

**EVIDENCE**  
**WILLIAM MITCHELL COLLEGE OF LAW**  
**FALL 2006**  
**PROFESSOR LARRY McDONOUGH**  
**TUESDAY 6:30-9:20 PM., ROOM 331**

WEEK	<p style="text-align: center;"><b>CLASSES AND PREPARATION</b></p> <p><b>The reading assignments are my best estimate of what materials will be covered when. The assignments are not promises we will discuss the pages listed on the dates noted. Some of the listed reading may be deleted; other reading may be added to the list.</b></p>
1	<p style="text-align: center;">August 29, 2006  INTRODUCTION  Syllabus, Schedule, and Evidence at 1-48  Introduction to the Course, Introduction to Relevance: Balancing Probabiveness and Prejudice</p>
2	<p style="text-align: center;">September 5, 2006  BRICKS AND WALLS: RELEVANT EVIDENCE  Evidence at 48-78  Inferences: Prejudicial or Probative, Probability and Stipulations</p>
3	<p style="text-align: center;">September 12, 2006  BRICKS AND WALLS: RELEVANT EVIDENCE  Evidence at 79-123  Specialized Relevance Rules and Relevance Revisited</p>
4	<p style="text-align: center;">September 19, 2006  THE PROBLEM OF PERSONALITY: CHARACTER EVIDENCE  Evidence at 124-149, 159-182 and Spriegl Handout  The Propensity Inference and Spriegl Evidence: Rule 404(b)</p>
5	<p style="text-align: center;">September 26, 2006  BRICKS AND WALLS: RELEVANT EVIDENCE  Evidence at 208-236  Proof of Character and Habit, Relevant Evidence, Character Evidence: Review and Recap</p>

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6	<p style="text-align: center;">October 3, 2006  WITNESSES: TRUTHFULNESS AND COMPETENCY  Evidence at 237-285  Testimonial Capacity: Truthfulness, and Rule 609: Use of Convictions</p>
7	<p style="text-align: center;">October 10, 2006  WITNESSES: TRUTHFULNESS AND COMPETENCY  HEARSAY: THE BELLS ARE RINGING  Evidence at 326-333, 334-360  Competency  Introduction to Hearsay, Truth and Non-Truth</p>
8	<p style="text-align: center;">October 17, 2006  HEARSAY: THE BELLS ARE RINGING  Evidence at 334-360, 360-421  Introduction to Hearsay, Truth and Non-Truth  Statements of the Party, Prior Statements of a Witness</p>
9	<p style="text-align: center;">October 24, 2006  HEARSAY: THE BELLS ARE RINGING  Evidence at 360-421, 422-455  Statements of the Party, Prior Statements of a Witness  Rule 801(d) Concluded, Unavailable Witnesses</p>

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10	<p style="text-align: center;">October 31, 2006  HEARSAY: THE BELLS ARE RINGING  Evidence at 422-455, 455-514, skip Johnson and Vigneau opinions  Rule 801(d) Concluded, Unavailable Witnesses  Rule 803: The Kitchen Sink..., and the Catchall Rule</p>
11	<p style="text-align: center;">November 7, 2006  HEARSAY: THE BELLS ARE RINGING  Skim supp. 393-405  Read supp. 405-441  Handout: Confronting the Confrontation Clause  Hearsay Concluded: Confrontation and Crawford</p>
12	<p style="text-align: center;">November 14, 2006  OPINIONS: LAY AND EXPERT  Evidence at 587-607, 616-639, 669-681  Lay Opinion and Expert Opinion, and the Aftermath of Daubert</p>
13	<p style="text-align: center;">November 21, 2006  OPINIONS: LAY AND EXPERT  Evidence at 587-607, 616-639, 669-681  Lay Opinion and Expert Opinion, and the Aftermath of Daubert</p>

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14	<p style="text-align: center;">November 28, 2006  WHAT IS IT? AUTHENTICATION AND IDENTIFICATION  Evidence at 696-726  Authentication and Best Evidence  Review and Class Feedback</p>

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