Proposal Date: 2/25/2013

**University College**

**Department of Professional Studies**

**Proposal to Create a New Course**

**(Action Item)**

Contact Person: Julie Shadoan, South Campus, C179, [julie.shadoan@wku.edu](mailto:julie.shadoan@wku.edu), 780-2539

**1. Identification of proposed course:**

* 1. Course prefix (subject area) and number: PLS 350C
  2. Course title: Evidence
  3. Abbreviated course title: Evidence
  4. Credit hours and contact hours: 3
  5. Type of course: Lecture
  6. Pre-requisites/co-requisites: N/A
  7. Course catalog listing: Study and application of rules governing discovery and admission of evidence in state and federal courts and administrative hearings.

**2. Rationale:**

* 1. Reason for developing the proposed course: The reasons for proposing this course are enumerated as follows:

▪The course fulfills WKU’s mission to provide paralegal students with knowledge and skills necessary to become productive members of the legal community.

▪After reviewing the program curriculum, a decision was made upon consultation with the program’s advisory board, to include more skills based courses to adequately prepare students for the workplace and meet the needs of employers.

▪The addition of this course to the existing paralegal studies curriculum is necessary to maintain a competitive edge in state and regional academic markets.

* 1. Projected enrollment in the proposed course: 20 students per offering, including PLS majors and those in the 2+2 program (per PLS/PS Articulation Agreement) based on current program enrollment.
  2. Relationship of the proposed course to courses now offered by the department:

Rules of Evidence are addressed in limited fashion by existing courses, including PLS 190C and PLS 293C. The proposed course will greatly expand the focus on evidentiary issues, requiring in depth analysis and application of procedural and evidentiary rules for purposes of discovery and trial.

* 1. Relationship of the proposed course to courses offered in other departments:

Only one course offered in any other department at WKU addresses evidentiary issues in any form: PS 324, Mock Trial. Again, Rules of Evidence are not the focus of this course, and the course is not intended to prepare legal professionals for the workplace.

* 1. Relationship of the proposed course to courses offered in other institutions:

Some American Bar Association-approved institutions offering certificates and degrees in paralegal/legal studies offer similar courses. A representative but not exhaustive list includes: LST 250, Mock Trial (Murray State University, Kentucky); LAS 350, Evidence to Discovery (Eastern Kentucky University, Kentucky); and CJUS 4530, Principles of Evidence and Proof (University of Memphis, Tennessee).

**3. Discussion of proposed course:**

* 1. Course objectives: Upon successful completion of this course, students should be able to:

▪Understand the relationship between the Rules of Procedure and Rules of Evidence;

▪Identify the Rules of Evidence relating to discovery and admission of evidence;

▪Apply Rules of Evidence to civil and criminal discovery;

▪Utilize Rules of Evidence to prepare pre-trial pleadings, including but not limited to Motions in Limine; and,

▪Perform litigation support relating to evidentiary issues.

* 1. Content outline: Topics to be covered in this course are:

▪Judicial Notice

▪Preservation of Error

▪Avowal

▪Rule of Completeness

▪Burden of Proof

▪Relevancy

▫Generally

▫Character/Rape Victims

▫Prior Bad Acts

▫Habit and Custom

▫Subsequent Remedial Measure

▫Offers of Settlement

▫Criminal Pleas

▫Liability Insurance

▪Witnesses

▪Impeachment and Rehabilitation

▪Opinion Evidence

▫Lay Opinions

▫Expert Opinions

▪Privileges

▫Attorney-Client

▫Physician-Patient

▫Husband-Wife

▪Authentication and Best Evidence Rule

▪Hearsay

▪Special Evidentiary Issues

* 1. Student expectations and requirements: Student performance will be evaluated by various measures, including but not limited to: quizzes and exams, application exercises (in-class and out of class), group projects, and mock trial proceedings.
  2. Tentative texts and course materials:

Robert G. Lawson, *The Kentucky Evidence Law Handbook* (LexisNexis 4th ed. 2003); *2011 Federal Rules of Evidence* (Thomson West 2011); *2011 Kentucky Rules of Evidence* (Thomson West 2011); as well as various online databases including but not limited to Westlaw®, Loislaw®, and LexisNexis®.

**4. Resources:**

* 1. Library resources:

The WKU Law Library, Westlaw (online legal database) subscription access provided by the paralegal program, and free online repositories of law and rules are sufficient library resources for this course. The WKU Law Library resources for this course and the paralegal program generally have been approved by the American Bar Association as part of the program accreditation process.

* 1. Computer resources:

South Campus has three classroom computer labs and one open lab which will provide sufficient tech support for this course.

**5. Budget implications:**

* 1. Proposed method of staffing: New full-time pedagogical faculty hired in July, 2012, will staff this course.
  2. Special equipment needed: N/A.
  3. Expendable materials needed: N/A.
  4. Laboratory materials needed: N/A.

**6. Proposed term for implementation:** Fall 2013

**7. Dates of prior committee approvals:**

Professional Studies Department: February 27, 2013

UC Undergraduate Curriculum Committee March 7, 2013

Undergraduate Curriculum Committee \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

University Senate \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Attachment: Bibliography, Library Resources Form**, **Course Inventory Form**