CHAPTER 1

Students should know the following definitions:

1. Evidence: Means of ascertaining the truth in a law suit...Anything presented in a court of law to judge & jury to help them determine the issues
2. Rules of Evidence: Gates through which information flows into our courtrooms. Rules that govern the admissibility of evidence
3. Admissibility: The right of evidence to be usable in court to be heard and considered by the judge & jury
4. Bills of Attainder
5. Ex Post Facto Laws
6. Corruption by Blood Laws
7. Categories of Evidence
   Real/Physical
   Documentary
   Testimonial
   Demonstrative
8. Items of Evidence
   Contraband
   Instrumentality of a Crime
   Fruit of a Crime
   Evidence of a Crime

CHAPTER 2

Students should know the following definitions and concepts:

1. Federalism: Division of power between State governments and the Federal government, in which the Federal government has specified and limited powers delegated to it, with the remaining powers vested in the state governments.
2. Federal Level
   Congress Writes Federal Laws
   Federal Law Enforcement Enforces Them
   Federal Courts Try Them
3. State Level
   State Legislature Writes State laws
   State Law Enforcement Enforces Them
   State Courts Try Them
5. Florida Rules of Evidence: Rules governing the admissibility of evidence in Florida State Courts – written by Florida State Legislature
6. Adversary System: The judicial system in which opposing parties present evidence and an impartial judge or jury weighs the evidence.
7. Inquisitorial System: A judge actively questions the accused and witnesses, etc
8. Trier of Fact
9. Trier of Law
10. Relevant Evidence: (Relevant) Evidence has Probative Value --- tends to prove something about guilt or innocence or the honesty of a witness
11. Reliable Evidence: Evidence that possess a sufficient degree of likelihood that it is true and accurate
12. Competent Evidence: Evidence that is relevant and reliable and not otherwise inadmissible
13. Discovery
14. Brady Material (Exculpatory Evidence)

CHAPTER 3

Students should know the following definitions and concepts:

1. Information
2. Indictment
3. Notice to Appear
4. Citation
5. Petition
6. Pleas: Not Guilty, Guilty, No Contest
7. Plea Bargaining: Negotiations for a defendant to plead guilty to a charge, usually in exchange for a reduced sentence or reduced charges

CHAPTER 4

Students should know the following definitions and concepts:

1. Evidence: Means of establishing the truth in a law suit
2. Proof: The result of evidence – if its proven
3. Burden of Proof: The evidence needed to prove an allegation
4. Burden of Production: Requires a party to produce sufficient evidence to prove their allegations
5. Burden of Persuasion: Requires a party to persuade the trier of fact that an allegation is true
6. Direct Evidence: Evidence that proves or disproves a fact without the need for assumption (Eyewitness)
7. Circumstantial Evidence: Evidence that proves or disproves a fact by assumption
8. Corroborative Evidence: Evidence that adds weight or credibility to a case
9. Cumulative Evidence: Additional evidence of the same kind that proves the same point as evidence already presented

CHAPTER 5

Students should know the following definitions and concepts:

1. Witness: A person with knowledge about a case
2. Requirement of Personal Knowledge - Personal knowledge about the matter before the court
3. Requirement of an oath or affirmation
4. Requirement of competency - Witness' capacity to observe, remember, and narrate and to understand the duty to tell the truth
   Adults presumed, mentally incompetent, intoxicated, children
5. Voir Dire - To speak the truth - preliminary questioning used to determine whether a witness (or juror) is competent or qualified
6. Weight - Strength of the evidence
7. Credibility - Honesty of a witness
   Perception - Opportunity to observe
   Memory - Retain accurate impression
   Narration - Seem to accurately describe
   Demeanor - Conduct while testifying (body language)
8. Right to Compel Attendance of Witnesses
   Subpoena
   Subpoena Duces Tecum
9. Right to Confront - to Cross Examine Witnesses
10. Right to Testify
11. Right to Remain Silent & Not Testify
12. Ordinary Witness - Called to testify about first hand info they have regarding the case - ordinarily limited to what they have seen, heard, etc.
13. Expert Witness - A person with special training, education, or experience, who will assist the court with their expertise
14. Opinion Evidence by Ordinary Witness - On something within general knowledge of witness (intoxication, speed)
15. Direct Examination
16. Cross Examination
17. Re-Direct Examination
CHAPTER 6

Students should know the following definitions:

1. Judicial Notice - Allows courts to accept as true certain facts that do not need to be prove (what laws say, certain terms, etc.)
2. Privilege Against Self Incrimination - No person can be compelled to testify against themselves in a criminal case

Students should know the following list of privileges:

- Attorney-Client
- Husband-Wife
- Psychotherapist-Patient
- Sex Assault Counselor-Victim
- Clergy-Penitent
- Reporter-Source
- Revealing Confidential Informants
- Grand Jury Proceedings

Non-Privileges:

- Physician-Patient
- Parent-Child