

# LAW R114: EVIDENCE

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**Originator**

ehess

**College**

Oxnard College

**Attach Support Documentation (as needed)**

PLS Advisory Committee Minutes - 10-6-21.pdf

**Discipline (CB01A)**

LAW - Paralegal Studies

**Course Number (CB01B)**

R114

**Course Title (CB02)**

Evidence

**Banner/Short Title**

Evidence

**Credit Type**

Credit

**Start Term**

Fall 2022

**Formerly**

PLS R108 - Evidence

**Catalog Course Description**

Students will learn the rules of civil and criminal evidence. Theory and principles of evidence as utilized and applied to the civil discovery process will be emphasized. Students will examine and analyze the Federal Rules of Evidence, the California Evidence Code, and applicable court decisions.

**Taxonomy of Programs (TOP) Code (CB03)**

1402.00 - \*Paralegal

**Course Credit Status (CB04)**

D (Credit - Degree Applicable)

**Course Transfer Status (CB05) (select one only)**

B (Transferable to CSU only)

**Course Basic Skills Status (CB08)**

N - The Course is Not a Basic Skills Course

**SAM Priority Code (CB09)**

C - Clearly Occupational

**Course Cooperative Work Experience Education Status (CB10)**

N - Is Not Part of a Cooperative Work Experience Education Program

**Course Classification Status (CB11)**

Y - Credit Course

**Educational Assistance Class Instruction (Approved Special Class) (CB13)**

N - The Course is Not an Approved Special Class

**Course Prior to Transfer Level (CB21)**

Y - Not Applicable

**Course Noncredit Category (CB22)**

Y - Credit Course

**Funding Agency Category (CB23)**

Y - Not Applicable (Funding Not Used)

**Course Program Status (CB24)**

1 - Program Applicable

**General Education Status (CB25)**

Y - Not Applicable

**Support Course Status (CB26)**

N - Course is not a support course

**Field trips**

Will not be required

**Grading method**

(L) Letter Graded

**Does this course require an instructional materials fee?**

No

**Repeatable for Credit**

No

**Is this course part of a family?**

No

**Units and Hours**

**Carnegie Unit Override**

No

**In-Class**

**Lecture**

**Minimum Contact/In-Class Lecture Hours**

52.5

**Maximum Contact/In-Class Lecture Hours**

52.5

**Activity**

**Laboratory**

**Total in-Class**

**Total in-Class**

**Total Minimum Contact/In-Class Hours**

52.5

**Total Maximum Contact/In-Class Hours**

52.5

## Outside-of-Class

### Internship/Cooperative Work Experience

Paid

Unpaid

### Total Outside-of-Class

#### Total Outside-of-Class

##### Minimum Outside-of-Class Hours

105

##### Maximum Outside-of-Class Hours

105

### Total Student Learning

#### Total Student Learning

##### Total Minimum Student Learning Hours

157.5

##### Total Maximum Student Learning Hours

157.5

### Minimum Units (CB07)

3

### Maximum Units (CB06)

3

### Prerequisites

LAW R104

## Entrance Skills

### Entrance Skills

Analysis of legal resources.

### Prerequisite Course Objectives

LAW R104-Demonstrate the use of legal encyclopedia in researching legal issues

LAW R104-Locate and utilize statutes and statutes annotated

LAW R104-Cite cases and other legal publications as set forth in the legal citation manuals which may include the Indigo Book, Blue Book, White Book, ALWD, and other commonly accepted legal style manuals.

LAW R104-Locate points and authorities in digests and have general understanding of the use of the digest system

LAW R104-Utilize the Shepard's Citator to determine if a specific case has been subsequently cited, revised or distinguished

LAW R104-Locate local ordinances

LAW R104-Summarize facts of a lengthy legal opinion

LAW R104-Research and write basic case briefs, legal office memorandums, and associated legal support tasks.

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### Entrance Skills

Ability to spot and articulate legal issues.

### Prerequisite Course Objectives

LAW R104-Demonstrate the use of legal encyclopedia in researching legal issues

LAW R104-Locate and utilize statutes and statutes annotated

LAW R104-Cite cases and other legal publications as set forth in the legal citation manuals which may include the Indigo Book, Blue Book, White Book, ALWD, and other commonly accepted legal style manuals.

LAW R104-Locate points and authorities in digests and have general understanding of the use of the digest system

LAW R104-Utilize the Shepard's Citator to determine if a specific case has been subsequently cited, revised or distinguished

LAW R104-Locate local ordinances

LAW R104-Summarize facts of a lengthy legal opinion

LAW R104-Research and write basic case briefs, legal office memorandums, and associated legal support tasks.

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**Entrance Skills**

Ability to locate necessary resources to dispose of legal issues.

**Prerequisite Course Objectives**

LAW R104-Demonstrate the use of legal encyclopedia in researching legal issues  
LAW R104-Locate and utilize statutes and statutes annotated  
LAW R104-Cite cases and other legal publications as set forth in the legal citation manuals which may include the Indigo Book, Blue Book, White Book, ALWD, and other commonly accepted legal style manuals.  
LAW R104-Locate points and authorities in digests and have general understanding of the use of the digest system  
LAW R104-Utilize the Shepard's Citator to determine if a specific case has been subsequently cited, revised or distinguished  
LAW R104-Locate local ordinances  
LAW R104-Summarize facts of a lengthy legal opinion  
LAW R104-Research and write basic case briefs, legal office memorandums, and associated legal support tasks.

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**Entrance Skills**

Assessment of legal issues by incorporating information from performed legal research.

**Prerequisite Course Objectives**

LAW R104-Demonstrate the use of legal encyclopedia in researching legal issues  
LAW R104-Locate and utilize statutes and statutes annotated  
LAW R104-Cite cases and other legal publications as set forth in the legal citation manuals which may include the Indigo Book, Blue Book, White Book, ALWD, and other commonly accepted legal style manuals.  
LAW R104-Locate points and authorities in digests and have general understanding of the use of the digest system  
LAW R104-Utilize the Shepard's Citator to determine if a specific case has been subsequently cited, revised or distinguished  
LAW R104-Locate local ordinances  
LAW R104-Summarize facts of a lengthy legal opinion  
LAW R104-Research and write basic case briefs, legal office memorandums, and associated legal support tasks.

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**Entrance Skills**

Ability to identify and locate legal resources in traditional and online libraries.

**Prerequisite Course Objectives**

LAW R104-Demonstrate the use of legal encyclopedia in researching legal issues  
LAW R104-Locate and utilize statutes and statutes annotated  
LAW R104-Cite cases and other legal publications as set forth in the legal citation manuals which may include the Indigo Book, Blue Book, White Book, ALWD, and other commonly accepted legal style manuals.  
LAW R104-Locate points and authorities in digests and have general understanding of the use of the digest system  
LAW R104-Utilize the Shepard's Citator to determine if a specific case has been subsequently cited, revised or distinguished  
LAW R104-Locate local ordinances

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**Requisite Justification****Requisite Type**

Prerequisite

**Requisite**

LAW R104

**Requisite Description**

Course in a sequence

**Level of Scrutiny/Justification**

Required communication/computation skill

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**Student Learning Outcomes (CSLOs)**

**Upon satisfactory completion of the course, students will be able to:**

- |   |  |
|---|--|
| 1 | Apply knowledge of the rules of civil and criminal evidence in order to provide direct assistance to attorneys including research, client interviews, problem resolution and the examination of ethics in the legal workplace. |
| 2 | Demonstrate the practical application of the most commonly utilized rules of evidence in a civil context   |
| 3 | Draft pleadings/memoranda including court forms in a manner sufficient for submission to the applicable court  |
| 4 | Identify and apply theories and principles of civil and criminal evidence to interpret, propound and respond to legal documents.   |

**Course Objectives**

**Upon satisfactory completion of the course, students will be able to:**

- |   |   |
|---|---|
| 1 | Identify Rules of Evidence Utilized in Civil and Criminal Trials in California and Federal Courts   |
| 2 | Assist in Locating and Developing the Necessary Evidence Required to Support the Legal Contentions Raised in Litigation                                 |
| 3 | Gather Evidence by Interviewing Witnesses and Taking Clear and Detailed Statements  |
| 4 | Assist in Drafting and Organizing Discovery Requests and Responses  |
| 5 | Determine When and How to Utilize the Deposition, Interrogatory, Request for Admission, and other Discovery Tools                                       |
| 6 | Organize Evidence in an Orderly Manner  |
| 7 | Determine and Comply with Foundational Requirements for the Introduction of Evidence  |
| 8 | Locate Federal and California Evidence Codes, Specific Sections and Subsections of it and Areas for General Rules of Evidence and Evidentiary Procedure |

**Course Content****Lecture/Course Content**

1. Introduction to Rules of Evidence
  - a. Civil and Criminal Actions in California Courts
  - b. Civil and Criminal Actions in Federal Courts
2. Foundational Requirements for Introduction of Evidence
3. Introduction to Locating, Developing and Documenting
  - a. Physical and Intangible
  - b. Interviewing
  - c. Accidental Investigation
4. Depositions
  - a. Use and How to Set Up
  - b. Mock Depositions – When and How Utilized
5. Interrogatories
  - a. Uses and Lines of Questions
  - b. Drafting Pertinent Interrogatories from Fact Situation
  - c. Rules of Discovery
6. Organization and Storage of Evidence
  - a. Writing Facts and Evidentiary Issues During Trial
  - b. Appealable Issues in Trial Transcripts
  - c. Writing Appeals Brief

**Laboratory or Activity Content**

None.

**Methods of Evaluation**

**Which of these methods will students use to demonstrate proficiency in the subject matter of this course? (Check all that apply):**

- Written expression
- Problem solving exercises

**Methods of Evaluation may include, but are not limited to, the following typical classroom assessment techniques/required assignments (check as many as are deemed appropriate):**

Essay exams  
Group projects  
Individual projects  
Objective exams  
Problem-solving exams  
Quizzes  
Reports/papers  
Research papers  
Essays  
Problem-Solving Assignments

## **Instructional Methodology**

**Specify the methods of instruction that may be employed in this course**

Audio-visual presentations  
Case studies  
Class activities  
Class discussions  
Distance Education  
Group discussions  
Instructor-guided interpretation and analysis  
Lecture  
Role-playing  
Small group activities

**Describe specific examples of the methods the instructor will use:**

The instructor will utilize the following methods:

1. Directed analysis of case law and statutes.
2. Group observations of and participation in courtroom trial and mock depositions.
3. Lectures on the substance and application of individual rules of evidence and related topics.
4. The use of sample motions for the purpose of identification of elements and development of practical skills.
5. Leading discussion on the use of the rules of evidence from an ethical, practical, and legal perspective.
6. Simulations that engage students in practical skills related to client counseling, conferring with opposing counsel and the court, stating objections in open court, and using foresight to prepare for evidentiary arguments.

Typical graded assignments (methods of evaluation):

1. Over the semester students are evaluated with written tests that measure the student's knowledge in legal research and writing skills gained from instructor's presentations, discussions, and reading assignments on such topics preparing questions for depositions, interrogatories and other topics.
2. Students are evaluated in classroom discussions on their ability to explain and demonstrate their knowledge of information from textbook reading assignments on such topics organizing evidence, indexing documentary evidence in such a manner that it is easily producible, reading and condensing a trial transcript into a concise fact statement, and other topics.
3. Students are evaluated on chapter assignments by requiring students to write a variety of assignments such as determining what rulings on offering of evidence at trial are appealable or determining the foundational requirements for the introduction of evidence.

## **Representative Course Assignments**

### **Writing Assignments**

1. Students are required to draft motions in limine.

### **Critical Thinking Assignments**

Students will be tested on their ability to take the legal concepts learned in the course and apply them to a given scenario and identify all legal issues presented in the scenario and successfully analyze the legal outcome of the case.

### **Reading Assignments**

1. Students are required to read and study the information on rules of evidence in each chapter of the text.
2. Students are required to read and study material presented on rules of evidence from lectures, journals, or research gathered at a law library or through online resources.

**Problem-Solving and Other Assignments (if applicable)****Outside Assignments****Representative Outside Assignments**

Typical outside of classroom assignments:

1. Reading
  - a. Students are required to study the information on legal research.
  - b. Students are required to study material or authorities with research at a law library, online or with other computer resources.
2. Writing
  - a. Students are required to draft and prepare a number of documents using their research. These writings may include, but are not limited to case briefings.

**District General Education****A. Natural Sciences****B. Social and Behavioral Sciences****C. Humanities****D. Language and Rationality****E. Health and Physical Education/Kinesiology****F. Ethnic Studies/Gender Studies****CSU GE-Breadth****Area A: English Language Communication and Critical Thinking****Area B: Scientific Inquiry and Quantitative Reasoning****Area C: Arts and Humanities****Area D: Social Sciences****Area E: Lifelong Learning and Self-Development****Area F: Ethnic Studies****CSU Graduation Requirement in U.S. History, Constitution and American Ideals:****IGETC****Area 1: English Communication****Area 2A: Mathematical Concepts & Quantitative Reasoning****Area 3: Arts and Humanities****Area 4: Social and Behavioral Sciences****Area 5: Physical and Biological Sciences****Area 6: Languages Other than English (LOTE)****Textbooks and Lab Manuals**

Resource Type

Textbook

**Classic Textbook**

No

**Description**Mueller, Christopher B., et al. *Evidence under the Rules: Text, Cases, and Problems*. Wolters Kluwer, 2019.**Distance Education Addendum****Definitions****Distance Education Modalities**

Hybrid (1%–50% online)  
 Hybrid (51%–99% online)  
 100% online

**Faculty Certifications**

Faculty assigned to teach Hybrid or Fully Online sections of this course will receive training in how to satisfy the Federal and state regulations governing regular effective/substantive contact for distance education. The training will include common elements in the district-supported learning management system (LMS), online teaching methods, regular effective/substantive contact, and best practices.

Yes

Faculty assigned to teach Hybrid or Fully Online sections of this course will meet with the EAC Alternate Media Specialist to ensure that the course content meets the required Federal and state accessibility standards for access by students with disabilities. Common areas for discussion include accessibility of PDF files, images, captioning of videos, Power Point presentations, math and scientific notation, and ensuring the use of style mark-up in Word documents.

Yes

**Regular Effective/Substantive Contact****Hybrid (1%–50% online) Modality:**

Method of Instruction	Document typical activities or assignments for each method of instruction
Video Conferencing	Video conferencing will involve professor lecture, professor demonstrations, class discussions/student questions, and case study analysis by students (either as a class or in groups) with follow-up discussions.
Telephone	The telephone media of communication will be used between the professor and students needing additional help on either a scheduled or unscheduled basis.
Synchronous Dialog (e.g., online chat)	The students will be involved in synchronous dialogue during webinar presentations by the professor in which they use the chat feature of the webinar to discuss issues brought up in the professor's lecture and ask questions of the professor and other students.
Other DE (e.g., recorded lectures)	Prerecorded lectures on the learning for a given week will be made and placed in the modules to be replayed by the students for additional assistance in learning the concepts involved for a given week.
Face to Face (by student request; cannot be required)	This media of communication will be used between the professor and students needing additional help by meeting at a specific location during normal office hours.
E-mail	The professor will be involved in email communication with students needing additional help via this communication media.
Asynchronous Dialog (e.g., discussion board)	Students will be involved in a online discussion forum where they will exchange ideas and viewpoints regarding the learning concepts involved for a given week and share their thoughts and viewpoints with the class.



**Hybrid (51%–99% online) Modality:**

<b>Method of Instruction</b>	<b>Document typical activities or assignments for each method of instruction</b>
Video Conferencing	Video conferencing will involve professor lecture, professor demonstrations, class discussions/student questions, and case study analysis by students (either as a class or in groups) with follow-up discussions.
Telephone	The telephone media of communication will be used between the professor and students needing additional help on either a scheduled or unscheduled basis.
Synchronous Dialog (e.g., online chat)	The students will be involved in synchronous dialogue during webinar presentations by the professor in which they use the chat feature of the webinar to discuss issues brought up in the professor's lecture and ask questions of the professor and other students.
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E-mail	The professor will be involved in email communication with students needing additional help via this communication media.
Asynchronous Dialog (e.g., discussion board)	Students will be involved in a online discussion forum where they will exchange ideas and viewpoints regarding the learning concepts involved for a given week and share their thoughts and viewpoints with the class.

**100% online Modality:**

<b>Method of Instruction</b>	<b>Document typical activities or assignments for each method of instruction</b>
Video Conferencing	Video conferencing will involve professor lecture, professor demonstrations, class discussions/student questions, and case study analysis by students (either as a class or in groups) with follow-up discussions.
Telephone	The telephone media of communication will be used between the professor and students needing additional help on either a scheduled or unscheduled basis.
Synchronous Dialog (e.g., online chat)	The students will be involved in synchronous dialogue during webinar presentations by the professor in which they use the chat feature of the webinar to discuss issues brought up in the professor's lecture and ask questions of the professor and other students.
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E-mail	The professor will be involved in email communication with students needing additional help via this communication media.
Asynchronous Dialog (e.g., discussion board)	Students will be involved in a online discussion forum where they will exchange ideas and viewpoints regarding the learning concepts involved for a given week and share their thoughts and viewpoints with the class.

**Examinations****Hybrid (1%–50% online) Modality**

On campus  
Online

**Hybrid (51%–99% online) Modality**

On campus  
Online

**Primary Minimum Qualification**

LEGAL ASSISTING

**Review and Approval Dates**

**Department Chair**

10/18/2021

**Dean**

10/19/2021

**Technical Review**

MM/DD/YYYY

**Curriculum Committee**

10/27/2021

**DTRW-I**

MM/DD/YYYY

**Curriculum Committee**

11/10/2021

**Board**

MM/DD/YYYY

**CCCCO**

11/29/2021

**Control Number**

CCC000603744

**DOE/accreditation approval date**

MM/DD/YYYY