

LAW 222 – EVIDENCE
George Mason University Scalia Law School
Fall 2026

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Class Meetings: Mondays & Wednesdays, 4:00–5:25 p.m.

Office Hours: Mondays & Wednesdays, 1:00–3:00 p.m. (In Person or Zoom). Additional appointments available by request.

Welcome to Evidence

For nearly two decades, I served as a trial judge in Virginia, including as Chief Judge of the Fairfax County Circuit Court. This course is designed to help you understand not only what the Federal Rules of Evidence say, but how those rules operate in real courtrooms. My goal is that you leave this course able to identify evidentiary issues, make and respond to objections, preserve issues for appeal, and think critically about how judges analyze admissibility questions.

Required Materials

Evidence Under the Rules: Text, Cases, and Problems (10th ed. 2023)

— ISBN 978-1543859089

Courtroom Evidence Handbook, 2026–2027 Student Edition

— ISBN 979-8317704339

Course Objectives

Analyze admissibility; identify objections; apply hearsay rules and exceptions; evaluate character evidence, experts, privileges, authentication, and preservation of error; and develop practical courtroom skills.

Course Methodology

The course combines case analysis, Socratic discussion, practical exercises, and Rulebook Challenges designed to connect doctrine with courtroom practice.

Attendance and Professional Responsibility

Attendance will be taken at each class session. Students are expected to arrive on time, remain for the entirety of class, and come prepared. Students are responsible for all material covered during any class they miss.

Classroom Technology Policy

Email, texting, social media, non-course internet browsing, and unrelated electronic communications are prohibited during class. Laptops and tablets may be used solely for course-related purposes.

Recording Policy

No portion of a class session may be recorded, photographed, livestreamed, screen-captured, or transcribed without express permission of the professor.

Grading

Final Examination: 100%

Detailed Course Schedule

Make-Up Instructional Time: August 26, September 28, and October 14 will be extended by 30 minutes due to no class on September 23.

Date	Topic	Casebook Reading	Courtroom Evidence Handbook Assignment
Aug. 17	Introduction to Evidence	Ch. 1	FRE 101–106, 611, 614, 615, 1101
Aug. 19	Introduction to Evidence: Continued		
Aug. 24	Relevance	pp. 51-92	FRE 401–403,
Aug. 26*	Hearsay Foundations	pp. 109-142	FRE 801, 802
Aug. 31	Admissions by Party Opponent	pp. 188–236	FRE 801(d)(2)
Sept. 2	Present Sense Impression & Excited Utterance	pp. 236–256	FRE 803(1)-(2)
Sept. 9	State of Mind & Medical Diagnosis	pp. 256–292	FRE 803(3)-(4)
Sept. 14	Business Records & Public Records	pp. 292–325	FRE 803(6)-(8)
Sept. 16	Former Testimony	pp. 329–349	FRE 804(b)(1)
Sept. 21	Dying Declarations, Statements Against Interest & Residual Exception	pp. 349–364 374-385	FRE 804(b)(2)-(4), 807
Sept. 23	NO CLASS	—	—

Date	Topic	Casebook Reading	Courtroom Evidence Handbook Assignment
Sept. 28*	Confrontation Clause & Multiple Hearsay	pp. 386–425	Sixth Amendment Materials; FRE 805, 806
Sept. 30	Character Evidence I	pp. 429–461	FRE 404(a), 405
Oct. 5	Character Evidence II & Special Character Rules	pp. 462–503	FRE 404(b), 406, 407–415
Oct. 7	Competency of Witnesses	pp. 505–551	FRE 601–606
Oct. 14*	Impeachment	pp. 553–580 586-588 595-604 614-619 627-640	FRE 607–610
Oct. 19	Opinion & Expert Testimony	pp. 645–662 665-699	FRE 701–706
Oct. 21	Burdens of Proof & Presumptions	pp. 723–769	FRE 301–302
Oct. 26	Judicial Notice	pp. 773–798	FRE 201
Oct. 28	Attorney–Client Privilege & Work Product	pp. 799–803 806-819 824-853	FRE 501–502; privilege materials
Nov. 4	Spousal, Clergy & Psychotherapist Privileges	pp. 854–884	Privilege and waiver materials
Nov. 9	Authentication I	pp. 885–907	FRE 901–902
Nov. 11	Authentication II & Electronic Evidence	pp. 907–924	FRE 903; electronic evidence materials
Nov. 16	Best Evidence Rule	pp. 925–948	FRE 1001–1008
Nov. 18	Course Review	Review	Review All Assigned Rules

* Extended class session (additional 30 minutes)

Important Dates

September 23 – No Class

Fall Break – October 8–12

Election Day – November 3

Thanksgiving Recess – November 23–29

Reading Day – November 30

Final Exam – Monday December 7 at 12pm (In Person)

Final Examination

The final examination will be a comprehensive closed-book examination consisting of short essay questions and multiple-choice questions. Students will analyze factual scenarios involving evidentiary disputes, identify applicable rules, evaluate competing arguments, and explain how a court should rule.

Academic Integrity and University Policies

Students are expected to comply with all George Mason University and Antonin Scalia Law School policies regarding academic integrity, accommodations, Title IX, and other required university policies.