

Index

ACCIDENT

See index heading **MISTAKE OR ACCIDENT**

ACCIDENTOLOGISTS

Accident reconstruction experts, **R.702**

ACCOUNTANT-CLIENT PRIVILEGE

Generally, **R.501**

ACCUSED

Character evidence, **R.404**

ACTS

Character evidence, **R.404**
Remainder of or Related Statements, **R.106**

ACTS OF CONGRESS

Self-authentication, **R.902**

ADJUDICATIVE FACTS

Judicial notice, **R.201**

ADMIRALTY

Federal jurisdiction, **R.1101**

ADMISSIBILITY OF EVIDENCE

Admissibility, generally, **R.104**
Bases of opinion testimony by experts, **R.703**
Character and conduct of witness, **R.608**
Character evidence. See index heading **CHARACTER EVIDENCE**
Compromise and offers to compromise, **R.408**
Condemnation, **R.702**
Duplicates admissible, **R.1003**
Favored, **R.101**
Functions of court and jury, **R.1008**
Hearsay exception, **R.803**
Hearsay rule, **R.802**
Liability insurance, **R.411**

ADMISSIBILITY OF EVIDENCE

—Cont'd

Limited, **R.103, R.105**
Mode and order of interrogation, **R.611**
Opinion on ultimate issue, **R.704**
Other evidence of contents, **R.1004**
Payment of expenses, **R.409**
Plea of guilty or nolo contendere or offer of plea of guilt or nolo contendere, **R.410**
Preliminary questions, **R.104**
Prior statements by witness, **R.613**
Public records, **R.1005**
Rape cases, **R.412**
Relevant. See index heading **RELEVANCY**
Religious beliefs, **R.610**
Remainder of or Related Statements, **R.106**
Requirement of original, **R.1002**
Rulings, **R.103**
Self-authentication, **R.902**
Subsequent remedial measures, **R.407**
Summaries, **R.1006**
Using voiceprints, **R.702**

ADMISSION

Party-opponent, **R.801**
Subsequent remedial measures, **R.407**
Testimony or written, or party, **R.1007**

AFFIRMATIONS

Interpreter, **R.604**
Required of witness, **R.603**

AGENCY

Liability insurance, **R.411**
Review of agency action, **R.1101**
Rule 801(d)(2) amendment, agency relationship, **R.801**

AIRLINE ACCIDENT

Subsequent remedial measures,
exclusion of, **R.407**

AMENDMENTS

Federal Rules of Evidence, **R.1102**
Rule 407, **R.407**

ANCIENT DOCUMENTS

Authentication, **R.901**
Statements in, **R.803**

ANNULMENT

Evidence of conviction inadmissible,
R.609

APPLICABILITY OF RULES

Generally, **R.1101**

APPOINTMENT

Court-appointed experts, **R.706**

ATTORNEY-CLIENT PRIVILEGE

Generally, **R.501**
Limitations on waiver, **R.502**

AUTHENTICATION

Admissibility of duplicates, **R.1003**
Requirements of, **R.901**
Self. See index heading SELF-
AUTHENTICATION
Subscribing witness testimony unnec-
essary, **R.903**

BAIL

Federal jurisdictional rule, **R.1101**

BANKRUPTCY

Federal jurisdiction, **R.1101**
1987 Amendment, bankruptcy judges
are added to conform this rule
with Rule 1101(b) and Bank-
ruptcy Rule 9017, **R.101**

BAPTISMAL CERTIFICATES

Hearsay exception, **R.803**

BEST EVIDENCE RULE

Collision with non-disclosure rule,
R.705
Hearsay exception, **R.803**

BIRTH DEFECTS

Epidemiologist's affidavit errone-
ously excluded, **R.702**

**BLOOD TESTS FOR
IDENTIFICATION OF
PATERNITY**

Admissibility, **R.702**

BOUNDARIES

Reputation concerning, or general
history, **R.803**

BURDEN OF PROOF

Preliminary questions, **R.104**
Presumptions, **R.301**

BUSINESS RECORDS

See index heading HEARSAY

CERTIFICATION

Hearsay exception regardless of
declarant's availability, **R.803**

CERTIFIED COPIES

Public records, **R.902**

CHARACTER

Habit, routine contrasted, **R.406**
Methods of proving, **R.405**
Opinion and reputation evidence,
R.608
Reputation as to, **R.803**

CHARACTER EVIDENCE

Accused, **R.404**
Generally, **R.404**
Not admissible to prove conduct,
R.404
"Pertinent", **R.406**
Proper form, **R.405**
Purposes other than to show an act in
conformity therewith, **R.405**
Situations in which evidence is
admissible, **R.404**
Victim, **R.404**
Witness, **R.608, R.609**

"CHARACTER IN ISSUE"

Habit, routine practice, **R.406**

CHARACTER WITNESS

Generally, **R.406**

INDEX

CLERGYMEN

Communications to, privilege, **R.501**

COAST GUARD REPORTS

Relevancy, admissibility, **R.402**

COMMERCIAL PAPER

Self-authentication, **R.902**

COMMERCIAL PUBLICATIONS

Hearsay exception, **R.803**

COMPANY INTERNAL MEMORANDUM

Privilege, **R.501**

COMPENSATION

Expert witnesses, **R.706**

COMPETENCY

General rule, **R.601**

Judge, as witness, **R.605**

Juror as witness, **R.606**

COMPLETENESS

Remainder of or Related Statements,
R.106

COMPROMISE AND OFFERS TO COMPROMISE

Inadmissible, **R.408**

CONCLUSIVE PRESUMPTION

Civil acts and proceedings, **R.301**

CONDEMNATION

Admissibility, **R.702**

CONDITIONAL RELEVANCY

Generally, **R.401**

CONDUCT

Character evidence not admissible,
R.404

Compromise negotiations, **R.408**

Conduct of witnesses, **R.608, R.609**

Habit, routine practice, **R.406**

Nonverbal, as statement, **R.801**

Specific instances of, methods of
proving character, **R.405, R.609**

CONFERENCES

Pretrial, expert, **R.706**

CONFESSIONS

Admissibility, **R.104**

CONFLICT OF LAWS PROBLEMS

Privilege, **R.501**

CONFRONTATION

Generally, **R.103**

Authentication, **R.902**

Expert testimony, **R.702, R.703**

Hearsay, **R.801 et seq.**

Impeachment, **R.607-609**

Judicial notice, **R.201**

Similar crimes evidence, **R.412**

CONFUSION

Exclusion of relevant evidence,
R.403

CONSPIRACY

Hearsay, **R.801**

Preliminary questions, **R.104**

CONSTITUTION

Hearsay and, **R.801**

CONSTITUTIONAL CONSIDERATIONS

Relevant evidence, **R.402**

CONSTITUTIONAL ERROR

Rulings on evidence, **R.103**

CONSTITUTIONAL PRINCIPLES

Expert testimony, **R.702**

CONSTITUTIONAL PRIVILEGES

Miscellaneous, **R.501**

CONSTITUTIONAL VALIDITY

Particular criminal presumptions,
R.301

CONTEMPT, CRIMINAL

Generally, **R.1101**

CONTRADICTION

Impeachment of witness
distinguished, **R.607**

CONVERSATIONS

Remainder of or Related Statements,
R.106

CONVICTIONS

- Crime, impeachment by evidence of, **R.609**
- Judgment of previous, **R.803**

CORPORATE REPRESENTATIVES

- Witnesses, sequestration rule, **R.615**

COSTS

- Experts, **R.706**

COUNSEL

- Right to, **R.702**

COURT

- See also index headings JUDGES; JURY
- Applicability of rules, **R.1101**
- Calling and interrogation of witnesses by, **R.614**
- Control of mode and order of interrogation presentation, **R.611**
- Disclosure of facts or data underlying expert opinion, **R.705**
- Experts appointed by, **R.706**
- Functions of, **R.1008**
- Role in privilege, **R.501**
- Rulings on evidence, **R.103**
- Writing used to refresh memory, **R.612**

COVERAGE

- Experts, **R.706**

CRIMES AND CRIMINAL CONVICTIONS

- See also index headings CONVICTIONS; IMPEACHMENT
- Other, character evidence, **R.404**

CRIMINAL PROCEDURE

- Federal jurisdictional rule, **R.1101**

CRIMINAL SUMMONSES

- Federal jurisdictional rule, **R.1101**

CROSS-EXAMINATION

- Bases of opinion testimony of expert, **R.703**
- Character witnesses, **R.405**
- Credibility of declarant, **R.806**
- Disclosure of facts or data underlying expert opinion, **R.705**
- Expert, **R.706**

CROSS-EXAMINATION—Cont'd

- Hearsay exception, declarant unavailable, **R.804**
- Impeachment by evidence of conviction of crime, **R.609**
- Methods of proving character, **R.405**
- Preliminary questions, **R.104**
- Prior statement by witness, **R.801**
- Scope of, **R.611**
- Specific instances of conduct of witness, **R.608**
- Treatises, **R.803**
- Witness, **R.611**
- Witnesses called by court, **R.614**
- Writing used to refresh memory, **R.612**

DANGEROUS CONDITION

- Proving, as permissible “other purposes”, **R.407**

DATA COMPILATIONS

- Authentication, **R.901**

DEATH

- Privilege to withhold if life is threatened, **R.501**
- Statement under belief of impending, hearsay exception, **R.804**

DECLARANTS

- Attacking and supporting credibility of, **R.806**
- Defined, **R.801**
- Hearsay exception, availability or unavailability of declarant, **R.803, R.804**

DECLARATIONS

- Dying, interrelationship of rules, **R.803, R.804**

DEFECTIVE PRODUCTS OR DESIGN

- Rule 407 amendment to prohibit admissibility of subsequent remedial measures to show recognition of product defect or design, **R.407**

DELETED RULES

- Generally, **R.507**

INDEX

DEPO-PROVERA

Birth defects, epidemiologist's affidavit erroneously excluded, **R.702**

DEPORTATION

Federal jurisdictional rule, **R.1101**

DEPOSITIONS

Examination at, **R.611**

Experts, **R.706**

Form of proceeding, **R.101**

Prior statement by witness, **R.801**

Subsequent remedial measures, **R.407**

DISCLOSURE

Expert witness's court appointment, **R.706**

Facts underlying expert opinion, **R.705**

DISCOVERY

Ban on insurance evidence, **R.411**

Compulsory physical examination, **R.706**

Matters useful for impeachment, **R.613**

DISCRETION

Judicial notice, **R.201**

DOCUMENTS

Self-authentication, **R.902**

DUPLICATES

Admissibility of, **R.1003**

Writing, defined, **R.1001**

DYING DECLARATIONS

Hearsay exception, **R.803, R.804**

ECONOMIC EXPERT

Testimony, **R.702**

ELECTRONIC EAVESDROPPING

Privilege, **R.501**

EMOTIONAL CONDITION

Then existing, hearsay exception, **R.803**

EMPLOYER-STENOGRAPHER PRIVILEGE

Generally, **R.501**

EMPLOYMENT RECORDS

PRIVILEGE

Generally, **R.501**

EMPLOYMENT RELATIONSHIP

Rule 801(d)(2) amendment, *Bourjaily v. United States*, **R.801**

ENTRAPMENT

(PREDISPOSITION)

Character evidence, **R.404**

Criminal defense, **R.404, R.405, R.406**

EPIDEMIOLOGIST

Erroneous exclusion of affidavit, **R.702**

ERROR

Effect of erroneous ruling, **R.103**

Epidemiologist's affidavit erroneously excluded, **R.702**

EVIDENTIARY PRINCIPLES

Expert testimony, **R.702**

EXAMINATION

See also index heading CROSS-EXAMINATION

Calling and interrogation of witnesses by court, **R.614**

Compulsory physicals, by expert, **R.706**

Mode and order of, **R.611**

Scope, **R.101**

Witness concerning prior statement, **R.613**

EXCITED UTTERANCES

Hearsay exception, **R.803**

EXCLUDED EVIDENCE

Airline's remedial measures following accident, **R.407**

Compromise and offers to compromise, **R.408**

Defined, **R.801**

Habit, routine practice, **R.406**

Hearsay exception, availability or unavailability of declarant, **R.803, R.804**

Impeachment by evidence of conviction, **R.609**

EXCLUDED EVIDENCE—Cont'd

- Liability insurance, **R.411**
- Payment of medical and similar expenses, **R.409**
- Preliminary questions, **R.104**
- Relevant evidence, **R.402**
- Relevant evidence on grounds of prejudice, confusion or waste of time, **R.403**
- Rulings on, **R.103**
- Scope, **R.101**
- Subsequent measures not required, **R.407**

EXCLUSION

- Witnesses from other witnesses' presence, **R.615**

EXPENSES

- Payment of medical and similar, inadmissible, **R.409**

EXPERT PRIVILEGE

- Generally, **R.501**

EXPERTS

- Appellate review of who is an expert, **R.702**
- Authentication, comparison by, **R.901**
- Bases of opinion, **R.703**
- Court-appointed, **R.706**
- Disclosure of facts or data underlying opinion, **R.705**
- Epidemiologist's affidavit, erroneous exclusion, **R.702**
- Exclusion of witnesses from the courtroom, **R.615**
- Exclusion of witnesses, trial access, **R.615**
- Impeachment, **R.706 R.803**
- Interpreter as, **R.604**
- Lack of personal knowledge, **R.602**
- Opinion on ultimate issue, **R.704**
- Opinion or other testimony, **R.702**
- Parties' own selection of, **R.706**
- Selecting, **R.706**
- Sufficiency of affidavit for summary judgment, **R.702**
- Trial judge's discretion, **R.702**
- Who is a qualified expert, **R.702**

EXPRESS ADMISSIONS

- Ban on insurance evidence, **R.411**

EXTRADITION PROCEEDINGS

- Federal jurisdictional rule, **R.1101**

EYEWITNESS

- Absence requirement in habit evidence, **R.406**
- Authentication or identification of document, **R.901**
- Empirical and scientific analysis of soundness of identification, **R.702**

FACTS

- Adjudicative, judicial notice, **R.201**
- Relevancy conditional on, **R.104**

FAIRNESS

- Exclusion of evidence, **R.403**
- Purpose and construction, **R.102**
- Remainder of or Related Statements, **R.106**

FAMILY HISTORY

- Judgment as to, **R.803**
- Reputation, **R.803**

FAMILY RECORDS

- Hearsay, **R.803**

FEDERAL RULES OF CIVIL PROCEDURE

- Hearsay, **R.802**

FEDERAL RULES OF EVIDENCE

- Amendments to, **R.1102**
- Privileges, **R.501**
- Title, **R.1103**

FOREIGN LAW

- Method of invoking, **R.201**

FOREIGN RECORDS

- Self-authentication of certified records of regularly conducted activity, **R.902**

FORFEITURE

- Hearsay, party forfeits right to object to statements made by unavailable witness if party procures unavailability by deliberate

INDEX

FORFEITURE—Cont'd

wrongdoing or acquiescence
(Rule 804(b)(6)), **R.804**

GENERAL RULE

Competency, **R.601**
Evidence, **R.501**
Privilege, **R.501**

GOVERNMENT INFORMANTS

Privilege for, **R.501**

GOVERNMENT SECRETS

Privilege for, **R.501**

GRAND JURY

Applicability of rules, **R.1101**
Privilege, **R.501**

GUILTY PLEAS

Admissibility, **R.410**

HABITS AND ROUTINES

Relevant evidence, **R.406**

HANDWRITING

Non-expert opinion on, **R.901**

HEARINGS

Jury, preliminary questions, **R.104**
Jury, rulings of evidence, **R.103**
Opportunity, judicial notice, **R.201**

HEARSAY AND HEARSAY RULE

Admissibility, **R.802**
Agency relationship, **R.801**
Attacking and supporting credibility
of declarant, **R.806**
“Catchall” or “residual clause”
exception formerly in Rules
803(24) and 804(b)(5), **R.807**
Co-conspirator exemption, **R.104(a)**
Declaration against interest, **R.104**
Defined, **R.801**
Employment relationship, **R.801**
Exceptions
availability of declarant imma-
terial, **R.803**
declarant unavailable, **R.804**
“Government records” exceptions to,
R.803
defenses against, **R.803**
double, **R.803**

HEARSAY AND HEARSAY RULE —Cont'd

Within hearsay not excluded, **R.805**
Impeachment, **R.607, R.613**
declarant, impeachment of, **R.806**
Interrelationship of rules, **R.803,**
R.804
Lack of personal knowledge, **R.602**
Misconduct principle, **R.804**
Prior inconsistent statements, **R.613**
Relation to non-expert opinion rule,
R.701
“Residual clause” or “catchall”
exception formerly in Rules
803(24) and 804(b)(5), **R.807**
Rule 801(d)(2) amendment, *Bourjaily*
v. United States, **R.801**
Rule 804(b)(6) amendment, party
forfeits right to object to state-
ments made by unavailable wit-
ness if party procures unavail-
ability by deliberate wrongdoing
or acquiescence, **R.804**
Subsequent remedial measures,
R.407

HOSTILE WITNESSES

Mode and order of interrogation,
R.611

HUSBAND-WIFE PRIVILEGE

Generally, **R.501**

HYPOTHETICAL QUESTIONS

Disclosure of facts of data underlying
expert opinion, **R.705**
Expert testimony, **R.703**

IDENTIFICATION

Jury identification risk, **R.614**
Persons in photos, use of experts,
R.702
Prior statements, **R.801**
Requirement of, **R.901**

IDENTITY

Admissibility, **R.404**
Character evidence, **R.404**

IMPEACHMENT

Ban on insurance evidence, **R.411**
Character of witness, **R.608**

IMPEACHMENT—Cont'd

- Discovery of matters useful for, **R.613**
- Evidence of conviction of crime, **R.609**
- Expert, **R.706, R.803**
- Hearsay, **R.607, R.613**
- Hearsay declarant, **R.806**
- Religious beliefs or opinions, **R.610**
- Subsequent remedial measures, **R.407**
- Time limit, **R.609**
- Use of prior inconsistent statements, **R.801**
- Who may impeach, **R.607**

IMPENDING DEATH

- Statement under belief of, hearsay exception, **R.804**

INDICTMENT

- Inquiry into validity of, and juror as witness, **R.606**

INFORMANTS

- Privilege for government, **R.501**

INSEVERABILITY

- Ban on insurance evidence, **R.411**

INSTRUCTIONS

- Experts, **R.706**
- Judicial notice, **R.201**
- Limited admissibility, instructions on, **R.105**

INSURANCE

- Impeachment, **R.411**
- Lack of, ban on evidence, **R.411**

INTENT

- Admissibility, **R.404**
- Character evidence, **R.404**

INTERPRETERS

- Qualifications, **R.604**

INTERROGATION

- See also index headings CROSS-EXAMINATION; EXAMINATION
- Calling and, of witnesses by court, **R.614**
- Mode and order of, **R.611**

INTOXICATION TESTS

- Admissibility, **R.702**

JOURNALISM PRIVILEGE

- Generally, **R.501**

JUDGES

- See also index heading COURTS
- Applicability of rules, **R.1101**
- Competency as witnesses, **R.605**
- Proposed, **R.105**

JUDGMENT

- Personal, family or general history or boundaries, **R.803**
- Previous conviction, **R.803**

JUDICIAL NOTICE

- Adjudicative facts, **R.201**
- Distant or contemporary historical facts, **R.201**
- Jurisdictional facts, **R.201**

JURISDICTION

- Generally, **R.1101**

JURISDICTIONAL FACTS

- Judicial notice, **R.201**

JURORS

- Competency as witnesses, **R.606**

JURY

- See also index headings HEARINGS; INSTRUCTIONS
- Disclosure of court-appointed experts, **R.706**
- Exclusion of relevant evidence, **R.403**
- Functions of, **R.1008**
- Identification risk, **R.614**
- Limited admissibility, **R.105**

JUVENILE ADJUDICATIONS

- Use to impeach, **R.609**

KNOWLEDGE

- Admissibility, **R.404**
- Character evidence, **R.404**
- Opinion testimony and firsthand, **R.701**

LAW

- Judicial notice, **R.201**

INDEX

LAY WITNESSES

Opinion testimony by, **R.701**

LEADING QUESTIONS

Generally, **R.611**

LEGISLATIVE FACTS

Examples, **R.201**

LEGISLATORS PRIVILEGE

State, **R.501**

LEGISLATURES

Role in privilege, **R.501**

LIABILITY

Insurance, admissibility, **R.411**

Payment of expenses inadmissible to prove, **R.409**

LIE DETECTORS

Admissibility, **R.702**

LIFE THREATENED

Privilege to withhold if, **R.501**

LIMITED ADMISSIBILITY

Evidence, **R.103, R.105**

MANDATORY JUDICIAL NOTICE

Generally, **R.201**

MANDATORY PRESUMPTIONS

Civil actions and proceedings, **R.301**

MARKET REPORTS

Hearsay exception, **R.803**

MARRIAGE CERTIFICATES

Hearsay exception, **R.803**

MATERIALS FOR EXPERTS

Generally, **R.706**

MEDICAL DIAGNOSIS OR TREATMENT

Statements for purposes of, hearsay exception, **R.803**

MEDICAL EXPENSES

Payment of, inadmissible, **R.409**

MEDICAL INTRUSIONS

Privilege, **R.501**

MEDICAL PRIVILEGES

Generally, **R.501**

MEMORY

Then existing mental, emotional, or physical condition, **R.803**

Unavailability of declarant, **R.804**

Writing used to refresh, **R.612**

MENTAL CONDITION

Then existing, hearsay exception, **R.803**

METHODS OF PROVING CHARACTER

Relevant evidence, **R.405**

MIRANDA CASE

Generally, **R.501**

MISCONDUCT

Hearsay, party forfeits right to object to statements made by unavailable witness if party procures unavailability by deliberate wrongdoing or acquiescence, **R.804**

MISTAKE OR ACCIDENT

Absence of, as relevant evidence, **R.404**

Character evidence, **R.404**

MOTIVE

Admissibility, **R.404**

Ban on insurance evidence, **R.411**

Character evidence, **R.404**

NATURALIZATION PROCEEDINGS

Federal jurisdictional rule, **R.1101**

NEGLIGENCE

Liability insurance, **R.411**

Subsequent remedial measures, **R.407**

NEWSPAPERS

Self-authentication, **R.902**

NOLO CONTENDERE PLEAS

Generally, **R.410, R.803**

NON-ADJUDICATIVE FACT

Judicial notice, **R.201**

NON-DELIVERY

Evidence of introduced, **R.301**

No evidence of, **R.301**

NON-EVIDENCE FACTS

Defined, **R.201**

NOTICE

Judicial, **R.201**

OATHS

Admissibility of pleas or offers of
pleas and related statements,
R.410

Interpreter, **R.604**

Prior statement by witness, **R.801**

Witnesses, **R.603**

OBJECTIONS

Calling witnesses by the court, **R.614**

In limine, **R.103**

Ruling on evidence, **R.103**

OBSERVATIONS

Firsthand, expert opinions, **R.703**

OFFER AND RULING

Record of, **R.103**

OFFER OF PROOF

Ruling on evidence, **R.103**

OFFERS OF COMPROMISE

Inadmissible, **R.408**

OFFERS OF PLEAS

Inadmissible, **R.410**

OFFICIAL INFORMATION

Privilege, **R.501**

OFFICIAL PUBLICATIONS

Self-authentication, **R.902**

“OPENING THE DOOR”

Character evidence, rebuttal of
implication as permissible
“other purpose”, **R.404**

OPINIONS

Bases of expert testimony, **R.703**

Business records, **R.803**

OPINIONS—Cont’d

Character and conduct of witness,
R.608

Expert testimony, **R.702**

Impeachment for religious, **R.610**

Interrelationship of rules, **R.602,**
R.701

Lay witnesses, **R.701**

Methods of proving character, **R.405**

Nonexpert, on handwriting, **R.901**

On ultimate issues, **R.704**

OPPORTUNITY

Admissibility, **R.404**

OPPORTUNITY TO BE HEARD

Judicial notice, **R.201**

ORAL EVIDENCE

Remainder of or Related Statements,
R.106

ORGANIZATION

Routine practice, as relevant evi-
dence, **R.406**

ORIGINALS

Admissibility of other evidence of
contents, **R.1004**

Defined, **R.1001**

Public records, **R.1005**

Requirement of, **R.1002**

Summaries, **R.1006**

Writing, defined, **R.1001**

**OTHER CRIMES, WRONGS, OR
ACTS**

Character evidence, **R.404**

OWNERSHIP OR CONTROL

Liability insurance, **R.411**

PARDON

Evidence of conviction inadmissible,
R.609

PAROLE PROCEEDINGS

Privilege, **R.501**

PARTICULAR FACTS

Judicial notice, **R.201**

PAYMENT OF EXPENSES

Inadmissible, **R.409**

INDEX

PENDENCY OF APPEAL

Evidence of conviction, **R.609**

PERIODICALS

Self-authentication, **R.902**

PERMISSIVE PRESUMPTIONS

Civil acts and proceedings, **R.301**

PERSONAL HISTORY

Judgment as to, **R.803**

PERSONAL KNOWLEDGE

Interrelationship of rules, **R.602**,
R.706

Lack of, **R.602**

PHOTOGRAPHS

Admissibility of other evidence of
contents, **R.1004**

Defined, **R.1001**

Functions of court and jury, **R.1008**

Identification of, **R.702**

Proof of contents by testimony or
written admission of party,
R.1007

Requirement of original, **R.1002**

Summaries, **R.1006**

PHYSICAL CONDITION

Then existing, hearsay exception,
R.803

PHYSICAL EXAMINATION

Compulsory, by expert, **R.706**

PHYSICIAN-PATIENT PRIVILEGE

Generally, **R.501**

PLAIN ERROR

Generally, **R.103**

PLAN

Admissibility, **R.404**

PLEA BARGAINING

Admissibility, **R.410**

Exclusion of evidence, **R.408**

PLEAS AND OFFERS OF PLEAS

Inadmissible, **R.410**

Negotiations of, **R.410**

POLITICAL VOTE

Privilege, **R.501**

POLYGRAPH TESTS

Admissibility, **R.702**

PREDICATE FACTS

Rule 801(d)(2) amendment, *Bourjaily*
v. United States, **R.801**

PREJUDICE

Exclusion of relevant evidence,
R.403

Witness, liability insurance, **R.411**

PRELIMINARY QUESTIONS

Admissibility, **R.104**

Fact, **R.1101**

PREPARATION

Admissibility, **R.404**

PRESENT SENSE IMPRESSION

Hearsay exception, **R.803**

PRESUMPTION

Applicability of state law in civil
actions and proceedings, **R.302**

Civil actions and proceedings in gen-
eral, **R.301**

Civil, within meaning of rule, **R.301**

Exclusion of relevant evidence,
R.403

Proposed, **R.303**

Relevant evidence, **R.402**

Rulings on evidence, **R.103**

Self-authentication, **R.902**

PRETRIAL STAGE

Admissibility of duplicates, **R.1003**

Conferences, expert, **R.706**

Expert appointment, **R.706**

PRIOR STATEMENTS

Hearsay, **R.613**

Impeachment, **R.801**

Witness, **R.801**

PRISON PRIVILEGE

Generally, **R.501**

PRISON SEARCHES

Privilege, **R.501**

PRIVILEGE

Admissibility, generally, **R.104**

PRIVILEGE—Cont'd

Attorneys. See index heading
ATTORNEY-CLIENT PRIVILEGE
General rule, **R.501**
Relevant evidence, **R.402**
Rule of, **R.1101**

PROBATION

Federal jurisdictional rule, **R.1101**
Privilege, **R.1101**

PROBATIVENESS

See index heading RELEVANCY

PROCEEDINGS

Applicability of rules, **R.1101**

PROCESS OR SYSTEM

Authentication, **R.901**

PRODUCT LIABILITY

Rule 407 amendment to prohibit
admissibility of subsequent
remedial measures to show rec-
ognition of product defect or
design, **R.407**

PROOF

Authentication, **R.901**
Contents by testimony or written
admission, **R.1007**
Contents of public records, **R.1005**
Disproof of judicial notice, **R.201**
Habit, routine practice, **R.406**
Hearsay exception, **R.803**
Methods of proving character, **R.405**
Offer of, **R.103**
Order subject to court control, **R.104**
Requirements of original, **R.1002**
Subsequent remedial measures,
R.407
Testimony or written admission,
R.1007

PROPERTY RELATED RECORDS

Hearsay exception, **R.803**

PSYCHIATRIC EVIDENCE

Admissibility, **R.702**

**PSYCHOTHERAPIST-PATIENT
PRIVILEGE**

Generally, **R.501**

**PSYCHOTHERAPIST-PATIENT
PRIVILEGE—Cont'd**

Waiver of privilege to prevent serious
harm, **R.501**

PUBLIC DOCUMENTS

Authenticity, **R.902**

PUBLIC OPINION POLL

Generally, **R.703**
Hearsay rule, **R.801**

PUBLIC RECORDS

See index heading RECORDS

PUNITIVE DAMAGES

Ban on insurance evidence, **R.411**

**PURPOSE AND CONSTRUCTION
OF RULES**

Generally, **R.102**

**RADAR AND VASCAR SPEED
TESTS**

Admissibility, **R.702**

RAPE

Admissibility of evidence, **R.412**
Constitutionally excluded evidence
from trial, **R.412**
Constitutionally permitted evidence
in trial, **R.412**
Kinds of evidence covered, **R.412**
Relevance of victim's past behavior,
R.412

RECORDED RECOLLECTION

Hearsay exception, **R.803**

RECORDED STATEMENTS

Remainder of or Related Statements,
R.106

RECORDINGS

Admissibility of other evidence of
contents, **R.1004**
Defined, **R.1001**
Functions of court and jury, **R.1008**
Proof of contents by testimony or
written admission of party,
R.1007
Requirement of original, **R.1002**
Summaries, **R.1006**

INDEX

RECORDS

- Absence of entry in record kept in accordance with provisions of paragraph (6), **R.803**
- Absence of public record or entry, **R.803**
- Admissible, public, **R.1005**
- Authentication of public records, **R.901**
- Certified copies of public, **R.902**
- Family, **R.803**
- Offer and ruling, **R.103**
- Proof of contents, **R.1005**
- Property related documents, **R.803**
- Public, generally, **R.803**
- Regularly conducted activity, hearsay exception, **R.803**
- Religious organizations, **R.803**
- Vital statistics, **R.803**
- Welfare, privilege, **R.501**

REHABILITATION

- Ban on insurance evidence, **R.411**
- Certificates of, evidence of conviction inadmissible, **R.609**

RELATIONSHIP

- Permissible other purpose in character evidence, **R.404**

RELEVANCY

- Admissibility, **R.401**
- Authentication and identification, **R.901**
- Character evidence. See index heading CHARACTER EVIDENCE
- Coast Guard reports, admissibility, **R.402**
- Conditioned on fact, **R.104**
- Definition, **R.401**
- Exclusion on grounds of prejudice, confusion or waste of time, **R.401, R.403**
- Generally admissible, irrelevant evidence inadmissible, **R.402**
- Habits and routines, **R.406**
- Substantive law
 - “materiality” requirement, **R.401**
 - rulings under, **R.403**

RELIGIOUS BELIEFS

- Impeachment, **R.610**
- Privilege, **R.501**

RELIGIOUS ORGANIZATIONS

- Records of, **R.803**

REMEDIAL MEASURES

- Airline accident, exclusion of evidence, **R.407**
- Subsequent, as inadmissible, **R.407**

REPORTS

- Market, **R.803**
- Public, **R.803**
- Public, authentication, **R.901**
- Required, privilege, **R.501**

REPUTATION

- Character, **R.803**
- Concerning boundaries or general history, **R.803**
- Concerning personal or family history, **R.803**
- Evidence of character and conduct of witness, **R.608**
- Methods of proving character, **R.405**

RESEARCHER PRIVILEGE

- Generally, **R.501**

RESIDUAL EXCEPTION

- Hearsay rule, **R.807**

ROUTINES

- See index heading HABITS AND ROUTINES

RULES

- Applicability of, **R.1101**

RULINGS

- Evidence, **R.103**

SCHOOL SEARCHES

- Privilege, **R.501**

SCOPE OF RULES

- Generally, **R.101**

SEALS

- Self-authentication, **R.902**

SEARCH AND SEIZURE

- Illegal, **R.501**

SEARCH AND SEIZURE—Cont'd
Principles applicable, **R.702**

SEARCH WARRANTS
Evidence rules inapplicable, **R.1101**

SECONDARY EVIDENCE
Admissibility, **R.1004, R.1005**

SECRECY
Experts, **R.706**

SELF-AUTHENTICATION
Generally, **R.902**
Public records, **R.1005**

SELF-INCRIMINATION
Character of witness and privilege,
R.608
Impeachment, **R.609**
Principles applicable, **R.702**
Privilege, generally, **R.501**

SENTENCING
See also index headings **CRIMES AND
CRIMINAL CONVICTIONS; INDICT-
MENTS; VERDICTS**
Federal jurisdictional rule, **R.1101**

SEQUESTRATION
Witnesses excluded, access to trial
testimony, **R.615**

SETTLEMENTS OF CLAIMS
Compromise and offers of compro-
mise, **R.408**

SEVERANCE
Depositions, **R.611**

SEX OFFENSE CASES
Evidence of similar acts in civil cases
concerning sexual assault or
child molestation, **R.415**
Evidence of similar crimes in child
molestation cases, **R.414**
Evidence of similar crimes in sexual
assault cases, **R.413**
Relevance of alleged victim's alleged
sexual predisposition, **R.412**
Relevance of alleged victim's past
sexual behavior, **R.412**

SOCIAL POLICY
Compromise, **R.408**
Paying expenses, **R.409**
Preliminary questions, **R.104**
Remedial measures, **R.407**

SOCIAL WORKERS
Psychotherapist-patient privilege
applied, waiver of privilege to
prevent serious harm, **R.501**

STANDING
Generally, **R.501**

STATE LAW
Applicability of, **R.302**
Presumptions, **R.301**

STATEMENTS
Admissibility of, by co-conspirator,
R.801
Under belief of impending death,
R.804
Defined, **R.801**
False, impeachment by evidence of
conviction of crime, **R.609**
Hearsay exceptions, availability of
declarant immaterial, **R.803**
Inadmissibility of pleas, offers of
pleas and related, **R.410**
Against interest, **R.804**
Not hearsay, **R.801**
Personal or family history, **R.804**
Prior. See index heading **PRIOR STATE-
MENTS**
Remainder of or Related Statements,
R.106

STATE OF MIND
Hearsay, **R.803**

**SUBSEQUENT REMEDIAL
MEASURES**
Airline accident, exclusion of evi-
dence, **R.407**
Amendment to Rule 407, **R.407**
Inadmissible, **R.407**

SUBSTANTIAL RIGHTS
Generally, **R.103**

INDEX

SUMMARIES

Admissible, **R.1006**

SURGICAL INTRUSIONS

Privilege, **R.501**

SURPRISE

Exclusion of relevant evidence,
R.403

Impeachment, **R.607**

SURVEY EVIDENCE

Admissibility of, **R.804**

Hearsay rule, **R.801**

Opinion testimony, **R.703**

TELEPHONE CONVERSATIONS

Authentication or identification,
R.901

TESTIMONY

Accused, preliminary questions,
R.104

Authentication, subscribing witness,
R.903

Competency. See index heading
COMPETENCY

Expert opinion or other, **R.702**

Hearsay exception, unavailable
declarant, **R.804**

Opinion. See index heading OPINIONS

TIME LIMIT

Impeachment by evidence of conviction of crime, **R.609**

TIME OF TAKING NOTICE

Judicial notice, **R.201**

TITLE OF RULES

Generally, **R.1103**

TITLE RECORDS

Hearsay exception, **R.803**

TRADE INSCRIPTIONS

Self-authentication, **R.902**

TRADE SECRETS

Generally, **R.501**

TREATISES

Learned, hearsay exception, **R.803**

TRIALS

See also index heading PRETRIAL
STAGE

Access to trial testimony, exclusion
of witnesses, **R.615**

Article VIII, hearsay rule and preparation for, **R.801**

Competency of juror as witness at,
R.606

Disclosure of facts or data underlying
expert opinion, **R.705**

Expert appointment, **R.706**

TRUTH

Purpose of Rules, **R.102**

ULTIMATE ISSUES

Opinion testimony on, **R.701, R.704**

UNAVAILABILITY

Defined, **R.804**

UTTERANCE

Excited, hearsay exception, **R.803**

VERDICTS

Directed, **R.201**

Hearsay exception, **R.803**

Inquiry into validity of, and juror as
witness, **R.606**

VICTIM

Character evidence, **R.404**

VITAL STATISTICS

Records of, **R.803**

VOICE IDENTIFICATION

Authentication or identification,
R.901

VOICEPRINT EXPERTS

Testimony, **R.702**

VOICEPRINTS

Admissibility, **R.702**

Frye Test, **R.702**

WAIVERS

Attorney-client privilege, **R.502**

Corporations, **R.501**

dissemination, **R.501**

inside/outside counsel, **R.501**

Multiple parties, **R.501**

WAIVERS—Cont'd

Psychotherapist-patient privilege,
waiver of privilege to prevent
serious harm, **R.501**

WARRANTS

Issuance of, **R.1101**

WASTE OF TIME

Exclusion of relevant evidence,
R.403

WEIGHT AND CREDIBILITY

Preliminary questions, **R.104**

WELFARE RECORDS PRIVILEGE

Generally, **R.501**

WILLS

Hearsay exception, **R.803**
Subscribing witness, **R.903**

WITNESSES

Access to trial testimony, excluded
witnesses, **R.615**
Admissibility, generally, **R.104**
Bias or prejudice of, liability insur-
ance, **R.411**
Calling and interrogation of, by court,
R.614
Character evidence, **R.404, R.608,**
R.609
Competency. See index heading
COMPETENCY
Cross-examination of character,
R.405
Documents used to stimulate recol-
lection, **R.501**
Exclusion of, **R.615**
Expert. See index heading EXPERTS
General rule of competency, **R.601**
Hearsay. See index heading HEARSAY
Lack of personal knowledge, **R.602**

WITNESSES—Cont'd

Mode and order of interrogation and
presentation, **R.611**
Oath or affirmation. See index head-
ings AFFIRMATIONS; OATHS
Opinions. See index heading OPINIONS
Opinion testimony by lay, **R.701**
Prior statements of. See index head-
ing PRIOR STATEMENTS
Privilege of, general rule, **R.501**
Religious beliefs and opinions, **R.610**
Subpoena of, **R.804**
Subscribing, testimony unnecessary,
R.903
Testimony of, with knowledge, **R.901**
Who may impeach, **R.607**
Writing used to refresh memory,
R.612

WORK PRODUCT PRIVILEGE

Generally, **R.501**
Limitations on waiver, **R.502**

WRITING

Admissibility of other evidence of
contents, **R.1004**
Defined, **R.1001**
Functions of court and jury, **R.1008**
Proof of contents by testimony or
written admission of party,
R.1007
Refreshing memory, **R.612**
Remainder of or Related Statements,
R.106
Requirement of original, **R.1002**
Subscribing witness testimony unnec-
essary to authenticate a, **R.903**
Summaries, **R.1006**

WRONGS

Character evidence, **R.404**