

OBJECTIONS

TYPES OF OBJECTIONS

1. FORM OF THE QUESTION (leading, compound, argumentative, calls for a narrative, etc.)
2. QUESTION CALLS FOR INADMISSIBLE EVIDENCE (relevancy, hearsay, prejudicial, etc.)
3. THE ANSWER (volunteering, hearsay, etc.)
4. IMPROPER CONDUCT (marking up opponent's exhibit, displaying an exhibit before received in evidence, etc.)

TYPES OF OBJECTIONS

5. IMPROPER EXHIBIT (lack of foundation, hearsay, etc.)
6. IMPROPER ARGUMENT (voir dire, openings, closings)
7. EVERYTHING ELSE

RULES FOR OBJECTING

- 1. HAVE A REASON FOR OBJECTING
 - A. Don't object unless you are being hurt
 - B. Other reasons for objecting:
 - 1) Preserve the record for appeal
 - 2) Break up a narrative
 - 3) Force the offering of favorable evidence (106)
- 2. WILL OBJECTING MAKE IT WORSE
- 3. WILL THE OBJECTION BE SUSTAINED
- 4. CAN YOU AVOID MAKING THE OBJECTION IN FRONT OF THE JURY

MAKING OBJECTIONS

- 1. TIMELY
- 2. STAND
- 3. STATE "OBJECTION"
- 4. GIVE A BRIEF STATEMENT OF GROUNDS
- 5. REQUEST PERMISSION TO APPROACH IF REQUIRES EXPLANATION
- 6. ADDRESS THE JUDGE
- 7. SOUND CONFIDENT
- 8. BE ALERT
- 9. CONTINUING OBJECTIONS—Requires court consent

MAKING OBJECTIONS

- 9. IF TO FORM, DON'T ARGUE
- 10. MOTIONS IN LIMINE

RESPONDING

1. REQUEST PERMISSION TO APPROACH & ARGUE
2. WAIT FOR RULING
3. MAKE CONDITIONAL OFFER
4. MAKE AN OFFER OF PROOF
5. IF OVERRULED, ASK AGAIN

PRESERVING ERROR

- Objection Sustained
 - Specify purpose for which evidence is being offered and reasons for admission
 - Make an offer of proof
- Objection Overuled
 - Make a timely objection
 - Specific grounds
 - Correct grounds
 - Ruling

OBJECTIONS TO FORM OF QUESTION

- Leading
- Argumentative
- Ambiguous/Unintelligible
- Compound
- Calls for a Narrative/Too Broad
- Asked and Answered
- Misquotes the Witness or Prior Answer

- Assumes Facts Not in Evidence

**OBJECTIONS TO SUBSTANCE
OF QUESTIONS & ANSWERS**

- Relevancy
- Incompetent
- Hearsay
- Inadmissible Opinion
- Inadmissible Conclusion
- Speculation
- Foundation

- Improper Impeachment
- Improper Rehabilitation
- Cumulative
- Best Evidence Rule/Document Speaks for Itself
- Privileged
- Prejudice
