CHAPTER 1. ROLE OF ATTORNEY

- § 1:1 Attorney and trial of case
- § 1:2 Right to counsel
- § 1:3 Right to competent counsel
- § 1:5 Waiver of right to counsel
- § 1:6 Right to consult with attorney and others
- § 1:7 General conduct of attorney
- § 1:8 Contempt by attorney
- § 1:9 Discipline of attorney for improper conduct
- § 1:10 Withdrawal of counsel

CHAPTER 2. CONDUCT OF TRIAL

- § 2:1 Conduct of trial, generally
- § 2:2 Presence of parties and counsel
- § 2:5 Substitution of judges
- § 2:6 General conduct of judge
- § 2:7 Recusal of judge
- § 2:8 Demeanor of judge
- § 2:9 Duty to preserve order
- § 2:10 Exclusion of public
- § 2:12 Judge's control of examination of witnesses
- § 2:13 Limiting number of witnesses
- § 2:14 Ruling on admissibility of evidence
- § 2:15 Motion in limine
- § 2:20 Control of proceedings by pretrial order
- § 2:22 Law applicable to cases arising outside Pennsylvania
- § 2:24 Judge as trier of facts
- § 2:25 Affirmative defenses in civil trials
- § 2:26 Vehicle Code cases, in general [New]
- § 2:27 Declaratory judgment [New]
- § 2:28 Adoption and child custody cases [New]
- § 2:29 Civil procedure, in general [New]

CHAPTER 3. MOTIONS DURING TRIAL, DEFAULT AND DISMISSAL

- § 3:1 Motions during trial, in general
- § 3:2 Continuances
- § 3:3 Voluntary dismissal
- § 3:5 Involuntary dismissal
- § 3:6 Non prosequitur
- § 3:7 Default judgment
- § 3:8 Summary judgment

- § 3:9 Preliminary proceedings
- § 3:10 Judgment on the pleadings [New]
- § 3:11 Limitation of actions [New]

CHAPTER 4. CRIMINAL TRIALS

- § 4:1 Criminal procedure, in general
- § 4:2 Double jeopardy
- § 4:4 Physical control of defendant during trial
- § 4:5 Defenses in criminal cases
- § 4:6 Entrapment as defense
- § 4:7 Insanity as defense
- § 4:8 Duress as defense
- § 4:9 Intoxication or drugged condition as defense
- § 4:10 Use of justifiable force
- § 4:11 Improper conduct of prosecution
- § 4:12 Juvenile court proceedings
- § 4:13 Joint or separate trials of codefendants
- § 4:14 Guilty pleas
- § 4:15 Sentence and punishment
- § 4:16 Post-conviction relief [New]
- § 4:17 Diminished capacity as defense [New]
- § 4:18 Heat of passion as defense [New]
- § 4:19 Accomplice liability [New]
- § 4:20 Grand jury proceedings [New]

CHAPTER 5. CONTEMPT OF COURT

§ 5:6 Punishment for contempt

CHAPTER 6. SELECTION OF JURY

- § 6:1 Right to fair and impartial jury
- § 6:5 Discrimination because of sex, race, etc.
- § 6:6 Conduct of voir dire examination
- § 6:7 Hypothetical questions
- § 6:8 Questioning of jurors, generally
- § 6:10 Selection of alternate jurors
- § 6:11 Number of peremptory challenges—Civil
- § 6:12 Number of peremptory challenges—Criminal
- § 6:15 Grounds for challenge for cause—Cases
- § 6:18 Passing upon challenges for cause

CHAPTER 7. OPENING STATEMENT

§ 7:2 Content of opening statement

CHAPTER 8. ORDER OF PROOF

- § 8:3 Rebuttal testimony
- § 8:5 Right to introduce testimony at later stage

CHAPTER 9. BURDEN OF PROOF

§ 9:1 Burden of proof and burden of going forward

- § 9:2 Prima facie case
- § 9:3 Civil cases, generally
- § 9:4 Sufficiency of evidence to satisfy burden in particular cases
- § 9:5 Claims against estates
- § 9:6 Shifting of burden of proof
- § 9:8 Burden of proving fraud
- § 9:10 Tax exemption
- § 9:11 Criminal cases, generally
- § 9:12 Self-defense
- § 9:13 Insanity defense
- § 9:14 Corpus delicti
- § 9:15 Accused's competency
- § 9:16 Alibi
- § 9:17 Conspiracy
- § 9:18 Identity of accused
- § 9:19 Burden on defendant in criminal cases
- § 9:20 Party having burden of proof in civil cases
- § 9:21 Burden on defendant in civil cases
- § 9:23 Causation [New]

CHAPTER 10. PROOF OF FACTS

- § 10:1 Situations where proof is excused before trial
- § 10:3 Methods of proving facts
- § 10:4 Use of stipulations to excuse proof of facts
- § 10:5 Construction and enforcement of stipulations

CHAPTER 11. WITNESSES

- § 11:1 Compelling attendance of witnesses
- § 11:6 Influencing or harassing a witness
- § 11:13 Giving testimony on television, radio, or motion picture

CHAPTER 12. IMPEACHMENT OF WITNESSES

- § 12:1 Impeachment of witnesses, generally
- § 12:2 Impeachment by otherwise inadmissible evidence
- § 12:3 Impeachment of expert witness
- § 12:4 Impeachment on collateral issues
- § 12:6 Credibility of witnesses, generally
- § 12:7 Particular matters affecting credibility
- § 12:8 Expert testimony as to credibility of witness

CHAPTER 13. COMPETENCY OF WITNESS TO TESTIFY

- § 13:1 Competency of witness, in general
- § 13:2 Time for objecting to competency
- § 13:4 Competency of child to testify
- § 13:5 Competency of spouse to testify for or against other spouse
- § 13:6 Competency of judge, juror, or attorney to testify
- § 13:7 Competency of atheist, deaf mute, or incompetent, to testify

- § 13:8 Competency of accomplice as witness
- § 13:12 Competency of experts
- § 13:13 Competency of a mentally disabled adult to testify

CHAPTER 14. DEAD MAN'S ACT

§ 14:6 When incompetent witness may testify

CHAPTER 15. EXAMINATION OF WITNESSES

- § 15:3 Relevancy of questions asked on direct examination
- § 15:5 Relevance of conduct of party shortly before accident
- § 15:8 Improper conduct of counsel in examining witnesses
- § 15:13 Testimony that tends to incriminate witness
- § 15:15 Extent of privilege against self-incrimination
- § 15:16 Invoking privilege against self-incrimination
- § 15:18 Ruling upon existence of privilege against self-incrimination
- § 15:19 When privilege against self-incrimination is lost
- § 15:21 Calling an adverse party or person as witness
- § 15:24 Witness' firsthand knowledge
- § 15:26 Right to confront witnesses

CHAPTER 16. CROSS-EXAMINATION

- § 16:1 Right to cross-examine witnesses
- § 16:3 Scope of cross-examination
- § 16:5 Additional matters proper on cross-examination
- § 16:6 Manner of conducting cross-examination
- § 16:8 Use of prosecution's evidence by defense
- § 16:10 Use of testimony before grand jury to impeach witness
- § 16:12 Impeachment by proof of prior conviction
- § 16:15 Effect of denial of right to cross-examine

CHAPTER 17. REDIRECT AND RECROSS-EXAMINATION

- § 17:2 Form and content of questions on redirect examination
- § 17:5 Rehabilitating a witness
- § 17:8 Rebuttal evidence

CHAPTER 18. PRIVILEGED COMMUNICATIONS

- § 18:1 Nature of privileged communications
- § 18:2 Communications between husband and wife
- § 18:3 Requirements for privilege to exist between husband and wife
- § 18:5 Claiming and waiving privilege
- § 18:6 Privileged communications between attorney and client
- § 18:7 Existence of attorney and client relationship
- § 18:8 Confidential nature of communication
- § 18:9 Claiming and waiving attorney-client privilege
- § 18:10 Termination of attorney-client privilege

- § 18:11 Existence of physician-patient privilege
- § 18:15 Privileged communications to news reporters
- § 18:16 Other privileges

CHAPTER 19. JUDICIAL NOTICE

- § 19:1 Proof excused if fact is judicially noticed
- § 19:6 Other facts judicially noticed
- § 19:7 Facts not judicially noticed

CHAPTER 20. PRESUMPTIONS

- § 20:1 Nature of presumptions
- § 20:2 Irrebuttable presumptions
- § 20:3 Rebuttable presumptions
- § 20:4 Inferences
- § 20:6 Res ipsa loquitur
- § 20:10 Presumptions arising from conduct of a party
- § 20:11 Presumption of delivery of letter
- § 20:13 Presumptions about individuals
- § 20:15 Presumptions of continuance of a condition
- § 20:16 Presumptions about gifts and services
- § 20:17 Presumptions in tort cases
- § 20:18 Other presumptions created by law

CHAPTER 21. REAL AND DEMONSTRATIVE EVIDENCE

- § 21:2 Tangible articles having some bearing on transaction in question
- § 21:4 Laying foundation for real evidence
- § 21:5 Admissibility of photographs
- § 21:6 Admissibility of motion pictures
- § 21:8 Admissibility of sound recordings in evidence
- § 21:9 Admissibility of maps, drawings, diagrams, and displays

CHAPTER 23. DOCUMENTARY EVIDENCE

- § 23:1 General requirements relating to documentary evidence
- § 23:11 Authentication of records of counties and municipalities
- § 23:13 The best evidence rule
- § 23:30 Authentication of electronic communications [New]

CHAPTER 24. OPINION EVIDENCE

- § 24:3 Admissibility of opinions, in general
- § 24:5 Opinions on ultimate issue in negligence cases
- § 24:7 When opinion on ultimate issue is admissible
- § 24:8 Other limitations on opinion evidence
- § 24:9 Non-expert opinion, in general
- § 24:11 Opinion as to speed
- § 24:15 Non-expert opinion on value of real estate
- § 24:17 Matters as to which expert witness may or must testify
- § 24:18 Factual basis on which an expert's opinion may be based

- § 24:19 Qualifications required of expert witness
- § 24:20 Opinions of physicians
- § 24:22 Expert testimony on how incident occurred
- § 24:24 Expert testimony on value of real estate
- § 24:28 Expert testimony on ballistics
- § 24:30 Experiments and demonstrations
- § 24:31 Tests for intoxication
- § 24:33 Miscellaneous scientific tests
- § 24:34 Contents of the hypothetical question

CHAPTER 25. HEARSAY EVIDENCE

- § 25:1 Admissibility of hearsay evidence
- § 25:2 Definition of hearsay evidence
- § 25:3 Inapplicability of the hearsay rule to certain situations
- § 25:4 Exceptions to the hearsay rule, generally
- § 25:5 State of mind
- § 25:7 General hearsay exception
- § 25:8 Hearsay statements by co-conspirators
- § 25:9 Testimony by experts
- § 25:12 Testimony at former trial
- § 25:13 Establishing the right to use testimony from former trial
- § 25:16 Present memory refreshed
- § 25:18 Business records
- § 25:19 Requirements for admission of business records
- § 25:20 Official records, generally
- § 25:21 Police reports
- § 25:22 Hospital records
- § 25:23 Doctor's reports and scientific records
- § 25:31 Res gestae
- § 25:32 Spontaneous declarations
- § 25:33 Examples of admissible spontaneous declarations
- § 25:34 Excited utterances
- § 25:35 Present sense impressions
- § 25:38 Declarations against interest

CHAPTER 26. ADMISSIONS

- § 26:1 Admissions by a party opponent
- § 26:2 Declarations by criminal defendant
- § 26:6 Judicial admissions
- § 26:7 Judicial admissions in pleadings

CHAPTER 27. CONFESSIONS

- § 27:3 Protection of constitutional rights in obtaining confession
- § 27:4 The voluntariness of confession
- § 27:5 Determining admissibility of confession
- § 27:7 Confessions by others

CHAPTER 28. ILLEGALLY OBTAINED EVIDENCE

§ 28:1 Illegally obtained evidence, in general

TABLE OF CONTENTS

§ 28:2 Evidence obtained by eavesdropping § 28:3 Tape recordings § 28:4 Prohibition against illegal searches and seizures § 28:5 Motion to suppress evidence illegally seized § 28:6 Standing necessary to invoke privilege against unlawful search and seizure Search and seizure without warrant § 28:7 § 28:8 Search without warrant but with consent Search of automobile without warrant § 28:9 § 28:10 Search and seizure with warrant § 28:11 Arrest and search based upon informant's tip § 28:12 Self-incriminatory evidence given under compulsion § 28:14 Return of seized property

CHAPTER 29. ADMISSIBILITY OF OTHER TYPES OF EVIDENCE

Admissibility of circumstantial evidence § 29:1 § 29:2 Circumstantial evidence of criminal intent § 29:3 Evidence that will prejudice jury § 29:5 Admissibility of evidence on collateral issues § 29:6 Admissibility of evidence of similar acts or occurrences § 29:9 Laws and regulations § 29:11 Proof of intoxication § 29:14 Proof of time and speed § 29:17 Evidence of character (reputation) in criminal cases § 29:18 Method of proving character in criminal cases § 29:19 Character of victim of assault or homicide § 29:20 Evidence regarding victim of sexual offenses § 29:23 Evidence of other crimes § 29:25 Evidence of liability insurance § 29:26 Use of discovery depositions Self-serving declarations § 29:27 § 29:28 Physical and mental examination of parties and others § 29:29 Scientific tests § 29:31 Polygraph examinations

CHAPTER 30. OBJECTIONS TO EVIDENCE

§ 30:3 The timeliness of objection

§ 29:34 Proof of corporate existence

§ 29:35 Parol evidence

§ 30:6 Motion to exclude inadmissible evidence

CHAPTER 31. MISTRIAL

- § 31:1 The nature of a mistrial
- § 31:2 Right to have mistrial declared
- § 31:3 Grounds for declaring mistrial
- § 31:5 Disclosure of liability insurance
- § 31:6 Discharge for inability of jury to arrive at verdict
- § 31:7 Insufficient grounds for declaring a mistrial

CHAPTER 32. DIRECTED VERDICT

- § 32:1 Right of court to direct verdict
- § 32:3 Determining right to directed verdict
- § 32:6 Negligence and contributory negligence as questions of law or

CHAPTER 33. DAMAGES

- § 33:1 General principles relating to damages
- § 33:5 Speculative, remote or consequential damages
- § 33:6 Duty to lessen damages
- § 33:7 Liability for exemplary or punitive damages
- § 33:8 Amount of exemplary damages
- § 33:10 Instructions on damages in personal injury cases
- § 33:11 Damages to personal property
- § 33:12 Damages in wrongful death cases
- § 33:14 Damages in libel and slander cases
- § 33:15 Damages in malpractice cases
- § 33:16 Damages in breach of contract cases
- § 33:17 Excessive or inadequate damages
- § 33:18 Interest
- § 33:19 Attorney's fees
- § 33:21 Comparative negligence
- § 33:22 Injuries to real property
- § 33:24 The collateral source rule
- § 33:25 Delay damages
- § 33:26 Joint tortfeasors
- § 33:27 Damages in eminent domain cases [New]
- § 33:28 Damages in unfair trade practices and consumer protection law cases [New]
- § 33:29 Damages in employment discrimination cases [New]
- § 33:30 Antitrust and trade regulation [New]

CHAPTER 34. CLOSING ARGUMENTS

- § 34:1 Right to make closing argument
- § 34:2 Court's control of closing arguments
- § 34:3 Right to open and close arguments
- § 34:4 General rules governing closing arguments
- § 34:7 Comments on conduct of opposition
- § 34:9 Improper remarks in criminal cases
- § 34:10 Improper remarks in civil cases
- § 34:13 Correcting improper conduct of counsel

CHAPTER 35. INSTRUCTIONS

- § 35:2 General requirements for jury instructions
- § 35:3 Power and duty of court
- § 35:4 Writing out requests for instructions
- § 35:8 Objections to instructions
- § 35:10 Cautionary instructions
- § 35:11 Instructions on the issues
- § 35:14 Other rules applicable to instructions

- § 35:15 Special rules relating to instructions in criminal cases
- § 35:16 Correcting erroneous instructions
- § 35:17 Disposition of instructions

CHAPTER 36. CONDUCT OF JURY

- § 36:1 General conduct of jury and those dealing with it
- § 36:2 Conduct of jurors during trial
- § 36:3 Communications with jurors before and during trial
- § 36:4 Jurors reading newspaper accounts of trial
- § 36:6 Items taken by jury to jury room
- § 36:7 Control of jury during deliberations
- § 36:9 Rules governing arrival at a verdict
- § 36:10 Communications with jury during deliberations
- § 36:11 Eavesdropping on deliberations
- § 36:12 Improper conduct of jurors
- § 36:13 Treatment of improper conduct of jurors

CHAPTER 37. VERDICT

- § 37:1 General provisions relating to verdicts
- § 37:2 Objections to form of verdict
- § 37:3 Revising or amending verdicts
- § 37:5 Construction of general verdicts
- § 37:6 Special verdicts
- § 37:8 Impeachment by matters extrinsic to verdict

CHAPTER 38. JUDGMENT

- § 38:1 Entry of judgment in civil cases
- § 38:3 Effect of entry of judgment
- § 38:5 Inclusion of interest in judgment
- § 38:6 Allowance of court costs
- § 38:7 Arrest of judgment and judgment notwithstanding verdict
- § 38:9 Res judicata and collateral estoppel
- § 38:10 Amendment of judgment
- § 38:11 Other doctrines of preclusion [New]

Table of Laws and Rules

Table of Cases

Index