OBJECTIVES AND COURSE DESCRIPTION

The law of evidence provides the parameters through which facts are determined within the adjudicative process, and thus the manner in which truth is defined for legal purposes. It is on the basis of these facts that findings of liability are made. Counsel require an informed appreciation of the law of evidence, so that they can advise clients with respect to the preservation of evidence in anticipation of litigation and make proper use of that evidence in subsequent proceedings.

The objectives of this course are:

1. To introduce the substantive law of evidence and consider the manner in which it is applied in practice;
2. To identify principles of fairness and conceptualizations of justice underlying the law of evidence; and
3. To explore issues of professional responsibility related to the preservation and use of evidence.

METHODOLOGY

Instruction will be comprised of lectures, skill development exercises, and class discussion.

EXPECTED EVALUATION METHODOLOGY

Students may opt to complete a written assignment worth 25% of their final grade. Otherwise, evaluation will be based solely on the results of their performance in an open book final examination.

May 2018

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1 The information in this document is provided for course registration purposes only and is subject to change. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaas@uvic.ca).