapter 9 - Hearsay (skip chapters 3-8, we will come back to cover those)
- Read [Witkin on Evidence](#) - [who is B.E. Witkin?](#)
- Read [more on hearsay](#)
- Study the ["hearsay triangle" diagram](#)
- #8 Analyze Pinsky Transcript - Relevance
- #9 Find Search and Seizure "Dog Sniffing case"
- Test #B - Relevance Quiz

Week 5 - Due 3/12/17

- Study [more on "Hearsay" - Prof Norman Garland Analysis](#)
- Study [Hearsay "exemptions"](#) - do not confuse with "hearsay exceptions" which we will cover in the next chapter
- #10 Analyze O'hare Transcript - Relevance
- #11 Read and Analyze Hearsay Case - Crawford
- Test #C Hearsay Worksheet quiz questions

Week 6 - Due 3/19/17

- Read Chapter 10 - Hearsay Exceptions
- Test #D Hearsay Quiz

Week 7 - Due 3/26/17

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

Week 8 - Due 4/2/17

- Read Chapter 3 - Character Evidence
- #14 Hearsay exceptions - [Rachel and Jim - listen to podcast](#)
- Test #F Hearsay Exceptions Quiz
- **Spring Break 4/3 - 4/9**

Week 9 - Due 4/16/17

- Read Chapter 4 - Habit and Custom
- #15 Analyze Estate of Giddy Transcript
- Test #G Character Evidence Quiz

Week 10- Due 4/23/17

- Read Chapter 5 - Witness and Competency
- #16 Analyze Dunbar Transcript
- #17 Character Discussion
- #18 Character Evidence Review
- Test #H Habit & Custom Quiz

Week 11 - Due 4/30/17

- Read Chapter 6 - Impeachment
- #19 Habit and Custom Discussion
- #20 Habit and Custom - 3 cases
- Test #I Witness and Competency

Week 12 - Due 5/7/17

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

Week 13 - Due 5/14/17

- Read Chapter 12 Constitutional Constraints
- #23 Impeachment case
- Test #K Authentication, Identification & Exhibits Quiz

Week 14 - Due 5/21/17

- Read Chapter 13 Common Law Privileges
- #24 - Impeachment Applications Questions
- Test #L Constitutional Restraints Quiz

Week 15 - Due 5/28/17

- #25 - Constitutional Constraints Application Questions
- Test #M Common Law Privileges Quiz

updated: 1/21/17

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 a hybrid class which meets on campus, and homework is submitted through Canvas Course system Carefully read [our policies](#).

The class follows a weekly format. If you click on "Section Links" in upper left corner of your canvas 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>

Google Chrome - <http://chrome.google.com>

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: <https://ilearn.laccd.edu>

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

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"

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.

Team Presentations : Each student will participate in a team presentation assigned at the beginning of the semester in class. This is 15% of your grade

Late Assignments Our "[Late Work](#)" Policy is firm.

Dropping your class/Exclusion: see [Academic Calendar](#) 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 weeeek 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.

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. There website is <http://lamission.edu/dsps>

Cheating. Unauthorized material used during an examination (including electronic devices), changing answers after work has been graded, taking an exam for another student, forging or altering attendance sheets or other documents in the course, looking at another student's paper/answers/essay/computer or exam with or without their approval is considered cheating. Any student caught cheating will receive a zero for the assignment/exam and referred to the Department chair and/or Student Services for further disciplinary action.

Plagiarism. Plagiarism is defined as the act of using ideas, words, or work of another person or persons as if they were one's own, without giving proper credit to the original sources. This

includes definitions found online on Wikipedia, materials from blogs, twitter, or other similar electronic resources. The following examples are intended to be representative, but not all inclusive:

- ✓ Failing to give credit by proper citations for others ideas and concepts, data and information, statements and phrases, and/or interpretations and conclusions.
- ✓ Failing to use quotation marks when quoting directly from another, whether it be a paragraph, a sentence, or a part thereof
- ✓ Paraphrasing the expressions or thought by others without appropriate quotation marks or attribution
- ✓ Representing another's artistic/scholarly works such as essays, computer programs, photographs, paintings, drawings, sculptures or similar works as one's own.

For the first offense, you will receive a zero for the assignment in question. Any further offenses may result in expulsion from the class, as determined by the disciplinary action from the Office of Student Services.

Website opens 2/6/17

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.

"MANAGEMENT OF STRESS AND MENTAL HEALTH:

As a student, not only do you have the pressure of succeeding in school, you may also be contending with work, financial issues, relationships, managing time effectively, getting enough sleep, etc. The staff and faculty of Los Angeles Mission College are here to provide support that will help you to be successful in your academic pursuits. You can learn more about the broad range of confidential student services offered on campus, including counseling and mental health services, by either visiting the Student

Health Center (SHC), which is currently located in the Bungalow just west of the Collaborative Studies Building, checking out the SHC webpage at: <https://www.lamission.edu/healthcenter/> or calling: 818 362-6182.*

I also encourage you to enter the National Suicide Prevention Lifeline number (1-800-273-8255) into your cell phone in case you or someone you know is in distress and needs someone with whom to talk.

**Please note that the SHC is slated to move into its new location, between the President's Office and Administrative Services, in the spring 2016 semester."*

COLLEGE RESOURCES FOR LAMC STUDENTS

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

updated: 1/21/17