CURRENT DEVELOPMENTS IN AMERICAN LAW:
SCIENTIFIC AND MEDICAL EVIDENCE

SYLLABUS (LAW 609-3)

M/W 4:20-5:40pm (Room 103)

Prof. Jennifer A. Brobst; Office 244, jbrobst@siu.edu, 618-453-8702

COURSE DESCRIPTION AND LEARNING OBJECTIVES: This three hour course will satisfy an elective requirement for both the Health Law and Policy and Litigation and Dispute Resolution specializations. This course will provide law students with a basic understanding of the federal and state rules of evidence and ethical considerations addressing scientific and medical evidence. A particular emphasis will be placed on expert witness testimony and related trial practice skills, but other substantive cutting edge scientific topics anticipating eventual litigation will also be addressed. Students will learn to use scientific and medical evidence in both civil and criminal legal contexts, developing expertise in understanding legal and non-legal standards of reliability and in analogizing precedent in cases of first impression.

REQUIRED TEXTBOOK: None – readings as assigned on syllabus

OFFICE HOURS: Mondays and Wednesdays 10:00am – 11:00am (drop in). Also feel free to contact Paula Hartsock (http://law.siu.edu/our-people/civil-service/hartsock.html) in the Center for Health Law and Policy main office (second floor top of the stairs) if you need assistance with scheduling a meeting.

ATTENDANCE: Students may miss up to a maximum of five (5) classes. Late arrival and early departure from class should be rare and may be counted as an absence based on the professor’s discretion.

CLASS EMAIL AND TWEN: Per the law school regulations, students must regularly check and be responsive to email communications with faculty (see: http://law.siu.edu/_common/documents/rules-code/email-rule-ay14-15.pdf). Students are expected to regularly check the TWEN course page.

GRADED ASSIGNMENTS:

Class Participation (20%) (in class exercise and discussion preparation and performance)

Motion to Exclude Expert Witness/Response to Motion (20%) (divide class by party represented; written 6-8 page motion (10%) and oral argument (10%))

Topic Presentation and Research Summary (20%) (in class presentation (10%) and 5 page narrative research summary on topic of choice (10%))

Final Exam (40%) (open book 2 hour exam, including multiple choice questions and short answer critical analysis essays – anonymously graded).
ADDITIONAL COURSE ADMINISTRATION MATTERS:

**Academic Integrity and Honesty:** Students must adhere to the SIU Student Conduct Code policies prohibiting plagiarism, cheating on examinations, false statements regarding assignment completion and authorship, false assertions regarding attendance, and other forms of dishonesty in academic performance.

**Classroom Decorum:** Criminal law is a course involving difficult and sensitive subject matter. All students and faculty in the course are expected to treat each other and the subject matter with the highest level of professionalism and mutual respect.

**Wellness and Disability Disclosure Statement:** SIU has multiple resources for students with personal needs for support, including legal, mental health, medical, disability, anti-discrimination, and other services (see [http://www.law.siu.edu/about/student-experience/support-services.html](http://www.law.siu.edu/about/student-experience/support-services.html)). Students with disabilities are entitled to reasonable accommodations and academic adjustments (see [http://disabilityservices.siu.edu](http://disabilityservices.siu.edu)). Any student requiring official accommodation because of a disability should contact the Associate Dean’s Office at the law school. All students are welcome to discuss any personal needs or strengths as they relate to the course with the professor, including a need for referrals to resources off campus.

**Class Recordings:** This course will not be recorded. Students may audio record the class without prior approval from the instructor, but redistribution of recordings to others not enrolled in the class or who would not otherwise have access to the recordings is strictly prohibited.

**Emergency Procedures:** Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT’s website at www.bert.siu.edu, Department of Safety’s website www.dps.siu.edu (disaster drop down), and in the Emergency Response Guideline pamphlet. Know how to respond to each type of emergency. Instructors and administrative staff will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.