Katherine L. Floyd, General Magistrate Fall 2020

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Evidence  
(Law 6330--4 credits)

**I. Course Objectives and Learning Outcomes**

The goal of this course is to help students develop a working knowledge of evidence law. This means the ability to apply the evidence rules and related doctrines to specific examples. To this end, much of the course will be problem-based with classroom discussion generated by analyzing problems. This course is designed to help you think, and act like an attorney. To that end, I intend to run this course much like a courtroom and expect the same level of commitment and professionalism from you that I would expect to see of attorneys who practice before me.

**II. Course Materials**

The course textbook is our course book is *Learning Evidence, Fourth Edition by Merritt and Simmons*. This text contains the Federal Rules of Evidence as an Appendix so there is no need for you to purchase a separate Rule book. You will need to have access to the Digital Learning Library that accompanies the coursebook. These supplements are included with the purchase of a new book or can be purchased separately through the West Academic website.

Supplemental materials will be posted on Canvas and students are expected to regularly check the website for updates.

Unless otherwise noted, students are expected to read the entire chapter(s) assigned and read any supplemental material posted on Canvas. Please stay up to date with the reading even if we don’t discuss it in class on the assigned day.

For those especially interested in Florida evidence law, I recommend *Florida Evidence* by Charles W. Ehrhardt. No litigator’s bookshelf is complete without a copy of Ehrhardt’s treatise.

**III. Attendance, Participation & Preparation, Disability Accommodations, Recording & Use of Electronic Devices**

Attendance. Attendance is mandatory and you are expected to arrive on time and remain until dismissed. Attendance may be taken via an online form. It is your responsibility to sign in for each class and affirm that you are physically present for the entire class period. If you were not present for the entire period, you must note that on the sign-in form. It will be considered a violation of the course rules and the Honor Code to falsely indicate that you were present in class, or to assist a classmate in such misrepresentation. You may miss up to four (4) 50-minute class periods for any reason. As our classes are double sessions, if you miss an entire day of class it will count as two (2) absences. If you must leave class early or arrive late, it will be counted as one (1) absence.

You do not need to email me to tell me you will be absent from class unless you are requesting that absence be excused. In that instance, you must email me no later than 48-hours after the missed class to request an excused absence. Valid excuses would include an inability to attend class due to illness, observance of religious holiday, or school-sponsored activity.

You’re responsible for keeping track of your absences. Please do not ask me how many classes you’ve missed. After your 4th unexcused absence your grade will be lowered by a full letter grade for each additional absence. If become ill and are unable to attend class or if you have an extraordinary situation for which you are requesting an accommodation, please direct your request to the Student Affairs office.

We will take a break during each double-session. Unless there’s an emergency or other necessity, please don’t leave the classroom as this is distracting.

Participation & Preparation. This will be an interactive class and I intend to “cold call” on students. To that end, you are required to be prepared for class, and are responsible for the reading that has been assigned for the day as well as for any material that we haven’t yet gotten to from a prior class. If you are called on and are not prepared this will be counted as one absence. If you are not prepared, simply tell me and I will note your absence and move on.

If you are attending class from a remote location, proper decorum and attention is required. You may (and should) remain on mute unless you are actively participating in the discussion.

It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in class assignments for every 1 hour in class. There will be some variation from class to class, and I am mindful that your presentations require significant outside-of-class preparation. If you consistently find yourself spending more time than this to prepare for class, you are encouraged to speak with me privately during office hours.

Disability Accommodations. Students requesting classroom accommodation should register with the Office of Disability Resources.  The UF Office of Disability Resources will provide documentation to the student who must then provide this documentation to the Law School Office of Student Affairs when requesting accommodation. For further information, see <https://www.dso.ufl.edu/drc/>.

Recording. No recording of class in any form is allowed without my prior written permission.

Computers. Students are welcome to use laptop computers and similar devices for class-related purposes (e.g., note-taking, referencing relevant statutes or cases). Using computers for other purposes, such as games, web surfing, emailing and messaging (even to “discuss” what we are discussing aloud in class) is prohibited. Violations of this policy will be counted as one absence for each occurrence.

**IV. Grading**

The course will be letter graded in accordance with the law school’s standard grading practices. The law school grading policy is available on the University’s website. For questions about grading and other academic policies, please refer to the law school’s academic policies, available at <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>.

Your final grade will be a combination of the following:

* Final Exam – 70%
* Small Group Presentation – 20%
* Quizzes and Assignments – 10%

Readings. A list of reading assignments will be posted on the Canvas website. Assignments may be modified as the course progresses, and updates will be published on Canvas with no less than one-week notice. It is your responsibility to keep informed of any subsequent modifications. Assignments and other course materials will be available through Canvas.

It is your responsibility to familiarize yourself with use of the Canvas website and understand how to set your notifications appropriately to be notified of your assignments.

Quizzes and Assignments. Quizzes and assignments will be posted on the Canvas website to accompany most of our class sessions. These assignments are designed to gauge your progress in the class and identify areas were additional study may be needed. I reserve the right to refuse an assignment or require an assignment to be resubmitted if it is clear a student made little or no effort. Except for extenuating circumstances, late work will not be accepted.

Student Group Presentations. As the semester progresses, students are required to make group presentations concerning different subjects related to evidence law. Students will work in small groups and be required to make a group presentation to the class (approximately 30 minutes) as well as prepare written and instructional materials.

Each group will be responsible for conducting independent research about their topic, making a presentation in some form to the class, and preparing written materials. While you are encouraged to consult outside sources, your work must be original. You may not invite outside speakers as part of your presentations. It is my expectation that all students will conduct themselves professionally.

More information about topics and presentation dates will be made available in September.

**VI. Student Course Evaluations**

Students can provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will receive notice of the specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results/>.

**V. Office Hours and Access**

I will only be on campus during our scheduled class time and will generally not be able to speak with students before or after class. I will make myself available for virtual office hours by appointment. You may also reach me by email at [floydk@circuit8.org](mailto:floydk@circuit8.org). Please note that all emails sent to me are subject to public records request.