

# Summary of Contents

## Volume 1

### CIVIL

- Chapter 1. Evidence and Procedure in Federal Courts, Generally
- Chapter 2. The Relationship Between Federal and State Judicial Systems
- Chapter 3. State Law in Federal Courts
- Chapter 4. Conflict of Laws
- Chapter 5. Discovery
- Chapter 6. Summary Judgment
- Chapter 7. Patent Cases
- Chapter 8. Section 1983 Claims
- Chapter 9. Other Legal Civil Actions in Federal District Courts
- Chapter 10. The Conduct of the Trial
- Chapter 11. The Conduct of the Judge
- Chapter 12. The Conduct of the Attorney
- Chapter 13. Motions During Trial, Default, and Dismissal
- Chapter 14. Continuances
- Chapter 15. Trial by the Court
- Chapter 16. Trial Before a Master
- Chapter 17. Trial Before a Magistrate Judge
- Chapter 18. The Province of Court and Jury
- Chapter 19. Contempt of Court
- Chapter 20. The Jury Trial
- Chapter 21. Challenging a Juror for Cause
- Chapter 22. The Conduct of the Jury During the Trial
- Chapter 23. Opening Statements
- Chapter 24. Order of Proof
- Chapter 25. The Burden of Proof and Burden of Proving
- Chapter 26. Proof of Facts
- Chapter 27. The Use of Stipulations
- Chapter 28. Subpoenas Ad Testificandum and Duces Tecum

- Chapter 29. Witnesses
- Chapter 30. The Competency of Witnesses to Testify
- Chapter 31. The Admissibility of Evidence
- Chapter 32. Eminent Domain
- Chapter 33. Objections to Evidence
- Chapter 34. The Admission of Evidence
- Chapter 35. Circumstantial Evidence
- Chapter 36. The Direct Examination of Witnesses
- Chapter 37. Assisting the Witness with Memoranda
- Chapter 38. The Privilege Against Self-Incrimination
- Chapter 39. The Impeachment of Witnesses
- Chapter 40. Cross-Examining a Witness
- Chapter 41. Using a Prior Inconsistent Statement to Impeach a Witness
- Chapter 42. Prior Convictions to Impeach Witness
- Chapter 43. Redirect and Recross-Examination
- Chapter 44. Privileged Communications and Information
- Chapter 45. Judicial Notice
- Chapter 46. Presumptions
- Chapter 47. Real and Demonstrative Evidence
- Chapter 48. Photographs, Motion Pictures, etc.
- Chapter 49. The View
- Chapter 50. Documentary Evidence
- Chapter 51. The Best-Evidence Rule

## Volume 2

### **CIVIL (CONTINUED)**

- Chapter 52. Opinion Evidence, in General
- Chapter 53. Nonexpert Opinion Evidence
- Chapter 54. Expert Testimony and Opinion Evidence
- Chapter 55. Valuation of Real Estate
- Chapter 56. Proof of Handwriting
- Chapter 57. Experiments, Demonstrations, and Tests
- Chapter 58. Medical Testimony
- Chapter 59. Hearsay Evidence
- Chapter 60. Hearsay Exceptions, Generally

## SUMMARY OF CONTENTS

- Chapter 61. Hearsay Exceptions; Availability of Declarant Immaterial
  - Chapter 62. Hearsay Exceptions: Declarants Unavailable
  - Chapter 63. Testimony at Former Trial or Proceeding
  - Chapter 64. Business Entries, Records, and Reports
  - Chapter 65. Admissions by a Party Opponent
  - Chapter 66. Inferences Based upon Conduct of a Party
  - Chapter 67. Evidence of Reputation and Character
  - Chapter 68. Parol and Extrinsic Evidence
  - Chapter 69. The Use of Depositions at the Trial
  - Chapter 70. Evidence that Tends to Show Due Care or Lack of Care
  - Chapter 71. Mistrial
  - Chapter 72. Judgment as a matter of law
  - Chapter 73. Damages
  - Chapter 74. Damages in Particular Kinds of Cases
  - Chapter 75. The Recovery of Attorney's Fees—Sanctions Against Parties and Attorneys
  - Chapter 76. Closing Arguments
  - Chapter 77. Jury Instructions
  - Chapter 78. The Jury's Deliberations
  - Chapter 79. The Verdict
  - Chapter 80. The Judgment in Civil Cases
- Table of Laws and Rules**
- Table of Cases**
- Index**

# Summary of Contents

## Volume 1

### **CRIMINAL**

- Chapter 1. Pretrial Criminal Trial Proceedings
- Chapter 2. The Conduct of the Trial
- Chapter 3. The Conduct of the Judge
- Chapter 4. The Conduct of the Attorney
- Chapter 5. Publicity Before and During Trial
- Chapter 6. Motions During Trial, Default, and Dismissal
- Chapter 7. Continuances
- Chapter 8. Trial by the Court
- Chapter 9. Trial Before a Magistrate Judge
- Chapter 10. The Province of Court and Jury
- Chapter 11. Rights and Obligations of Defendant
- Chapter 12. Defenses in Criminal Cases
- Chapter 13. Conduct of the Prosecution
- Chapter 14. Contempt of Court
- Chapter 15. The Jury Trial
- Chapter 16. Challenging a Juror for Cause
- Chapter 17. The Conduct of the Jury During the Trial
- Chapter 18. Opening Statements
- Chapter 19. Order of Proof
- Chapter 20. The Burden of Proof and of Proving
- Chapter 21. Proving the Identity of the Accused
- Chapter 22. Proof of Facts
- Chapter 23. The Use of Stipulations
- Chapter 24. Witnesses
- Chapter 25. The Competency of Witnesses
- Chapter 26. Compelling Production of Documents
- Chapter 27. The Right to Confront Witnesses
- Chapter 28. The Admissibility of Evidence

- Chapter 29. Illegally Obtained Evidence, Wiretapping, and Confessions
- Chapter 30. The *Miranda* Rights
- Chapter 31. Admissions, Presumptions, and Inferences About the Accused
- Chapter 32. Proof of Other Bad Acts by the Accused
- Chapter 33. The Prohibition Against Illegal Searches and Seizures
- Chapter 34. The Suppression of Illegally Seized Evidence
- Chapter 35. Search Warrant Procedure
- Chapter 36. Search and Seizure Without a Warrant
- Chapter 37. Search Without Warrant and with Consent
- Chapter 38. Citizen-Police Encounters

## Volume 2

### **CRIMINAL (CONTINUED)**

- Chapter 39. Objections to Evidence
- Chapter 40. The Admission of Evidence
- Chapter 41. Circumstantial Evidence
- Chapter 42. The Direct Examination of Witnesses
- Chapter 43. Assisting the Witness with Memoranda
- Chapter 44. The Privilege Against Self-Incrimination
- Chapter 45. The Impeachment of Witnesses
- Chapter 46. Cross-Examining a Witness
- Chapter 47. Using a Prior Inconsistent Statement to Impeach a Witness
- Chapter 48. Prior Convictions to Impeach Witness
- Chapter 49. Redirect and Recross-Examination
- Chapter 50. Privileged Communications and Information
- Chapter 51. Judicial Notice
- Chapter 52. Presumptions
- Chapter 53. Real and Demonstrative Evidence
- Chapter 54. Photographs, Motion Pictures, Etc.
- Chapter 55. The View
- Chapter 56. Documentary Evidence
- Chapter 57. The Best Evidence Rule
- Chapter 58. Opinion Evidence, Generally
- Chapter 59. Nonexpert Opinion Evidence
- Chapter 60. Expert Testimony and Opinion Evidence

## SUMMARY OF CONTENTS

- Chapter 61. Proof of Handwriting
- Chapter 62. Experiments, Demonstrations, and Tests
- Chapter 63. Medical Testimony
- Chapter 64. Hearsay Evidence
- Chapter 65. Hearsay Exceptions: Generally
- Chapter 66. Hearsay Exceptions: Availability of Declarant Immaterial
- Chapter 67. Hearsay Exceptions: Declarants Unavailable
- Chapter 68. Testimony at Former Trial or Proceeding
- Chapter 69. Business Entries, Records, and Reports
- Chapter 70. Evidence of Reputation and Character
- Chapter 71. The Use of Depositions at the Trial
- Chapter 72. Mistrial
- Chapter 73. Judgment of Acquittal
- Chapter 74. Closing Arguments
- Chapter 75. General Jury Instruction Principles
- Chapter 76. The Jury's Deliberations
- Chapter 77. The Verdict
- Chapter 78. Judgment, Sentence, and Posttrial Proceedings

### **Table of Laws and Rules**

### **Table of Cases**

### **Index**