EDGL 0202. Evidence. (0 to 4 Credits)
A study of the rules governing the admissibility of evidence including
problems of relevancy, remoteness, and undue prejudice; the hearsay
rule and its exceptions; the offer of evidence and objection; examination
of witnesses; competency and privilege of witnesses; expert opinion
evidence; judicial notice; burden of proof; and presumptions.
For Professor Bennett Capers' class:
This course does not lend itself to
laptop note-taking. Accordingly, this is a lap-top and i-pad free class.
Attributes: LDF, LIDR, LMCO.

EDGL 0299. Data and the Law. (3 Credits)
It is increasingly essential for lawyers to be able to understand empirical
arguments and to interact with, and cross examine, statistical experts.
The goal of this course is to provide students with a strong overview of
how lawyers should think about and approach statistics. We will start by
asking where, exactly, do the numbers we use come from. We will then
examine how to interpret statistical results as well as how to identify (and
address) common pitfalls and errors that can bedevil empirical work.
We will then turn to how the law handles empirical evidence, such as the
Daubert standard, and consider how the address the differences between
the legal rules and current scientific practices such as relying on meta-
analyses and systematic reviews. We will then conclude why looking
at what the rise of "big data" and algorithmic models mean for the law,
and how the law is starting to adapt to them.
This course is open to
all, and does not presume any prior statistical or mathematical training,
and the topics will be covered in an intuitive, not technical, manner.
That said, by the end of semester students should be able to read a statistical
report and understand exactly what is being said.
Attribute: LAWT.

EDGL 0412. Wrongful Convictions. (2 Credits)
This seminar will explore the concept of innocence in contemporary
criminal law and policy and how it is used to drive reform. Since 1989
nearly 2,700 cases of wrongful conviction have been documented in
the United States—amounting to over 24,000 years of lost freedom.
While the pain and loss for each person and their family is irreparable,
the cumulative evidence that the system entrusted to distinguish
guilt from innocence is broken can not be ignored. Over the course
of the semester, students will explore the definition of innocence; the
factors that contribute to wrongful conviction, including racial bias,
tunnel vision, mistaken eyewitness identifications, false confessions,
the misuse of informants, flawed forensic evidence, prosecutorial and
police misconduct, and inadequate defense; and some of the reforms
that have been proposed to prevent future injustices. Throughout we
critically examine the question of how the focus on innocence advances
or distracts from the broader need for systemic criminal justice reform.
Evaluation will be based on a paper. There will be no examinations.
Attributes: INLJ, LLM.

EDGL 0609. Depositions: Taking/Defending. (2 Credits)
Using discussion, lecture, and simulation, students will learn how, when,
and why to conduct depositions in contrast to other discovery tools. The
different types of questions will be discussed including question asking
when seeking information, when seeking admissions, and when seeking
to preserve testimony.
Preparing client and nonclient to testify.
Ethics: Witness Perjury, Harassment of witness, Harassment of attorney,
Inappropriate subjects, Conferring with the witness.
Dealing with the Adversary.
Role of objections, Instruction not to answer.
Attributes: LIDR, LLM.