

## Introduction to the 2025 Edition

*Louisiana Evidence* is a comprehensive treatise on the Louisiana Code of Evidence. The book is designed to provide lawyers and judges who try cases in Louisiana as well as law students who study evidence law a ready reference to Louisiana evidence law and a comparison between the Federal Rules of Evidence and the Louisiana Code of Evidence.

This 2025 Edition of *Jones and Triggs' Louisiana Evidence* reflects the latest statutory revisions to the Louisiana Code of Evidence and new case-law developments in evidence law.

### **What's new in the 2025 Edition:**

- Chapter 1 contains several new cases that discuss Article 103, the contemporaneous objection rule and offers of proof and Article 103(A) when the substantial right of a party is affected..
- Chapter 2 contains new cases that discuss Article 201, Judicial notice adjudicative facts generally, and the ability of the court to take judicial notice of matters such as government websites. The Chapter also contains a case discussing Article 202, Judicial notice of legal matters, and the fact that a court may not judicial notice of judgments from other courts.
- Chapter 4 contains new cases that discuss Article 401, Definition of “relevant evidence.” One case discusses the fact that evidence in an unrelated shooting that occurred nine days before the incident in question in which Defendant was the victim was not admissible. 404B(1)(a)'s prohibition against other crimes pertains to other crimes by a defendant, not other crimes of a third person. Still other cases discuss the defendants obligation to demonstrate that other crimes evidence is prejudicial. Other cases cover the relevancy of miscellaneous items in criminal cases. Several other cases examined Article 403, Exclusion of relevant evidence on grounds of prejudice, confusion, or waste of time, and the standard for the exclusion of prejudicial evidence. There is a new article 408 case regarding settlement negotiations in a judge held trial. There is also a case discussing appreciable evidence of an overt act.
- Chapter 5 includes no new cases that affect testimonial privileges.
- Chapter 6 contains cases discussing personal knowledge in a redhibition case and effect of failing to swear-in a witness. There are two new cases discussing impeachment and prior convictions. A new case on other crimes evidence and the

State's right to offer rebuttal evidence and a new case on juvenile offences used to impeach a witness. Other cases deal with issues such as outside influence of jurors, cross examination and confrontation.

- Chapter 7 has new cases discussing cross examination of an expert witness, qualification of an expert, an oral *Daubert* motion during trial and identification and the ultimate issue in the trial.
- Chapter 9 contains several new authentication cases including handwriting authentication, text messages and chain of custody.
- Chapter 10 contains no new cases that affects previous discussions of the article in the treatise.

This edition of the treatise covers case law and statutory revisions through approximately March 15, 2025. In order to keep the treatise as current as possible, it is revised annually.

Thank you for subscribing to *Jones and Triggs Louisiana Evidence*. We work diligently each year to make the publication the most important resource available on this topic, and we hope that you will find it a valuable tool in your practice or study of Louisiana evidence law.

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