

Summary of Contents

Volume 1

- Chapter 1. Preliminary Matters
- Chapter 2. Judicial Notice
- Chapter 3. Burdens of Proof in Civil Cases: General Principles
- Chapter 4. Inferences and Presumptions: General Principles
- Chapter 5. Burdens and Presumptions in Criminal Cases
- Chapter 6. Presumption Relating to Official Conduct
- Chapter 7. Burdens and Presumptions Relating to Family

Volume 2

- Chapter 8. Burdens, Presumptions, and Inferences Relating to Wills and Intrafamily Transfers
- Chapter 9. Burdens, Presumptions, and Inferences Relating to Negligence
- Chapter 10. Miscellaneous Matters: Burdens, Presumptions, and Inferences
- Chapter 11. Relevance and Its Counterweights
- Chapter 12. Similar Happenings
- Chapter 13. Other Applications of General Relevance Principles

Volume 3

- Chapter 14. Character Evidence: Background and

Overview

- Chapter 15. Character as “Essential Element” of Crime, Claim or Defense
- Chapter 16. Permissible Uses of “Propensity Inference” Evidence
- Chapter 17. Admissibility of Evidence of Other Acts Independent of the “Propensity Inference”
- Chapter 18. Habit; Routine Practice
- Chapter 19. Evidence Relating to a Sex Offense Complainant’s Past Sexual Behavior

Volume 4

- Chapter 20. Evidence of A Sex Offense Defendant’s Prior Sexual Misconduct
- Chapter 21. Subsequent Remedial Measures
- Chapter 22. Compromises and Offers to Compromise; Payment and Offers to Pay Medical and Related Expenses
- Chapter 23. Statements Relating to Plea Bargaining
- Chapter 24. Defining Hearsay
- Chapter 25. Hearsay and the Sixth Amendment Confrontation Clause *[Deleted]*
- Chapter 25A. The New (Old?) Sixth Amendment Confrontation Clause
- Chapter 26. Prior Statement by Witness
- Chapter 27. Admissions
- Chapter 28. Spontaneous Statements
- Chapter 29. The “State of Mind” Exception
- Chapter 30. Statements for Purposes of Medical Diagnosis or Treatments
- Chapter 31. Special Exceptions in Sexual Assault and Child Abuse Cases

SUMMARY OF CONTENTS

Volume 5

- Chapter 32. Refreshing Memory; Recorded Recollection
- Chapter 33. Records of Regularly Conducted Activity
(The “Business Record” Exception to the
Hearsay Rule)
- Chapter 34. Public Records
- Chapter 34A. Lab and Forensic Reports: The
Confrontation Clause
- Chapter 35. Miscellaneous “Declarant Availability
Immaterial” Exceptions
- Chapter 36. The “Declarant Unavailable” Exceptions
- Chapter 37. The “Residual Exception” to the Hearsay
Rule
- Chapter 38. Miscellaneous Hearsay Issues

Volume 6

- Chapter 39. Lay Witness Opinion: General Principles
- Chapter 40. Subjects of Lay Witness Opinion
- Chapter 41. Expert Witness Testimony in Civil Cases:
An Overview
- Chapter 42. Expert Witnesses: A Civil Practitioner’s
Primer
 - Appendix 42A. Sample Notice of Deposition Duces
Tecum of the Expert and Exhibit
Specifying Documents
- Chapter 43. Fed. R. Evid. 702 and Expert Testimony
- Chapter 44. Fed. R. Evid. 702, *Daubert*, and Its Progeny
- Chapter 45. State 702 Equivalents: *Daubert* or *Frye*
Standard
- Chapter 46. Fed. R. Evid. 703: Bases of an Expert’s
Opinion Testimony
- Chapter 47. Fed. R. Evid. 704(a): Opinion on Ultimate
Issue (Civil)
- Chapter 48. Fed. R. Evid. 705

- Chapter 49. Fed. R. Evid. 706: Court-Appointed Expert Witnesses
- Chapter 50. Civil Expert Disclosures and Expert Discovery: Fed. R. Civ. P. 26(a)(2) and 26(b)(4)
- Chapter 51. Expert Witnesses in Civil Cases: General Subjects of Testimony
- Chapter 52. Expert Witnesses and Medicine, Medical Malpractice, and Toxicology

Volume 7

- Chapter 53. Expert Witness Testimony Regarding Damages
- Chapter 54. Expert Testimony and Discovery in Criminal Cases
- Chapter 55. Expert Testimony Relating to Mental State as an Element of a Crime, Cause of Action, or Defense
- Chapter 56. Expert Testimony Relating to Witness and Declarant Credibility
- Chapter 57. Expert Testimony Relating to Child Abuse Complainants, Victims, and Defendants
- Chapter 58. Polygraph and Other Technology-Based Evidence of Truthfulness or Its Opposite
- Chapter 59. Expert Testimony Relating to Fingerprints, Palm Prints, Bare Footprints, and the Like
- Chapter 60. DNA Evidence
- Chapter 61. Expert Testimony Relating to Eyewitness Identification
- Chapter 62. Other Expert Testimony Issues Relating Primarily to Criminal Trials