

Table of Contents

CHAPTER 1. GENERAL PROVISIONS

- § 1:1 Introduction
- § 1:2 Scope of the Rules of Evidence
- § 1:3 When exclusionary rules do not apply
- § 1:4 Effect of erroneous admission of evidence—Objection
- § 1:5 Effect of erroneous exclusion of evidence—Proffer
- § 1:6 Limited admissibility of evidence
- § 1:7 General abolition of disqualification and privileges of witnesses and exclusionary rules
- § 1:8 Preliminary inquiry by judge
- § 1:9 Laying a foundation for admissibility
- § 1:10 Offering physical evidence
- § 1:11 Demonstrative evidence
- § 1:12 Making a proffer
- § 1:13 Objections for the record
- § 1:14 Motion in limine
- § 1:15 Presumptions
- § 1:16 Definitions

CHAPTER 2. COMPETENCY AND QUALIFICATION OF WITNESS

- § 2:1 Competency generally
- § 2:2 Inability to express self or tell the truth
- § 2:3 Witness lacks personal knowledge
- § 2:4 Qualified as an expert
- § 2:5 Hypnosis affecting competency

CHAPTER 3. IMPEACHMENT AND REHABILITATION

- § 3:1 General rule affecting admissibility
- § 3:2 Limitations affecting credibility
- § 3:3 Rehabilitation

CHAPTER 4. PRIVILEGES

- § 4:1 General rules
- § 4:2 Waiver of privilege
- § 4:3 Reference to exercise of privilege
- § 4:4 Disallowing claim
- § 4:5 Privileged communications

- § 4:6 Privileges relating to an accused
- § 4:7 Privilege against self-incrimination
- § 4:8 Privilege not to disclose
- § 4:9 Privilege checklist—Who may claim

CHAPTER 5. RELEVANCY AND EXTRINSIC POLICIES AFFECTING ADMISSIBILITY

- § 5:1 Discretion to exclude relevant evidence
- § 5:2 Character trait in issue or circumstantial
- § 5:3 Care or skill
- § 5:4 Habit or custom to prove specific behavior
- § 5:5 Evidence of previous sexual conduct of complaining witness
- § 5:6 Other crimes or civil wrongs
- § 5:7 Other policies affecting admissibility
- § 5:8 Privileges related to mediations
- § 5:9 Evidence to test verdict or indictment
- § 5:10 Testimony by judge
- § 5:11 Testimony by juror

CHAPTER 6. OPINION TESTIMONY

- § 6:1 Lay witness
- § 6:2 Expert witness
- § 6:3 General rule

CHAPTER 7. HEARSAY

I. GENERAL RULES

- § 7:1 Hearsay
- § 7:2 Unavailability of witness

II. EXCEPTIONS TO HEARSAY

- § 7:3 Previous statement of person present
- § 7:4 Affidavits
- § 7:5 Depositions and prior testimony
- § 7:6 Contemporaneous statements
- § 7:7 Dying declarations
- § 7:8 Confessions
- § 7:9 Admissions
- § 7:10 Declarations against interest
- § 7:11 Voters statement
- § 7:12 Physical or mental condition of declarant

TABLE OF CONTENTS

- § 7:13 Business entries and the like
- § 7:14 Official records
- § 7:15 Judgments (in civil actions only)
- § 7:16 Family history
- § 7:17 Reputation as to character
- § 7:18 Recitals in documents affecting property
- § 7:19 Commercial lists and the like
- § 7:20 Learned treatises
- § 7:21 Actions involving children
- § 7:22 Motor vehicle certificate

III. MISCELLANEOUS

- § 7:23 Discretion to admit copies
- § 7:24 Credibility of declarant
- § 7:25 Multiple hearsay
- § 7:26 Past recollection recorded
- § 7:27 Refresh recollection

CHAPTER 8. AUTHENTICATION AND IDENTIFICATION AND CONTENTS OF WRITINGS

- § 8:1 Authentication and identification and contents of writings
- § 8:2 Authentication of copies of records
- § 8:3 Documentary originals
- § 8:4 Parol evidence

CHAPTER 9. METHOD AND SCOPE OF EXAMINATION

I. CONTROL BY COURT

- § 9:1 Scope of examination

II. SPECIFIC OBJECTIONS

- § 9:2 Ambiguous, compounded or vague
- § 9:3 Argumentative
- § 9:4 Assumes facts not in evidence
- § 9:5 Cross-examination outside of scope of direct
- § 9:6 Cumulative
- § 9:7 Irrelevant
- § 9:8 Leading and suggestive
- § 9:9 Misquotes the witness or the evidence

- § 9:10 Calls for narrative answer
- § 9:11 Not responsive
- § 9:12 Past recollection recorded
- § 9:13 Refresh memory
- § 9:14 Repetitious—Asked and answered
- § 9:15 Speculation

III. SPECIAL PROBLEMS

- § 9:16 Chain of custody
- § 9:17 Experiments and tests

CHAPTER 10. JUDICIAL NOTICE

- § 10:1 Judicial notice generally
- § 10:2 Determination of judicial notice
- § 10:3 Mandatory judicial notice
- § 10:4 Permissive judicial notice
- § 10:5 Instructing the jury
- § 10:6 Subsequent proceedings—Taking judicial notice

APPENDIX

Appendix Kansas Rules of Evidence

Table of Laws and Rules

Table of Cases