

The Art and Science of Forensic Evidence

**FALL 2019 Syllabus**

# Professor: Lauren McLane

# Course: Forensic Evidence: Law-6915-03 Course Meetings—

**Office:** 110(behind Defender Aid Clinic space) **Tuesdays & Thursdays:**

**Phone:** 766-3118 3:00-4:20pm **Room:** 182

**E-mail:** lmclane@uwyo.edu

**Open Door Office Hours:**

On most Mondays and Wednesdays, I should be in the office unless on clinic business; if my door is open, I am available. Feel free to drop in. Otherwise, email me for an appointment any time.

**WyoCourses:**

**This site is an ABSOLUTE MUST for this class. Because there is no textbook, all of your readings and assignments will be posted here**. This site provides the opportunity to have all course materials in one place that is accessible to everyone. Assignments and announcements will be posted to this site. As part of the requirements for this class, you are expected to check and use this site regularly. **Make sure to check your UW email as this is the address that will be utilized for any posted announcements.**

**Course Description, Objectives, and Structure:**

This course is designed as an advanced pretrial and trial advocacy course, only through the primary focus and lens of forensic science and its use in the courtroom. I have found that many new lawyers enter the world of real practice with significant deficits in how to apply complex theories, principles, and concepts, such as forensic science, in the courtroom. This is a real struggle for both new and experienced attorneys; as a result, most attorneys stay away from the science in their trials, hoping that they can persuade the jurors with other facts or suppress the scientific evidence at trial. The truth is, the more science evolves and the more it is relied upon in our society, its trustworthiness and significance to the average juror continues to increase. You can no longer cloak or avoid the science at trial. You have to work through it; it becomes the obstacle in the way (hence the reading assignment for Class 1 from one of my favorite books The Obstacle is the Way by Ryan Holiday).

This is, potentially, the course description that enticed you to enroll in this course: “Properly preparing for and litigating cases involving forensic science testimony and evidence is an extraordinary challenge; one that lawyers will continue to encounter as science ever evolves. This course will provide students with practical knowledge and application skills in handling cases involving scientific evidence, such as breath or blood alcohol and DNA testing. Any prior knowledge required to excel in this area will be covered throughout the course. We will discuss the underpinnings of the use of scientific evidence in court, including an overview of foundational requirements and rules that govern the admissibility of scientific evidence at trial. Students will then learn how to practically respond to the demands of both confronting and presenting scientific evidence, utilizing hypothetical scenarios and exercises in the classroom that reflect real-life courtroom experiences.”

I am glad you are here. While I can make no guarantees, there is an excellent chance you will come out the other end of this course a better litigator than many practicing attorneys who fear science. I am looking forward to this, so let’s get started!

**Texts:**

A lot of WyoCourses posts. No textbook.

**Class Attendance:**

Per ABA rule and law school policy, you are required to attend at least

**75% of the course classes/meetings**. I will take attendance and enforce

this requirement. In this course, there’s really no time to catch you up if

you miss too many classes; you will surely be left behind. (Please note,

however, I am available to you if you are attending class and feel like

you are falling behind; you should come to me immediately if you start

to feel that way.).

**Note that there may be times where I will suggest you go to either the Albany County Courthouse or Laramie Municipal Court here in Laramie for court/trial observations.** It is encouraged (but not required) that you attempt to make these court observations.

**The best policy is to keep me apprised of any scheduling conflicts or issues that**

**prevent you from attending a class.**

\*\*I will accept University-approved absences.

**Course meetings/classes:**

Unless otherwise noted, we will meet in Room 182 on Tuesdays & Thursdays 3:00-4:20pm. **There will be at least two makeup classes due to my leave in likely mid-September. The likely makeup classes are already blocked off on Fridays (yes, Friday) in late early October. In the course schedule, see the highlighted green days for the likely missed days and makeup days.**

**Partnerships/Teams:**

You will work in pairs for most of this course, including for graded assignments; however, each student will be graded separately and distinctly. Keep reading to see how this will work.

**Law students,** there are 35 of you; therefore, I will accept ONE team of 3 students. *First team to contact me can be that team of 3—unless the enrollment number changes prior to our first class meeting.*

**Undergrads,** there are 4 of you, so 2 teams will work!

**Assessment & Grading for Law Students (Not a strict curve, but a grouping approach) (Undergrads, go to the end of this syllabus for your grading!):**

You will be assessed and graded in three separate categories**—“Abbreviated Trials,”** a **Midterm exam**, and **Participation**.

Final Grades are assigned on a **plus/minus (+/-) system as follows: A, A-, B+, B, B, C+, C, C-, D+, D, D-, F**. This course is NOT graded on a strict curve. In other words, I will not be restricted to only giving out a few A’s or required to give a certain number of C’s. However, the total sum of your work as a class will be reviewed during the grading process and in determining, for example, A work I will measure your work product against the rest of the pack. Work product will be grouped into, for instance, “A work,” “B work,” etc. This grouping will be informed by your performance as measured by rubrics shared with you prior to each graded task.

**Grade percentage ranges:**

94-100 = A 77-79 = C+ 60-62 = D-

90-93 = A- 73-76 = C 59 or < = F

87-89 = B+ 70-72 = C-

83-86 = B 67-69 = D+

80-82 = B- 63-66 = D

**What you are graded on and weight toward final grade—GRADING for Law Students: (\*\*Undergraduates, see end of syllabus for your grading/assignments)**

**60% of Final Grade—**

**“Abbreviated Trials”—DNA (Prosecution) & ABT (Defense)**

**[] Case Analysis/Strategic plan—DNA and ABT (due date: last day of class—11/26/19)**

* Will do together as partners, submitting one plan
* 10% weight

**[] Written motion—DNA and ABT (due date: last day of class—11/26/19)**

* Each team member will be randomly assigned either DNA or ABT (this assignment will stick for your oral argument as well)
* 20% weight

**[] Oral argument—DNA and ABT (Exam Week performance in a “Free Slot”)**

* Same assignment for each team member as above
* 35% weight
* Will include a need for rebuttal

**[] Cross examination—ABT (Exam Week performance in a “Free Slot”)**

* Will only do ABT as defense counsel
* 35% weight
* Will have a transcript of the state’s expert to use for cross-examination (will build that out during our Interviewing class)

**20% of Final Grade—**

* **Midterm (Will be in class, Date: 10/24/19)**
  + **10 multiple choice**—weighted 30%
  + **1 essay** (choice of one of two different forensic disciplines)—weighted 70%
    - Midterm is designed to focus on Flawed Forensics, areas of forensic science we have discussed (but not DNA or ABT), ERs 702-704 & 403, Daubert/Bunting, and the Confrontation Clause.
    - It is all about analysis and application of what you have learned up to this point. So the “A” in “IRAC.”

**20% of Final Grade—Participation and Attendance**

**Participation and Attendance Rubrics:**

**1-** You were on time for each class (one pass permitted—I will accept university-approved excused absences)

**2-** You did not leave the class early (one pass permitted—I will accept university-approved excused absences)

**3-** You came to see me at least one time during office hours (to discuss issues related to the course, assignments, presentations, readings, or something pertaining to forensic evidence)

**4-** You were always prepared when called on during class (one pass, makeup *very* *next* class)

**5-** You volunteered during class for a discussion at least twice

**6-** When you participated or volunteered, you clearly contributed to the discussion

**7-** When you participated or volunteered, you were clearly prepared (not just participating to talk)

**8-** You attended at least 75% of the classes (based on # of classes in syllabus. Note: you do not pass if you do not meet this requirement)

(I accept University-approved excused absences for #8.)

**Extra Credit**

* 2 points, will be added to your lowest scored assignment for ABTs or Midterm (but NOT to your Participation grade)
  + Whichever is lowest

1. You attended 95% or more of the classes (based on # of classes listed in the syllabus, excused absences do not count here)
2. You submitted a thoughtful 2-3 paged memo outlining an issued related to forensic science that interests you. You cited to at least 2 credible sources in this memo.
   1. **Due date for Extra Point #2: last day of class—11/26/19**

**Grading Rubric—how students will be assessed and graded:**

**What is a Rubric?**

It is a scoring guide for evaluating student performance in a graded course. It consists of certain criteria, serving as a guidepost for the professor as well as a working guide for students.

**Participation Rubric (total of 8 points)—is located above.**

**Midterm Exam Rubric:**

A rubric will be applied to your midterm exam. This rubric will be shared with you at least one week prior to the midterm.

**“Abbreviated Trials” Rubric:**

Each task for the “Abbreviated Trials” will be graded using a separate rubric. These rubrics will be shared with you after the midterm.

**Academic Honesty:**

Please be advised that the College of Law Honor Code applies to this course. You are expected to be familiar with the requirements of the Code and to adhere to them at all times. Failure to do so may subject you to severe sanctions, including but not limited to possibly failing this course. A copy of the honor code can be found at <http://www.uwyo.edu/law/current/resources/forms.html>. Additional information regarding academic honesty is described in University Regulation: UW Regulation 2-114 “Procedures and Authorized University Actions in Cases of Student Academic Dishonesty.”

**Disability Accommodation:**

If you have a physical, learning, sensory or psychological disability and require accommodations, please let me know as soon as possible. If you have not already done so you will need to register with, and provide documentation of your disability to, the Law School Administration office and University Disability Support Services (UDSS) in Student Education Opportunities (SEO), room 330 Knight Hall. For more information please see <http://www.uwyo.edu/udss/>.

**Diversity Statement:**

The University of Wyoming values an educational environment that is diverse, equitable, and inclusive. The diversity that students and faculty bring to class, including age, country of origin, culture, disability, economic class, ethnicity, gender identity, immigration status, linguist, political affiliation, race, religion, sexual orientation, veteran status, worldview, and other social and cultural diversity is valued, respected, and considered a source for learning.

**Title IX Statement:**

The University of Wyoming is committed to maintaining a respectful, safe, and non-threatening environment for its faculty, staff, students, contractors, and visitors and will address and resolve all complaints of sexual misconduct. *See* UW Regulation 4-3 at <http://www.uwyo.edu/regs-policies/_files/docs/regulations-july-2018/uw_reg_4-3_effective_7-1-18.pdf>. Students can find more information about Title IX and reporting violations or potential misconduct at <http://www.uwyo.edu/reportit/>.

**Syllabus is Subject to Change:**

The information and schedule contained in the course syllabus, other than the grade and absence policies, may be subject to change with reasonable advanced notice, as deemed appropriate by the professor. Substantive changes made to the syllabus by the professor during the semester shall be communicated in the learning management system, other electronic means, or in class to students with reasonable notice.

**Class Schedule, Readings, Tasks, and Assignments:**

|  |  |
| --- | --- |
| **~~Tues., 8/27/19~~**  **~~3-4:20pm~~**  **~~RM 182~~**  **~~Class # 1~~** | ***~~Introduction to the Art and Science of Forensic Evidence~~***   * **~~Pre-class reading/tasks/preparation:~~**   + ~~Syllabus (WyoCourses)~~   + ~~Ryan Holiday, The Obstacle is the Way excerpt~~     - ~~(WyoCourses)~~   + ~~Breath Testing Case Sample (WyoCourses)~~   + ~~“Dry Gas Cert of Analysis by Calgaz” (WyoCourses)~~   + ~~“The Dry Gas Certificate of Analysis” Assignment~~     - ~~(WyoCourses)~~ * **~~Class:~~**   + ~~Introduction to Class~~   + ~~Teams/Partners~~   + ~~Obstacle is the Way Animation~~   + ~~Obstacle is the Way Discussion~~   + ~~“The Dry Gas Certificate of Analysis” 2-min presentations (at random)~~ |
| **Thurs., 8/29/19**  **3-4:20pm**  **RM 182**  **Class # 2** | ***Introduction to Flawed Forensics—Complacency as the Problem***   * **Pre-class reading/tasks/prep:**   + Garrett, Brandon L., Convicting the Innocent (2011), pages 1-13 (WyoCourses); rest of this pdf is for next Tuesday’s class.   + *Arizona v. Youngblood* (WyoCourses) (thru Justice Stevens’s concurrence, no need to read dissent) * **Class:**   + *Youngblood* discussion   + Introduction to “Flawed Forensics”—What is meant by “Complacency,” who is “Complacent,” and what happens when there is Complacency?   + Wrongful Convictions—overview   + Garrett on Flawed Forensics—brief video and discussion of Garrett reading (pp1-13) |
| **Tues., 9/3/19**  **3-4:20pm**  **RM 182**  **Class # 3** | ***Flawed Forensics—Guest Speaker Karlee Provenza—Psychology and Forensics***   * **Pre-class reading/tasks/prep:**   + Garrett, Brandon L., Convicting the Innocent (2011), pages 84-117 (WyoCourses) **(not due until Thursday 9/5/19)** * **Class—Guest Speaker:**    + **Karlee Provenza, M.S., Doctoral Candidate, University of Wyoming, Department of Psychology, Psychology and Law Lab** |
| **Thurs., 9/5/19**  **3-4:20pm**  **RM 182**  **Class # 4**  **Welcome Undergrads to the course!** | ***Flawed Forensics—Unreliable Science, Misapplied Science***   * **Pre-class reading/tasks/prep:**   + Garrett, Brandon L., Convicting the Innocent (2011), pages 84-117 (WyoCourses) * **Class:**   + Discussion of Garrett reading   + What does unreliable science look like?   + When is there a misapplication of science?     - Bad, incomplete work on the part of the analyst   + Is it still happening today?   + DOJ/FBI Investigation into Hair Microscopy Testimony   + Bite Mark Evidence   + Shoe Prints   + Fingerprints   + Introduction to NAS 2009 report and PCAST 2016 report   + Reform Efforts—the Houston Forensic Science Center as one good example, but NCFS was decommissioned (as a bad example) |
| **Undergrads only\*\***  **Friday, 9/6/19**  **1-2:20pm**  **RM 182** | ***Introduction to the Undergraduate Version of the Course and Introduction to Flawed Forensics***  **Undergrads: you do NOT need to come to class on 10/24. This class serves to make up for that.** |
| **Tues., 9/10/19**  **3-4:20pm**  **RM 182**  **Class # 5** | 1. ***Flawed Forensics—Invalid Testimony*** 2. ***Flawed Forensics—Ineffective Assistance of Counsel***  * **Pre-class reading/tasks/prep:**   + Garrett & Neufeld, *Invalid Forensic Science Testimony and Wrongful Convictions*, 95 Va. L. Rev. 1 (2009), pp. 1-30 (WyoCourses) (the whole article is posted, ONLY read pp. 1-30)   + *Strickland v. Washington* (WyoCourses) * **Class:**   + Invalid Forensic Testimony   + Ineffective Assistance of Counsel leads to Flawed Forensics, also a leading cause of Wrongful Convictions |
| **Thurs., 9/12/19**  **3-4:20pm**  **RM 182**  **Class # 6** | ***Daubert and Bunting***   * **Pre-class reading/tasks/prep:**   + *Daubert* case (WyoCourses)   + *Bunting* case (WyoCourses) * **Class:**   + The *Daubert* standard/requirements   + The *Bunting* (Wyoming is a “*Daubert* plus” state) |
| **Tues., 9/17/19**  **3-4:20pm**  **RM 182**  **Class # 7** | ***Evidence Rules 701-704***   * **Pre-class reading/tasks/prep:**   + Wyoming Rules of Evidence 701-704, & 403 (WyoCourses)   + *State v. Ortiz* (WyoCourses)   + Due next class, but to get a jump-start: NAS Report, pages number 1-33 (WyoCourses-whole report is on there, ONLY read pp. 1-33)—start reading for lighter load prior to Thurs. * **Class:**   + ERs 701-704, 403 as applied to forensic science/testimony   + *State v. Ortiz*—the low bar that is ER 702 |
| **Thurs., 9/19/19**  **3-4:20pm**  **RM 182**  **Class # 8** | ***NAS and PCAST reports alongside of ER 702, Daubert, and Bunting***   * **Pre-class reading/tasks/prep:**   + NAS Report, pages number 1-33 (WyoCourses-whole report is on there, ONLY read pp. 1-33)   + PCAST Final Report, pp. 1-6 (WyoCourses-whole report is on there, ONLY read pp. 1-6)   + PCAST Report, Addendum (WyoCourses-entire addendum is 9 pages) * **Class:**   + The NAS Report 2009, broke ground   + The PCAST Report 2016, burnt it down   + But, now what? |
| **Tues., 9/24/19**  **3-4:20pm**  **RM 182**  **Class # 9** | ***The Right to Confront Forensic Evidence***   * **Pre-class reading/tasks/prep:**   + *Crawford v. Washington* (WyoCourses)   + *Davis v. Washington* (WyoCourses)   + *Williams v. Illinois* (WyoCourses) * **Class:**   + The “conventional witness” rules of the Confrontation Clause as applied to forensic evidence   **\*\*Undergraduates—take-home quiz 1 dispersed today, due Thursday** |
| **Thurs., 9/26/19**  **3-4:20pm**  **RM 182**  **Class # 10** | ***The Right to Confront Forensic Evidence***   * **Pre-class reading/tasks/prep:**   + McLane, *Confronting the Twenty-First-Century Marian Examination*, pp. 988-1012 (WyoCourses—full article posted here, only need to read pp. 988-1012) * **Class:**   + The “conventional witness” rules of the Confrontation Clause as applied to forensic evidence   **Undergraduates take-home quiz 1 due today!** |
| **Tues., 10/1/19**  **3-4:20pm**  **RM 182**  **Class # 11** | ***7-Step Method to Learning Any Forensic Discipline***  ***The Forensic Disciplines***   * **Pre-class reading/tasks/prep:**   + Hamer, *How to Read a Scientific Paper in 5 Steps* (WyoCourses) * **Class:**   + 7-Step Method to Deconstructing Forensic Science in Class & Beyond   **\*\* Undergraduates take-home quiz 2 dispersed today, due Thursday** |
| **Thurs., 10/3/19**  **3-4:20pm**  **RM 182**  **Class # 12** | ***The Forensic Disciplines***   * **Pre-class reading/tasks/prep:**   + *Latent Fingerprints* (Bailey & McAdam, pp. 97-105) (WyoCourses)   + *Firearms and Toolmarks* (Bailey & McAdam, pp. 107-110) (WyoCourses)   + *Trace Evidence* (Bailey & McAdam, pp. 123-130) (WyoCourses) * **Class:**   + Crash Course—abbreviated total immersion into Fingerprints, Firearms/Toolmarks and Trace Evidence   **\*\*Undergraduates take-home quiz 2 due today!** |
| **Tues., 10/8/19**  **3-4:20pm**  **RM 182**  **Class # 13** | ***The Forensic Disciplines***   * **Pre-class reading/tasks/prep:**   + *Shaken Baby Syndrome*     - *Jackson-Innocence Network Amicus Brief* (WyoCourses)   + *Arson*     - *A Burning Question*, NACDL The Champion article (WyoCourses)     - *Forensic Fire Science Examination*, The Forum (WyoCourses) * **Class:**   + Crash Course—abbreviated total immersion into SBS and Arson |
| **Thurs., 10/10/19**  **3-4:20pm**  **RM 182**  **Class # 14** | ***Overview and Introduction to this Semester’s Focused Areas of Forensic Science—DNA and ABT***   * **Pre-class reading/tasks/prep:**   + *DNA for the Defense Bar*, pp. 3-15 (WyoCourses-whole source posted, but ONLY read pp. 3-15)   + Lauren’s Picture Book on Alcohol Breath Testing (WyoCourses) * **Class:**   + The Basics of DNA   + Review DNA Sample Case   + The Basics of ABT, including LSP review to be added to ABT Sample Case   + Review ABT Sample Case |
| **Fri., 10/11/19**  **1-2:20PM**  **RM 182**  **Makeup class for missed Sept. days above** |  |
| **Tues., 10/15/19**  **3-4:20pm**  **RM 182**  **Class # 15** | ***Introduction to DNA Interpretation, The Basics/Foundation as taught by a real DNA scientist—Guest Speaker, Washington State Patrol DNA Analyst Brittany Wright***  ***\*\*Potential evening presentation for Potter Law Club’s Law Week with Brittany Wright on DNA and Exonerations!***  **Lauren’s mid-term rubric due to you. Will post to WyoCourses.** |
| **Thurs., 10/17/19**  **3-4:20pm**  **RM 182**  **Class # 16** | ***DNA Interpretation, Total Immersion***   * **Pre-class reading/tasks/prep:**   + Review Important Terms for DNA—www.bioforensics.com list (WyoCourses)     - Very brief, so you may want to get a jump-start on reading that is due next Tuesday—that reading is in the Class 17 folder on WyoCourses. Midterm is on next Thursday too, so another reason to knock out Tuesday’s reading earlier! * **Class:**   + Total Immersion into DNA Interpretation   **Lauren’s “ABTs” rubric due to you. Will post to WyoCourses.** |
| **Fri., 10/18/19**  **1-2:20pm**  **RM 182**  **Makeup class for missed Sept. days above** |  |
| **Tues., 10/22/19**  **3-4:20pm**  **RM 182**  **Class # 17** | ***DNA Interpretation/Probabilistic Genotyping, Total Immersion (finish)***   * **Pre-class reading/tasks/prep:**   + The *Fair* trial in the state of Washington—pre-trial motions/pleadings re source code for PG program (WyoCourses) * **Class:**   + Total Immersion into DNA Interpretation and Probabilistic Genotyping   **\*\* Undergraduates take-home quiz 3 dispersed today, due Thursday via email.** |
| **Thurs., 10/24/19**  **3-4:20pm**  **RM 182**  **Class # 18** | ***\*\*MID-TERM (Law Students ONLY. Undergrads made this class up on 9/6/19 and will not be given a mid-term, but take-home quiz 3 is due today by 5pm via email)***   * Full class time is yours for the mid-term * May leave when you are finished   **\*\* Undergraduates take-home quiz 3 is due today via email by 5pm!** |
| **Tues., 10/29/19**  **3-4:20pm**  **RM 182**  **Class # 19** | 1. ***Case Analysis in Forensic Evidence Cases*** 2. ***Advocacy Writing*—training (begin)**  * **Pre-class reading/tasks/prep:**   + McComas reading (WyoCourses)—reading on case analysis * **Class:**   + Case Analysis and Theory Development   + Begin Advocacy Writing (important for your motion assignment)   **Lauren will give you rubric for “ATs” today—will be posted to WyoCourses.** |
| **Thurs., 10/31/19**  **3-4:20pm**  **RM 182**  **Class # 20** | 1. ***Advocacy Writing*—training (finish)** 2. ***Oral Advocacy, Argument*—training**  * **Pre-class reading/tasks/prep:**   + No reading   + Start considering your motion in light of the training on writing * **Class:**   + Finish Advocacy Writing (important for your motion assignment)   + Oral Advocacy training (important for your oral argument) |
| **Tues., 11/5/19**  **3-4:20pm**  **RM 182**  **Class # 21** | ***Alcohol Breath Testing, Total Immersion***   * **Pre-class reading/tasks/prep:**   + **Recommended in this order—**     - Gullberg article (WyoCourses)     - Vosk article (WyoCourses)     - Carpenter article (WyoCourses)     - Schoknecht article (WyoCourses) * **Class:**   + Uncertainty   + The Measurand Problem   + Intro to Bio Factors   + Breath Temperature |
| **Thurs., 11/7/19**  **3-4:20pm**  **RM 182**  **Class # 22** | ***Alcohol Breath Testing, Total Immersion***  ***Guest Speaker—Toxicologist Moss Kent***   * **Pre-class reading/tasks/prep:**   + Prep 2-3 questions for guest speaker Moss Kent   + Work on your due assignments * **Class:**   + Guest speaker, state toxicologist Moss Kent |
| **Tues., 11/12/19**  **3-4:20pm**  **RM 182**  **Class # 23** | ***Alcohol Breath Testing—Guest Speaker, Holli Austin-Belaski, Assist. City & Prosecuting Attorney for the City of Laramie***   * **Pre-class reading/tasks/prep:**   + Prepare 2-3 questions for guest speaker Holli Austin-Belaski   + Work on your due assignments * **Class:**   + Guest speaker, assistant city attorney Holli Austin-Belaski   + Intoximeter EC/IR II machine!   + Portable Breath Test! |
| **Thurs., 11/14/19**  **3-4:20pm**  **RM 182**  **Class # 24** | ***Alcohol Breath Testing, Total Immersion (finish)***   * **Pre-class reading/tasks/prep:**   + Hlastala article (WyoCourses) * **Class:**   + Review of Uncertainty   + Review of Breath Testing   + Exhaled Volume |
| **Tues., 11/19/19**  **3-4:20pm**  **RM 182**  **Class # 25** | 1. ***Interviewing*** 2. ***Trying Your Case in “Chapters”***  * **Pre-class reading/tasks/prep:**   + No reading, work on your due assignments * **Class:**   + How to Interview an Opposing Expert   + Doing it All in “Chapters”   **Lauren will give you transcript of state expert for cross-examination assignment today. Will post on WyoCourses.**  **\*\*Undergraduates last take-home quiz (#4) dispersed today, due Thursday!** |
| **Thurs., 11/21/19**  **3-4:20pm**  **RM 182**  **Class # 26** | ***Cross-Examination of a Forensic Expert***   * **Pre-class reading/tasks/prep:**   + No reading, work on your due assignments that are due Tuesday * **Class:**   + How to Cross-Examine an Opposing Expert   **\*\*Undergraduates last take-home quiz due today!** |
| **Tues., 11/26/19**  **3-4:20pm**  **RM 182**  **Class # 27**  **LAST DAY!** | 1. ***Cross-Examination of a Forensic Expert (complete)*** 2. ***Direct Examination of Your Expert***  * **No reading, finalize your due materials! To be submitted in class today!** * **Class:**   + How to Cross-Examine an Opposing Expert   + How to do a Direct Examination of Your Expert   + Review what is to come during exam weeks—Oral argument and Cross-examination   **DUE:**  [] Case Analysis/Strategy Packet  [] Written Motion  [] Extra Credit Point # 2 (optional) |
| **Dec. 4-Dec 13**  **FREE SLOTS** | **Free slot exam spots for Oral Arguments and Cross-Examinations** |

**Grading/assignments for Undergraduate students is at on the next page………………**

**UNDERGRADUATES: What you are graded on and weight toward final grade— (\*\*Law students, see above for your grading/assignments)**

**Grade percentage ranges for Undegrads (there are no more -/+ on main campus):**

90-100 = A

80-89 = B

70-79 = C

60-69 = D

59 or < = F

**80% of Final Grade—**

**“Abbreviated Trials” for Undergrads—DNA (Prosecution) & ABT (Defense)**

**[] Case Analysis/Strategic plan for DNA and ABT—Written Plan is due last day of class—11/26/19**

* Will do together as partners and submit as a team—one plan
* 20% weight
* Specific directions will be provided

**[] Take-home quizzes (4 total)**

* 20% weight
* Will do as an individual, though you can work as a team
* There will be 4 take-home quizzes on a variety of topics throughout the semester (this is to help you gauge how you are doing in the course)
  + Due dates reflected on syllabus—you generally have from a Tuesday to a Thursday class meeting to submit your quizzes
  + Short answer/essay format and, potentially, some multiple choice

**[] Oral presentation—DNA arguing for admission and ABT arguing for suppression (Presentations Dec. 4-13)**

* 30% weight
* One partner does DNA, the other does ABT; thus, will perform as individual
* Specific directions will be provided

**[] Paper on either ABT or DNA sample cases (your choice), how you would present your case, utilizing scientific concepts, and arguments taught throughout the course. In addition, one section of the paper should be dedicated to a Reform in either ABT or DNA to help avoid flawed science in the discipline you selected—Minimum of singled-sided 8 typed pages (double-spaced) at 12-point Times New Roman font.**

* 30% weight
* Paper to be done either on ABT or DNA perspective, your choice
* Will write as individual
* Specific directions will be provided

**20% of Final Grade—Participation and Attendance**

**Participation and Attendance Rubrics:**

**1-** You were on time for each class (one pass permitted—permitted—I will except university-approved excused absences)

**2-** You did not leave the class early (one pass permitted—I will except university-approved excused absences)

**3-** You came to see me at least one time during office hours (to discuss issues related to the course, assignments, presentations, readings, or something pertaining to forensic evidence)

**4-** You were always prepared when called on during class (one pass, makeup *very next* class)

**5-** You volunteered during class for a discussion at least twice

**6-** When you participated, you clearly contributed to the discussion

**7-** When you participated, you were clearly prepared (not just participating to talk, nonsense)

**8-** You attended at least 75% of the classes (based on # of classes in syllabus. Note: you do not pass if you do not meet this requirement)

(I accept University-approved excused absences for #8.)

**Extra Credit**

* 2 points, will be added to your lowest scored assignment, but NOT to your participation grade
  + Whichever is lowest

1. You attended 95% or more of the classes (based on # of classes listed in the syllabus, excused absences do not count here)
2. You submitted a thoughtful 2-3 paged memo outlining an issued related to forensic science that interests you. You cited to at least 2 credible sources in this memo.
   1. **Due date for Extra Point # 2 is: last day of class—11/26/19**

**Grading Rubric—how Undergrad students will be assessed and graded:**

**What is a Rubric?**

It is a scoring guide for evaluating student performance in a graded course. It consists of certain criteria, serving as a guidepost for the professor as well as a working guide for students.

**Participation Rubric (total of 8 points)—is located above.**

**“Abbreviated Trials” Rubrics:**

Each task for the “Abbreviated Trials” will be graded using a separate rubric. The rubrics for take-home quizzes will be shared at the time you take them home. The rubrics for all other components of the ABTs will be dispersed after 10/24/19.

There will be a rubric for each of the following considered part of your “Abbreviated Trials” assignments: (1) Case analysis/plan, (2) Take-home quizzes, (3) Oral presentation, and (4) Paper.

**END OF SYLLABUS.**