

7-1-2001

Table of Contents

Follow this and additional works at: <http://repository.law.miami.edu/umlr>

Recommended Citation

Table of Contents, 55 U. Miami L. Rev. Iss. 4 (2001)

Available at: <http://repository.law.miami.edu/umlr/vol55/iss4/1>

This Prefatory Matter is brought to you for free and open access by Institutional Repository. It has been accepted for inclusion in University of Miami Law Review by an authorized administrator of Institutional Repository. For more information, please contact library@law.miami.edu.

University of Miami Law Review

VOLUME 55

JULY 2001

NUMBER 4

2001 EVIDENCE SYMPOSIUM

INTRODUCTION TO THE EVIDENCE SYMPOSIUM:

THE NEW GENERATION OF REALISTS
IN EVIDENCE LAW*Professor Edward J. Imwinkelried* 527

SECTION I: IS THE FLORIDA SUPREME COURT UP TO THE TASK OF BEING AMERICA'S CRIMINAL EVIDENCE COURT?

HAS FLORIDA WON OR LOST THE BATTLE BY
ELIMINATING SECTION 90.803(4) AS AN
ALTERNATIVE TOOL IN PROSECUTING
CHILD SEXUAL ABUSE?..... *Celina E. Contreras* 533

THROWING THE BABY OUT WITH THE BATHWATER:
WHY CHILD SEXUAL ABUSE ACCOMMODATION SYNDROME
SHOULD BE ALLOWED AS A REHABILITATIVE
TOOL IN THE FLORIDA COURTS*Michael D. Stanger* 561

THE FLORIDA SUPREME COURT VS. THE UNITED STATES
SUPREME COURT: THE FLORIDA DECISION IN *CONNOR*
V. STATE AND THE FEDERAL INTERPRETATION
OF CONFRONTATION AND FEDERAL
RULE OF EVIDENCE 807 *Stacey Schulman* 583

NAVIGATING BETWEEN EXTREMES: THE FLORIDA
SUPREME COURT'S RULINGS ON THE ADMISSION
OF SIMILAR FACT EVIDENCE IN CHILD
SEXUAL ABUSE CASES*George Franklin* 619

WHEN CHILDREN AND THE ELDERLY ARE VICTIMS:
BALANCING THE RIGHTS OF THE ACCUSED AGAINST
THOSE OF THE VICTIM *Professor Charles W. Ehrhardt* 645

RESPONSE *Celina E. Contreras* 661

REPLY TO PROFESSOR EHRHARDT*Michael D. Stanger* 663

REPLY TO PROFESSOR EHRHARDT*George Franklin* 665

SECTION II: EVIDENTIARY ISSUES IN CRIMINAL CASES

HOW MUCH IS TOO MUCH? RULE 704(B) OPINIONS
ON PERSONAL USE VS. INTENT
TO DISTRIBUTE *Dana R. Hassin* 667

A RECIPE FOR CONFUSION: CONGRESS AND THE FEDERAL
RULES OF EVIDENCE *Professor Daniel J. Capra* 691

RESPONSE *Dana R. Hassin* 705

ADMISSIBILITY OF PLEA AGREEMENTS
ON DIRECT EXAMINATION—ARE THERE
ANY LIMITS?..... *James D. Carlson* 707

ADMISSIBILITY OF PLEA AGREEMENTS ON
DIRECT EXAMINATION: THE
LIMITS VANISH..... *Professor Daniel J. Capra* 751

STATEMENTS OF BYSTANDERS TO POLICE OFFICERS
CONTAINING AN ACCUSATION OF CRIMINAL
CONDUCT OFFERED TO EXPLAIN
SUBSEQUENT POLICE CONDUCT..... *Joëlle Hervic* 771

OUT-OF-COURT ACCUSATIONS OFFERED FOR
“BACKGROUND”: A MEASURED RESPONSE
FROM THE FEDERAL COURTS.... *Professor Daniel J. Capra* 803

A REPLY TO PROFESSOR CAPRA *Joëlle Hervic* 819

**SECTION III: ADMISSIBILITY OF REDACTED CONFESSIONS AND
STATEMENTS AGAINST PENAL INTEREST IN STATE AND
FEDERAL COURTS AND THE RELATIONSHIP BETWEEN THEM**

HYPOTHETICAL FACT-PATTERN

CASTING LIGHT ON THE GRAY AREA: AN ANALYSIS OF THE
USE OF NEUTRAL PRONOUNS IN NON-TESTIFYING
CODEFENDANT REDACTED CONFESSION
UNDER *BRUTON*, *RICHARDSON*,
AND *GRAY*..... *Bryant M. Richardson* 826

THE EXCEPTION THAT SWALLOWS THE RULE:
THE DISPARATE TREATMENT OF FEDERAL RULE
OF EVIDENCE 804(b)(3) AS INTERPRETED IN
UNITED STATES V. WILLIAMSON *Richard T. Sahuc* 867

THE FUTURE IMPLICATIONS OF *LILLY*
V. VIRGINIA..... *Jennifer Christianson* 891

| | | |
|---|---|-----|
| TALES OUT OF SCHOOL—SPILLOVER CONFESSIONS AND AGAINST-INTEREST STATEMENTS NAMING OTHERS | <i>Professor Christopher B. Mueller</i> | 929 |
| REBUTTAL | <i>Bryant M. Richardson</i> | 969 |
| A RESPONSE TO PROFESSOR MUELLER . | <i>Jennifer Christianson</i> | 973 |

**SECTION IV: EVIDENCE OF INNOCENCE OFFERED BY THE
CRIMINAL DEFENDANT, NOT SO FAST**

| | | |
|---|---|------|
| ADMISSIBILITY OF POLYGRAPH EVIDENCE AND REPPRESSED MEMORY EVIDENCE WHEN OFFERED BY THE ACCUSED..... | <i>Yvette J. Bessent</i> | 975 |
| PERRY MASON MEETS THE “LEGITIMATE TENDENCY” STANDARD OF ADMISSIBILITY (AND DOESN’T LIKE WHAT HE SEES) | <i>Brett C. Powell</i> | 1023 |
| EXPERT TESTIMONY ON EYEWITNESS IDENTIFICATION: ADMISSIBILITY AND ALTERNATIVES..... | <i>Thomas Dillickrath</i> | 1059 |
| EVIDENCE OF INNOCENCE OFFERED BY THE CRIMINAL DEFENDANT: “NOT SO FAST”; RESPONSE | <i>Professor Kenneth W. Graham, Jr.</i> | 1101 |
| RESPONSE | <i>Yvette J. Bessent</i> | 1119 |
| A RESPONSE TO PROFESSOR GRAHAM | <i>Brett C. Powell</i> | 1123 |
| A RESPONSE TO PROFESSOR GRAHAM | <i>Thomas Dillickrath</i> | 1125 |