

From the Alameda County Public Defender's office\

Objections Cheat Sheet

Generally

Objection	Supporting Authority
Relevance	Evidence Code §§ 210, 350
Unduly prejudicial. The "probative value" of the evidence is "substantially outweighed by the probability that its admission will (a) necessitate undue consumption of time or (b) create substantial danger of undue prejudice, of confusing the issues, or of misleading the jury."	Evidence Code § 352

Jury Selection

Asking the Juror to Prejudge the Evidence	<i>People v. Fowler</i> (1918) 178 Cal. 657, 661
Indoctrinating on the Law or Facts	C.C.P. § 222.5; <i>Rousseau v. West Coast Home Movers</i> (1967) 256 Cal App 2d 878, 882
Testing the Juror's Knowledge of the Law	C.C.P. 222.5; <i>People v. Love</i> (1960) 53 Cal 2d 843, 852.
Mistating the Law	<i>Kelly v. Trans Globe Travel Bureau, Inc.</i> (1976) 60 Cal App 3d 195, 203-204
Question not related to any challenge for cause	C.C.P. § 222.5; <i>People v. Williams</i> (1981) 29 Cal 3d 392, 407.

Opening Statement

Admissibility of Evidence	
Asserted Facts are Unsupported by Evidence	<i>Smith v. Coodell</i> (1980) 100 Cal App 3d 947, 958; <i>Upham Co. v. United States Fed. & Guar.</i> (1922) 59 Cal App. 606, 610
Fact Stated Will Not Be Proven	<i>Hask v. Superior Court</i> (1974) 42 Cal App 3d 108, 121, California Practice Guide: Civil Trials & Evidence, Chap. 6-C 6.44 (2006)
Injecting Inadmissible Material	<i>Hask v. Superior Court</i> (1974) 42 Cal App. 3d 108, 118 California Practice Guide: Civil Trials & Evidence, Chap. 6-C 6.43 (2006)
Violation of Motions in Limine	<i>Hask v. Superior Court</i> (1974) 42 Cal App. 3d 108, 118
Mentioning Settlement Discussions	Evidence Code § 1152
Referring to the Liability of Others	Evidence Code § 350; <i>Naumov v. Bishop</i> (1976) 59 Cal App 3d 451, 476.
Mentioning Wealth or Poverty of Party	Evidence Code § 350; <i>Brakopp v. Ford Motor Co.</i> (1977) 71 Cal App 3d 841, 860.
Misconduct - Generally	Rules of Prof. Conduct, Rule 5-200; <i>People v. Bolton</i> (1979) 23 Cal 3d 208, 214.

Evidentiary Objections Cheat Sheet

John Barkai

A red circular graphic with a gradient, appearing as a stylized arrow or a partial circle, located to the right of the author's name.

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McElhaney's Litigation James W. McElhaney,1995 This guide provides the reader with clear ready to use techniques that will make them a better trial lawyer and sharpen their understanding of the basics serves as a resource for questioning and selecting a jury **Advocacy with Honour** John Harber Phillips,1985 Objections at Trial Myron H. Bright,Ronald L. Carlson,1993 This pocket guide to making and refuting objections to the introduction of particular types of or forms of evidence contains the form of the objections a basic definition and cite to the appropriate federal rule foundations exceptions and any other information relevant or appropriate to making or refuting objections **The Pocket Guide to Common Trial Objections and Evidentiary Foundations** John Barkai,2020-08-07 The Pocket Guide to Common Trial Objections Evidentiary Foundations 6 x 9 was designed to be brought to court and be at your side in the office This guide includes a 15 page section on making and responding to common objections including a list of over 60 common trial objections and over 60 pages on evidentiary foundations and impeachment including 25 examples of foundations for introducing physical electronic hearsay and social media evidence as well as a brief discussion on differing standards for authenticating digital evidence There are also 30 cartoons with original captions on evidence negotiation and ADR to make you smile The author is a former Detroit criminal trial lawyer a full time law professor for 45 years and a professor at the William S Richardson School of Law at the University of Hawaii for 40 years Come visit He has taught evidence since 1981 and has been the Director and now Co Director of the Law School s Clinical Program since 1978 He has been a member of the Hawaii Supreme Court s Standing Committee on the Rules of Evidence since 1993 Federal Rules of Evidence Kent Sinclair,1997 Over 17 000 litigators are using this unique chart are you Order several copies one for each litigator in your office This four page fold out chart a topical summary of the Rules includes a list of 150 possible objections categorised for instant reference and a checklist of the exact steps in proper order for introducing exhibits into evidence Printed on special latex coated paper to withstand heavy use this chart was designed for use as a ready reference in the courtroom Federal Trial Objections Reference Card Sydney A. Beckman,2020-12-07 Make objections with speed and confidence At just four panels this reference card provides a compact guide to an extensive list of objections ranging from hearsay to confrontation clause issues categorized into sections for easy subject reference Sydney Beckman has paired each objection with the supporting rules of evidence or procedure Students and trial attorneys alike will find this card an invaluable reference whether in court as a study guide or as a trial preparation tool *Evidence, Objections, and Exhibits* Roger S. Haydock,John O. Sonsteng,1994 **A Student's Guide to Trial Objections** Charles B. Gibbons,2007 This guide is a quick reference to the various ways in which the courts have translated the text of the Federal Rules of Evidence It is useful for students enrolled in trial practice courses and clinics and is also helpful as an adjunct reference for students taking basic and advanced evidence courses **Objections at Trial** Myron H. Bright,Ronald L. Carlson,Edward J. Imwinkelried,2008 *A Practical Guide to Federal Evidence* Anthony J.

Bocchino, David A. Sonenshein, 2006 **Federal Trial Objections** Charles B. Gibbons, 2007 This pocket sized pamphlet allows the you with a quick take on the alternative objections to admissibility of evidence at trial and the ability to quickly consult the relevant Evidence Rules which are included as an Appendix Presented in an alphabetical arrangement of stated objections together with suggested responses Case oriented author commentary supports each of the 100 objections Publisher s website **Trial Objections** Mark A. Dombroff, 1985 **Georgia Trial Objections Quick Reference Card** Sydney Aaron Beckman, Ronald L. Carlson, 2015 This handy four panel reference card offers the student or trial attorney a quick reference to Georgia trial objections It contains an extensive list of objections ranging from hearsay to confrontation clause issues categorized into sections for easy subject reference Each objection is paired with the supporting Georgia rule of evidence or procedure This card is an invaluable in court reference study guide and trial preparation tool Publisher s website Georgia Objections at Trial D. Victor Reynolds, Myron H. Bright, Ronald L. Carlson, Edward J. Imwinkelried, 2015-05-13 Georgia has recently revamped its entire evidence code closely modeling the Federal Rules of Evidence Despite the fact the majority of states had followed the federal rules Georgia stubbornly clung to its Civil War era evidence code until 2013 This revolutionary change will affect criminal civil and domestic law in number of ways The goal of Georgia Objections at Trial is to provide both judges and attorneys with a quick and handy reference that will help them navigate the new evidence code The book will equip practitioners with the tools to master evidentiary objections under Georgia s new code and will be a functional reference for both the courtroom and the office **Shepard's Quick Reference Guide to Trial Objections** Roger Park, 1993 **Kentucky Rules of Evidence Handbook with Common Objections and Evidentiary Foundations** John Barkai, 2021-05-05 The Kentucky Rules of Evidence Handbook with Common Objections Evidentiary Foundations 6 x 9 was designed to be brought to court and be at your side in the office The added value to this book is a 16 page section on making and responding to common objections including a discussion of the 15 most common objections and a list of 60 common trial objections and over 60 pages on evidentiary foundations and impeachment including 25 examples of foundations for introducing physical electronic hearsay and social media evidence a discussion on differing standards for authenticating digital evidence and sample impeachment transcripts The author is a former Detroit criminal trial lawyer a full time law professor for over 45 years and a professor at the William S Richardson School of Law at the University of Hawaii for over 40 years His students under his supervision at Wayne State and Hawaii have represented real clients in real cases every year he has been teaching He has taught evidence since 1981 and has been the Director and now Co Director of the Law School s Clinical Program since 1978 He has been a member of the Hawaii Supreme Court s Standing Committee on the Rules of Evidence since 1993 For the past 48 years he has taught a criminal clinic in which his students try traffic and minor criminal cases under the state student practice rule *Ohio Rules of Evidence Handbook with Common Objections and Evidentiary Foundations* John Barkai, 2020-08-29 The Ohio Rules of Evidence Handbook 6 x 9 was designed to be brought

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Objections to Evidence E. Gardner Brownlee, 1974 **Evidence** , 2002 Understanding Trial Objections Ryan Stygar, 2019-11-19 Cases are won and lost by the evidence A trial is like a series of battles with each clash deciding what kinds of proof is admitted or excluded Understanding how to get your evidence in while excluding your opponent s evidence is essential to winning a trial Understanding Trial Objections teaches readers the essential skill of excluding opposing counsel s evidence Equally important is the ability to overcome an objection and get evidence admitted Ryan Stygar teaches readers a methodical triage system for overcoming 31 unique evidentiary objections This easy to use book is essential for law students and practicing attorneys alike

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