Index

ABSENCE OR PRESENCE
Accident or mistake, other crimes to prove absence of, Rule 404 Note 16 (p. 79)
Accused's testimony on preliminary matters, hearing in absence of jury, Rule 104 Note 5 (p. 22)
Availability of child victim/witness in criminal case, hearing in absence of jury, Rule 804 Note 7 (p. 361)
Business record, absence of, as evidence, Rule 803 Note 7 (p. 327)
Child victim/witness in criminal case, availability, Rule 804 Note 7 (p. 361)
Claim of privilege, hearing in absence of jury, Rule 501 Note 4 (p. 122)
Confessions, hearing in absence of jury, Rule 104 Note 3 (p. 21)
Declarant, unavailability of, for purpose of hearsay exceptions, Rule 804 Note 1 (p. 347)
Documents, absence of, for purposes of best evidence rule, Rule 1004 Note 1 (p. 419)
Escape, flight, etc., as admission, Rule 401 Note 6 (p. 54)
Forfeiture by wrongdoing, hearsay exception, Rule 804 Note 6 (p. 359)
Hearsay exception
  absence of entry in records, Rule 803 (p. 308)
  forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
  public record or entry, absence of, Rule 803 (p. 308)
  unavailability of declarant, Rule 804 (p. 345)
Identification testimony, challenge to, Rule 104 Note 4 (p. 21)
Jury, hearing in absence of
  accused's testimony on preliminary matters, Rule 104 Note 5 (p. 22)
  availability of child victim/witness in criminal case, Rule 804 Note 7 (p. 361)
  claim of privilege, Rule 501 Note 4 (p. 122)
  confessions, Rule 104 Note 3 (p. 21)
  identification testimony, challenge to, Rule 104 Note 4 (p. 21)
  privilege, claim of, Rule 501 Note 4 (p. 122)
  secondary evidence generally, Rule 1004 Note 1 (p. 419)
  unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)
Lost or destroyed original, hearing in absence of jury, Rule 1004 Note 2 (p. 420)
Other crimes to prove absence of accident or mistake, Rule 404 Note 16 (p. 79)
Possession of opponent, hearing in absence of jury, Rule 1004 Note 4 (p. 421)
Privilege, claim of, hearing in absence of jury, Rule 501 Note 4 (p. 122)
Public record or entry
  absence of, as evidence, Rule 803 Note 10 (p. 333)
  hearsay exception, Rule 803 (p. 308)
Unavailability of declarant, hearsay exception, Rule 804 (p. 345)
Writing or entry, absence of, relation to best evidence rule, Rule 1004 Note 2 (p. 420)

ACCIDENT
Knowledge, prior accidents as proof of, Rule 401 Note 5 (p. 53)
Other crimes and acts as proof of absence of, Rule 404 Note 16 (p. 79)
Police reports
business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 6 (p. 323)
trustworthiness, Rule 803 Note 8 (p. 327)
Prior similar accidents, Rule 401 Note 5 (p. 53)

ACCOMPLICES
Co-conspirator's statements, hearsay, Rule 801 Note 14 (p. 297)
Joint trials, limited admissibility, Rule 105 Note 5 (p. 26)

ACCOUNTANTS
Accountant-client privilege, Rule 501 Note 11 (p. 142)

ACCUSATIONS
Admissions (party-opponent's statements), failure to deny accusation, Rule 801 Note 11 (p. 293)
Adoptive admissions, Rule 801 Note 11 (p. 293)
Hearsay, failure to deny accusation, Rule 801 Note 11 (p. 293)
Prior sexual accusations, Rule 608 Note 9 (p. 183)
Sex offenses, prior false accusations by victim, Rule 608 Note 5 (p. 181)

ACCUSED'S TESTIMONY
Facts affecting admissibility, Rule 104 Note 5 (p. 22)
Preliminary questions of fact, Rule 104 (p. 18)
Relevancy, character evidence not admissible to prove accused's character, Rule 404 (p. 67)

ACKNOWLEDGED DOCUMENTS
Authentication, Rule 902 Note 7 (p. 401), Rule 902 (p. 394)

ACTS OF LEGISLATURE
Authentication, Rule 902 Note 4 (p. 399)
Judicial notice, Rule 201 Note 6 (p. 38)

ADDRESS
Witness's address, cross examination, Rule 616 Note 1 (p. 223)

ADMISSIBILITY, LIMITED
Generally, Rule 105 (p. 24)
Bruton Rule, Rule 105 Note 5 (p. 26)
Comparison with Federal Rule, Rule 105 Note 8 (p. 27)
Other Rules to consider, Rule 105 Note 7 (p. 26)
Revised Rule 105, Rule 105 (p. 24)
Summary of issues affecting admissibility, Rule 105 Note 6 (p. 26)

ADMISSIONS
Party-opponent statements. See index heading ADMISSIONS (PARTY-OPPONENT'S STATEMENTS)

"ADMISSIONS AGAINST INTEREST"
Declarations against pecuniary, propriety, or penal interest, hearsay exception
generally, Rule 804 Note 4 (p. 355)
against declarant's interest, generally, Rule 804 Note 4 (p. 355)
declarant's unavailability, requirement of, Rule 804 Note 4 (p. 355)
pecuniary interest, statement against, Rule 804 Note 4 (p. 355)
penal interest, statement against, Rule 804 Note 4 (p. 355)
personal knowledge, Rule 804 Note 4 (p. 355)
statement partly against interest, severability of, Rule 804 Note 4 (p. 355)
Statements of party-opponent
generally, Rule 801 Note 9 (p. 291)
adoption by party, Rule 801 Note 11 (p. 293)
agent's statement, Rule 801 Note 12 (p. 294)
attorney's statement, Rule 801 Note 9 (p. 291)
co-conspirator's statements, Rule 801 Note 14 (p. 297)
co-party's admission, Rule 801 Note 15 (p. 299)
judicial admissions, Rule 801 Note 13 (p. 296)
party's own statement, Rule 801 Note 10 (p. 292)
stipulations, Rule 801 Note 13 (p. 296)

ADMISSIONS (PARTY-OPPONENT'S STATEMENTS)
Generally, Rule 801 Note 9 (p. 291)
Adoptive or tacit admission
generally, Rule 801 Note 11 (p. 293)
personal knowledge, Rule 801 Note 11 (p. 293)
Advance payments, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
''Against interest,'' Rule 801 Note 9 (p. 291)
Agents
generally, Rule 801 Note 12 (p. 294)
agent or servant, Rule 801 Note 12 (p. 294)
attorneys, Rule 801 Note 12 (p. 294)
authority of declarant, Rule 801 Note 12 (p. 294)
co-conspirators, Rule 801 Note 14 (p. 297)
employee's agent, Rule 801 Note 12 (p. 294)
judicial admissions, Rule 801 Note 12 (p. 294)
personal knowledge not required, Rule 801 Note 12 (p. 294)
pleadings, Rule 801 Note 12 (p. 294)
servant, Rule 801 Note 12 (p. 294)
stipulations, Rule 801 Note 12 (p. 294)
Argument in hearing of jury, Rule 104 Note 4 (p. 21)
Attorneys, Rule 801 Notes 12 (p. 294) & 13 (p. 296)
Authority to speak, Rule 801 Note 12 (p. 294)
Best evidence rule, exception to, Rule 1007 Note 1 (p. 430)
Co-conspirator's statements, Rule 801 Note 14 (p. 297)

ADMISSIONS (PARTY-OPPONENT'S STATEMENTS)—Cont'd
Comparison with Federal Rule, Rule 1007 Note 4 (p. 431)
Confessions
adoptive admissions, Rule 801 Note 11 (p. 293)
''against interest,'' Rule 801 Note 9 (p. 291)
traffic offenses, Rule 410 Note 7 (p. 105)
Contents of writing, to prove, Rule 1007 Note 1 (p. 430)
Co-party's admissions, Rule 801 Note 15 (p. 299)
Decedent's personal representative, Rule 801 Note 9 (p. 291)
Employees, Rule 801 Note 12 (p. 294)
Failure to deny accusation, Rule 801 Note 11 (p. 293)
Guilty pleas and related statements, Rule 410 Note 1 (p. 102)
Judicial admissions, Rule 801 Note 12 (p. 294)
Liability insurance, existence of, Rule 411 Notes 1 & 2 (pp. 107)
Limiting instruction, adoptive or tacit admission, Rule 801 Note 11 (p. 293)
Medical and similar expenses, payment of, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Offers of compromise, Rule 408 Notes 1 (p. 95) & 2 (p. 96)
Opening statement, Rule 801 Notes 12 (p. 294) & 13 (p. 296)
Other Rules to consider, Rule 1007 Note 3 (p. 431)
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Personal knowledge, agents, personal knowledge not required, Rule 801 Note 12 (p. 294)
Plea bargaining, Rule 410 Note 4 (p. 104)
Pleadings, agents, Rule 801 Note 13 (p. 296)
Product liability suits, Rule 407 Note 3 (p. 93)
Recordings
testimony or written admission of party, Rule 1007 (p. 430)
written admission of party, Rule 1007 (p. 430)
Servant, agents as, Rule 801 Note 12 (p. 294)
Stipulations, Rule 801 Note 13 (p. 296)
Subsequent repairs or remedial measures, product liability suits, Rule 407 Note 3 (p. 93)
Summary of issues affecting admissibility, Rule 1007 Note 2 (p. 430)
Tacit admissions, Rule 801 Note 11 (p. 293)
Traffic offenses, Rule 410 Note 7 (p. 105)
Victim, criminal case, Rule 801 Note 9 (p. 291)
Withdrawn guilty pleas, Rule 410 Note 1 (p. 102)
Withdrawn pleadings, Rule 801 Note 13 (p. 296)
Written admission of party, Rule 1007 (p. 430)

ADMONITIONS TO JURY
Generally, Rule 105 Notes 1-8 (p. 24)
Form of admonition, Rule 105 Note 3 (p. 25)
Immediate admonition, Rule 105 Note 3 (p. 25)
Judicial notice, Rule 201 (p. 34)
Multiple admissibility, generally, Rule 105 Note 1 (p. 24)

ADMONITIONS TO JURY—Cont'd
Past sexual conduct, relevancy of evidence of, Rule 412 (p. 110)
Privileged communications, Rule 501 (p. 118)
Relevancy, evidence of past sexual conduct, Rule 412 (p. 110)
Request for admonition, requirement of, Rule 105 Note 1 (p. 24)
Requirement of, Rule 105 Note 1 (p. 24)
Sexual conduct, evidence of past, Rule 412 (p. 110)
Timing of instruction or admonition, Rule 105 Note 3 (p. 25)

ADOPTIVE ADMISSION
Party-opponent's statements
generally, Rule 801 Note 11 (p. 293)
personal knowledge, Rule 801 Note 11 (p. 293)

ADOPTIVE OR TACIT ADMISSION
Party-opponent statements. See index heading ADMISSIONS (PARTY-OPPONENT'S STATEMENTS)

ADVANCE PAYMENTS
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)

ADVERSE WITNESSES
Dead man's statute, competency of adverse party, Rule 601 Note 5 (p. 157)
Leading questions, Rule 611 Note 10 (p. 200)

AFFIDAVITS
Authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Interest in property, Rule 803 Note 15 (p. 335)
Juror as witness, competency of, Rule 606 (p. 170)

AFFIRMATION
Comparison with Federal Rule, Rule 603 Note 4 (p. 165)
Interpreters, Rule 604 (p. 166)
Other Rules to consider, Rule 603 Note 3 (p. 165)
Requirement of oath or affirmation, Rule 603 Note 1 (p. 165)
Revised Rule 604, Rule 604 (p. 166)
Summary of issues affecting admissibility, Rule 603 Note 2 (p. 165)

AGE
Ancient documents
authentication, Rule 901 Note 12 (p. 386), Rule 901 (p. 374)
exception to hearsay rule, Rule 803 Note 16 (p. 336)
hearsay, statements in ancient documents, Rule 803 (p. 308)
Competency of witness, Rule 601 Note 2 (p. 155)
Opinion testimony, Rule 701 Note 6 (p. 239)

AGENTS AND AGENCY
Admissions by agents
generally, Rule 801 Note 12 (p. 294)
agent or servant, Rule 801 Note 12 (p. 294)
attorneys, Rule 801 Note 12 (p. 294)

AGENTS AND AGENCY—Cont'd
Admissions by agents—Cont'd
authority of declarant, Rule 801 Note 12 (p. 294)
co-conspirators, Rule 801 Note 14 (p. 297)
employee's agent, Rule 801 Note 12 (p. 294)
judicial admissions, Rule 801 Notes 13 (p. 296) & 14 (p. 297)
personal knowledge not required, Rule 801 Note 12 (p. 294)
pleadings, Rule 801 Note 13 (p. 296)
servant, Rule 801 Note 12 (p. 294)
stipulations, Rule 801 Note 13 (p. 296)
Attorney-client privilege, presence of third person, Rule 501 Note 6 (p. 124)
Competency as witnesses, dead man's statutes, Rule 601 Note 5 (p. 157)
Employees, admissions by, Rule 801 Note 12 (p. 294)
Excited utterance exception to hearsay rule, Rule 803 Note 2 (p. 314)
Liability insurance as proof of agency, Rule 411 Note 1 (p. 107)
Party-opponent statements. See index heading ADMISSIONS (PARTY-OPPONENT'S STATEMENTS)

AIDING AND ABETTING
Impeachment, use of convictions for, Rule 609 Note 2 (p. 188)

ALCOHOL
Blood alcohol content, expert testimony, Rule 702 Notes 7 (p. 249) & 9 (p. 254)
Competency of witness, Rule 601 Note 4 (p. 156)
Expert testimony, blood alcohol content, Rule 702 Notes 7 (p. 249) & 9 (p. 254)
Impeachment, Rule 608 Note 7 (p. 182)
Opinion testimony, intoxication, Rule 701 Note 6 (p. 239)
Witnesses
competency of witness, Rule 601 Note 4 (p. 156)
juror's use of alcohol, competency of other juror as witness, Rule 606 (p. 170)

ANCIENT AND HISTORICAL MATTERS
Age. See index heading AGE

ANCIENT DOCUMENTS
Authentication, Rule 901 Note 12 (p. 386), Rule 901 (p. 374)
Exception to hearsay rule, Rule 803 Note 16 (p. 336)
Hearsay, statements in ancient documents, Rule 803 (p. 308)

APPLICABILITY OF LAW OF EVIDENCE
Generally, Rule 101 Note 1 (p. 3)
Comparison with Federal Rule, Rule 101 Note 7 (p. 5)
Miscellaneous proceedings, Rule 101 Note 4 (p. 4)
Other Rules to consider, Rule 101 Note 6 (p. 5)
Preliminary questions of fact, Rule 101 Note 3 (p. 3), Rule 104 Notes 1 & 2 (p. 20)
Privilege, Rule 101 Note 2 (p. 3)
Scope, Rule 101 (p. 2)
Summary of issues affecting admissibility, Rule 101 Note 5 (p. 5)

ARREST WARRANTS, PROCEEDINGS RELATING TO
Applicability of Evidence Rules
generally, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

ARSON
Impeachment use of convictions for, Rule 609 Note 2 (p. 188)
Witnesses, impeachment by evidence of conviction of crime, Rule 609 (p. 186)

ASSAULT AND BATTERY
Impeachment by showing of conviction of aiding and abetting, Rule 609 Note 2 (p. 188)
Impeachment use of convictions for, Rule 609 Note 2 (p. 188)

ASSISTING A CRIMINAL
Impeachment, use of convictions for, Rule 609 Note 2 (p. 188)

ATOMIC ABSORPTION TESTING
Expert opinion testimony based on, Rule 702 Note 7 (p. 249)

ATTEMPTS
Impeachment use of convictions for, Rule 609 Note 2 (p. 188)

ATTORNEY-CLIENT PRIVILEGE
Generally, Rule 501 Note 6 (p. 124), Rule 502 (p. 146)
Agents, presence of, Rule 501 Note 6 (p. 124)
Assertion, Rule 501 Note 6 (p. 124)
Attack on attorney's professional integrity as waiver, Rule 501 Note 6 (p. 124)
Attorney fee contracts, Rule 501 Note 6 (p. 124)
Comment on exercise of privilege, Rule 501 Note 4 (p. 122)
Compelled disclosure as waiver, Rule 501 Note 3 (p. 122)
Confidentiality required, Rule 501 Note 6 (p. 124)
Consultation, fact of, Rule 501 Note 6 (p. 124)
Corporations, Rule 501 Note 6 (p. 124)
Court order, controlling effect of, Rule 502 (p. 146)
Crime or fraud, Rule 501 Note 6 (p. 124)
Discovery
comparison with Federal Rule, Rule 502 Note 7 (p. 150)
in camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
intentional disclosure, Rule 502 Note 1 (p. 147)
other rules to consider, Rule 502 Note 6 (p. 150)
'ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
summary of issues of admissibility, Rule 502 Note 5 (p. 149)
undisclosed communications or information, Rule 502 Note 1 (p. 147)
Documents of client, Rule 501 Note 6 (p. 124)
Fraud, Rule 501 Note 6 (p. 124)
Identity of client, Rule 501 Note 6 (p. 124)
Implied waiver, Rule 501 Note 6 (p. 124)
Inadvertent disclosure
generally, Rule 502 (p. 146)

ATTORNEY-CLIENT PRIVILEGE—Cont'd
Inadvertent disclosure—Cont'd
copies, destruction upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
cost of discovery, reduction of, Rule 502 Note 2 (p. 148)
court order, effect of parties' agreement without, Rule 502 Note 3 (p. 149)
destruction of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
'drawback' provision, Rule 502 Note 3 (p. 149)
notice of claim of privilege, Rule 502 Note 2 (p. 148)
'quick peek' provision, Rule 502 Note 3 (p. 149)
reasonable steps to prevent disclosure, Rule 502 Note 2 (p. 148)
return of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
seal, presentation to court of material under, Rule 502 Note 2 (p. 148)
sequester of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
waiver, below
In camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
Intentional disclosure
generally, Rule 502 Note 1 (p. 147), Rule 502 (p. 146)
comparison with Federal Rule, Rule 502 Note 7 (p. 150)
in camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
other rules to consider, Rule 502 Note 6 (p. 150)
'ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
summary of issues of admissibility, Rule 502 Note 5 (p. 149)
undisclosed communications or information, Rule 502 Note 1 (p. 147)
Involuntary disclosure as waiver, Rule 501 Note 3 (p. 122)
Jury, presence of during claim, Rule 501 Note 6 (p. 124)
Limitations on waiver, Rule 502 (p. 146)
'Ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
Papers of client, Rule 501 Note 6 (p. 124)
Parties' agreement, effect of court order incorporating, Rule 502 Note 3 (p. 149)
Partnerships, Rule 501 Note 6 (p. 124)
Party agreement, controlling effect of, Rule 502 (p. 146)
Privileged communications, Rule 502 (p. 146)
Professional consultation, Rule 501 Note 6 (p. 124)
Question for court, Rule 501 Note 6 (p. 124)
Scope of waiver, Rule 502 (p. 146)
Suits between attorney and client, Rule 501 Note 6 (p. 124)
Summary of issues affecting admissibility, Rule 501 Note 6 (p. 124)
Testimony by client as waiver, Rule 501 Notes 2 (p. 120) & 6 (p. 124)
Third person, presence of, Rule 501 Note 6 (p. 124)
Waiver
implied waiver, Rule 501 Note 6 (p. 124)
inadvertent disclosure
copies, destruction upon notice of claim of privilege, Rule 502 Note 2 (p. 148)

ATTORNEY-CLIENT PRIVILEGE—Cont'd
Waiver—Cont'd
inadvertent disclosure—Cont'd
cost of discovery, reduction of, Rule 502 Note 2 (p. 148)
court order, effect of parties' agreement without, Rule 502 Note 3 (p. 149)
destruction of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
'drawback' provision, Rule 502 Note 3 (p. 149)
notice of claim of privilege, Rule 502 Note 2 (p. 148)
'quick peek' provision, Rule 502 Note 3 (p. 149)
reasonable steps to prevent disclosure, Rule 502 Note 2 (p. 148)
return of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
seal, presentation to court of material under, Rule 502 Note 2 (p. 148)
sequester of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
intentional disclosure
generally, Rule 502 Note 1 (p. 147)
in camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
'ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
undisclosed communications or information, Rule 502 Note 1 (p. 147)
limitations on, Rule 502 (p. 146)
voluntary disclosure, Rule 501 Note 2 (p. 120)
Will, attorney's witnessing as waiver, Rule 501 Note 6 (p. 124)
Work product, Rule 501 Note 6 (p. 124), Rule 502 (p. 146)

ATTORNEY FEES
Attorney-client privilege, Rule 501 Note 6 (p. 124)
Judicial notice of, Rule 201 Note 5 (p. 38)

ATTORNEYS
Admissions by, Rule 801 Notes 12 (p. 294) & 13 (p. 296)
Attorney-client privilege, generally, Rule 501 Note 6 (p. 124)
Competency as witnesses, generally, Rule 605 Note 2 (p. 168)
Will, attorney's witnessing as waiver of attorney-client privilege, Rule 501 Note 6 (p. 124)

AUDIO TAPES AND TRANSCRIPTS
Admissibility, generally, Rule 403 Note 7 (p. 63)
Authentication
generally, Rule 901 Note 9 (p. 384)
refreshing recollection, prior to authentication of audio tape, Rule 403 Note 7 (p. 63)
Best evidence rule
generally, Rule 1002 Note 1 (p. 413)
definition of ''recordings,'' Rule 1001 Note 2 (p. 411)
materiality of recording, Rule 1002 Note 2 (p. 414)
Confusion of jury, Rule 403 Note 7 (p. 63)
Definition of ''recordings,'' Rule 1001 Note 2 (p. 411)

AUDIO TAPES AND TRANSCRIPTS—Cont'd
Duplicates, Rule 1003 Note 1 (p. 417)
Materiality of recording, Rule 1002 Note 2 (p. 414)
Refreshing recollection, prior to authentication of audio tape, Rule 403 Note 7 (p. 63)

AUTHENTICATION
Generally, Rule 901 (p. 374)
Acknowledged documents, Rule 902 Note 7 (p. 401)
Acts of legislature, Rule 902 Note 4 (p. 399)
Affidavits, authentication of regularly kept business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Ancient documents or data compilation, Rule 901 Note 12 (p. 386), Rule 901 (p. 374)
Appearance of item as authentication, Rule 901 Note 8 (p. 383)
Audio tapes and transcripts
generally, Rule 901 Note 9 (p. 384)
refreshing recollection, prior to authentication of audio tape, Rule 403 Note 7 (p. 63)
Bills of lading, Rule 902 Note 8 (p. 402)
Business records
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
hearsay exception, Rule 803 Note 6 (p. 323)
lack of trustworthiness, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
qualified witness, Rule 803 Note 6 (p. 323)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Case reports, Rule 902 Note 4 (p. 399)
Certificates
business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
dishonor, Rule 902 Note 8 (p. 402)
domestic public records, Rule 902 Note 2 (p. 397)
foreign public records, Rule 902 Note 3 (p. 399)
notary's certificate, Rule 902 Note 7 (p. 401)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
weighers or inspectors, Rule 902 Note 8 (p. 402)
Certified copy
domestic public records, Rule 902 Note 2 (p. 397)
foreign public records, Rule 902 Note 3 (p. 399)
Chain of custody, Rule 901 Note 3 (p. 377)
Circumstantial evidence
authentication, proof of, Rule 901 Note 1 (p. 376)
execution of writing, proof of, Rule 901 Note 8 (p. 383)
City ordinances and codes, Rule 902 Note 4 (p. 399)
Commercial paper, Rule 902 Note 8 (p. 402)

AUTHENTICATION—Cont'd
Common law reports, Rule 902 Note 4 (p. 399)
Computer-based evidence, Rule 901 Note 4 (p. 379)
Consular invoices, Rule 902 Note 8 (p. 402)
Contents of writing as authentication, Rule 901 Note 8 (p. 383)
Court records, Rule 902 Note 2 (p. 397)
Custody, chain of, Rule 901 Note 3 (p. 377)
Demonstrative evidence, photographs and videotapes, Rule 901 Note 13 (p. 388)
Diagrams, Rule 611 Note 6 (p. 197)
Distinctive characteristics, Rule 901 Note 8 (p. 383), Rule 901 (p. 374)
Domestic public documents, self-authentication, Rule 902 (p. 394)
Electronic signatures, Rule 1001 Note 4 (p. 411)
Entries in regular course of business
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
Expert witness or trier, comparison by, Rule 901 (p. 374)
Foreign public documents, Rule 902 Note 3 (p. 399)
General requirement, Rule 901 Note 1 (p. 376)
Handwriting
expert witness, comparison by, Rule 901 Note 7 (p. 382)
nonexpert opinion or witness, Rule 901 Note 6 (p. 381), Rule 901 (p. 374)
trier of fact, comparison, Rule 901 Note 7 (p. 382)
witness familiar with person's writing, Rule 901 Note 6 (p. 381)
Identification by witness with knowledge of object, Rule 901 Note 5 (p. 380)
Illustrations of methods, Rule 901 Note 2 (p. 377)
Inscriptions of trade, Rule 902 Note 6 (p. 401)
Insurance policies, Rule 902 Note 8 (p. 402)
Jury, authenticity as a question for, Rule 901 Note 1 (p. 376)
Labels, trade inscriptions and the like, Rule 902 Note 6 (p. 401)
Maps, Rule 611 Note 6 (p. 197)
Methods, illustrations, Rule 901 Note 3 (p. 377)
Municipal ordinances, Rule 902 Note 4 (p. 399)
Negotiable instruments, signatures on, Rule 902 Note 8 (p. 402)
Newspapers, Rule 902 Note 5 (p. 400)
Nonexpert opinion on handwriting, Rule 901 (p. 374)
Notary's certificate, Rule 902 Note 7 (p. 401)
Official publications, Rule 902 Note 4 (p. 399)
Ordinances, Rule 902 Note 4 (p. 399)
Periodicals, Rule 902 Note 5 (p. 400)
Personal knowledge, authentication of exhibit by witness with knowledge of object, Rule 901 Note 5 (p. 380)
Photographs, Rule 901 Note 13 (p. 388)
Pleadings, written instruments attached to, Rule 901 Note 14 (p. 391)
Preliminary questions of fact
generally, Rule 901 Note 1 (p. 376)

AUTHENTICATION—Cont'd
Preliminary questions of fact—Cont'd
comparison with Federal Rule, Rule 901 Note 17 (p. 388)
distinctive characteristics and the like, Rule 901 Note 8 (p. 383)
other Rules to consider, Rule 901 Note 16 (p. 393)
self-authentication, Rule 902 Note 1 (p. 396)
summary of issues affecting admissibility, Rule 901 Note 15 (p. 392)
Probate proceedings, Rule 903 Note 2 (p. 407)
Process or system, Rule 901 Note 13 (p. 388)
Public records and reports
generally, Rule 901 (p. 374), Rule 902 Note 2 (p. 397)
case reports, Rule 902 Note 4 (p. 399)
foreign public documents, Rule 902 Note 3 (p. 399)
municipal ordinances, Rule 902 Note 4 (p. 399)
self-authentication
generally, Rule 902 Notes 2 (p. 397) & 3 (p. 399)
attested records and records under seal, Rule 902 Note 2 (p. 397)
case reports, Rule 902 Note 4 (p. 399)
certified copies, Rule 902 Note 2 (p. 397)
custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
domestic public documents, Rule 902 Note 2 (p. 397)
foreign public documents, Rule 902 Note 3 (p. 399)
municipal ordinances, Rule 902 Note 4 (p. 399)
statutes, Rule 902 Note 4 (p. 399)
statutes, Rule 902 Note 4 (p. 399)
testimony, Rule 901 Note 11 (p. 385)
Real evidence
chain of custody, Rule 901 Note 3 (p. 377)
computer records, Rule 901 Note 3 (p. 377)
distinctive characteristics, Rule 901 Note 8 (p. 383)
knowledge, testimony of witness with, Rule 901 Note 4 (p. 379)
newspapers and periodicals, Rule 902 Note 5 (p. 400)
photographs, Rule 901 Note 13 (p. 388)
trade inscriptions, signs, tags and labels, Rule 902 Note 6 (p. 401)
videotapes, Rule 901 Note 13 (p. 388)
voice identification, Rule 901 Note 8 (p. 383)
Recordings, Rule 403 Note 7 (p. 63)
Records of regularly conducted business activity
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
Regularly kept business records
hearsay exception, Rule 803 Note 6 (p. 323)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)

AUTHENTICATION—Cont'd
Regularly kept records
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
Regulations of administrative agencies, Rule 902 Note 4 (p. 399)
"Reply doctrine," Rule 901 Note 8 (p. 383)
Requirement of authentication or identification, Rule 901 (p. 374)
Revised Rule 901, Rule 901 (p. 374)
Revised Rule 903, Rule 903 Note 2 (p. 407)
Rules and regulations, Rule 902 Note 4 (p. 399)
Seal, Rule 902 Notes 2 (p. 397) & 7 (p. 401)
Securities, Rule 902 Note 8 (p. 402)
Self-authentication
generally, Rule 902 Note 1 (p. 396), Rule 902 Note 2 (p. 397)
acknowledged documents, Rule 902 (p. 394)
attested records and records under seal, Rule 902 Note 2 (p. 397)
bills of lading, Rule 902 Note 8 (p. 402)
business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
case reports, Rule 902 Note 4 (p. 399)
certificates of dishonor, Rule 902 Note 8 (p. 402)
certificates of weighers or inspectors, Rule 902 Note 8 (p. 402)
certified copies of public records, Rule 902 Note 2 (p. 397)
certified domestic records of regularly conducted activity, Rule 902 Note 10 (p. 402)
certified foreign records of regularly conducted activity, Rule 902 Note 11 (p. 404)
commercial paper and related documents, Rule 902 (p. 394)
comparison with Federal Rule, Rule 902 Note 13 (p. 406)
consular invoices, Rule 902 Note 8 (p. 402)
domestic public documents, Rule 902 Note 2 (p. 397), Rule 902 (p. 394)
foreign public documents, Rule 902 Note 3 (p. 399), Rule 902 (p. 394)
inscriptions, Rule 902 Note 6 (p. 401)
insurance policies, Rule 902 Note 8 (p. 402)
labels affixed in course of business, Rule 902 Note 6 (p. 401)
municipal ordinances, Rule 902 Note 4 (p. 399)
negotiable instruments, signatures on, Rule 902 Note 8 (p. 402)
newspapers and periodicals, Rule 902 Note 5 (p. 400), Rule 902 (p. 394)
notary's certificate, Rule 902 Note 7 (p. 401)
official publications, Rule 902 Note 4 (p. 399), Rule 902 (p. 394)
other Rules to consider, Rule 902 Note 12 (p. 405)
pamphlets, Rule 902 Note 4 (p. 399)
periodicals, Rule 902 Note 5 (p. 400), Rule 902 (p. 394)
preliminary questions of fact, Rule 902 Note 1 (p. 396)
presumptions created by law, Rule 902 (p. 394)

AUTHENTICATION—Cont'd
Self-authentication—Cont'd
public records and reports
generally, Rule 902 Notes 2 (p. 397) & 3 (p. 399)
custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
seal, document bearing, Rule 902 Note 2 (p. 397), Rule 902 Note 7 (p. 401)
securities, Rule 902 Note 8 (p. 402)
signs affixed in course of business, Rule 902 Note 6 (p. 401)
statutes, Rule 902 Note 4 (p. 399)
tags affixed in course of business, Rule 902 Note 6 (p. 401)
trade inscriptions and the like, Rule 902 Note 6 (p. 401), Rule 902 (p. 394)
Self-proved wills, Rule 903 Note 2 (p. 407)
''Silent witness,'' photographs and videotapes, Rule 901 Note 13 (p. 388)
Sound recordings, Rule 901 Note 9 (p. 384)
Statutes, Rule 902 Note 4 (p. 399)
Statutory methods of authentication, Rule 901 Note 14 (p. 391)
Subscribing witness, Rule 903 Note 1 (p. 407), Rule 903 Note 2 (p. 407)
Tags, Rule 902 Note 6 (p. 401)
Tape recordings, Rule 901 Note 9 (p. 384)
Telephone conversations, Rule 901 Note 9 (p. 384), Rule 901 Note 10 (p. 384), Rule 901 (p. 374)
Trade inscriptions, Rule 902 Note 6 (p. 401)
Unrecorded statements during custodial interrogation, Rule 617 Note 3 (p. 231)
generally, Rule 617 Note 3 (p. 231)
adequacy of proof, Rule 617 Note 3 (p. 231)
affidavits and hearsay exception, Rule 617 Note 3 (p. 231)
clarity, Rule 617 Note 3 (p. 231)
due care of officials, Rule 617 Note 3 (p. 231)
free and voluntarily elicited, Rule 617 Note 3 (p. 231)
warnings and waivers prior to recording, Rule 617 Note 3 (p. 231)
Videotape authentication
probate proceedings, Rule 903 Note 2 (p. 407)
process or system, Rule 901 Note 13 (p. 388)
Voice identification, Rule 901 Note 9 (p. 384), Rule 901 Note 10 (p. 384), Rule 901 (p. 374)
Wills, Rule 903 Note 2 (p. 407)
Witnesses, unrecorded statements during custodial interrogation, Rule 617 Note 3 (p. 231)
Written instruments attached to pleadings, Rule 901 Note 14 (p. 391)
X-rays, Rule 901 Note 13 (p. 388)

AUTOPSIES
Photographs, Rule 403 Note 3 (p. 61)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Public records exception to hearsay rule, Rule 803 Note 9 (p. 332)

BAIL, PROCEEDINGS RELATING TO
Applicability of Evidence Rules
generally, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

BAPTISM CERTIFICATES
Generally, Rule 803 Note 12 (p. 334)
Hearsay, Rule 803 (p. 308)
Hearsay exception, Rule 803 Note 12 (p. 334)

BATTERY
Aiding and abetting, prior conviction for impeachment, Rule 609 Note 2 (p. 188)
Impeachment use of convictions for, Rule 609 Note 2 (p. 188)

BELIEF IN IMPENDING DEATH
Dying declarations, Rule 804 Note 3 (p. 354)

BEST EVIDENCE RULE
Generally, Rule 1002 Note 1 (p. 413)
Admission of party, Rule 1007 Note 1 (p. 430)
Audio tapes and transcripts
generally, Rule 1002 Note 1 (p. 413)
definition of ''recordings,'' Rule 1001 Note 2 (p. 411)
materiality of recording, Rule 1002 Note 2 (p. 414)
Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)
Carbon copies, originals, Rule 1001 Note 4 (p. 411)
Collateral matters, Rule 1004 Note 5 (p. 422)
Comparison with Federal Rule, Rule 1001 Note 8 (p. 412), Rule 1002 Note 7 (p. 416)
Completeness principle of, duplicates, Rule 1003 Note 1 (p. 417)
Computer-generated evidence, Rule 1001 Note 4 (p. 411)
Conviction of crime, Rule 1005 Note 1 (p. 424)
Copies, executed, Rule 1001 Note 4 (p. 411)
Court records, exception for, Rule 1005 Note 1 (p. 424)
Deeds, Rule 1005 Note 1 (p. 424)
Definitions
duplicate, Rule 1001 Note 5 (p. 412)
original, Rule 1001 Note 4 (p. 411)
photographs, Rule 1001 Note 3 (p. 411)
recordings, Rule 1001 Note 2 (p. 411)
writings, Rule 1001 Note 2 (p. 411)
Depositions, Rule 1002 Note 1 (p. 413)
Destroyed original, Rule 1004 Note 2 (p. 420)
Destruction of writing by party, Rule 1004 Note 2 (p. 420)
Digital signature, Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)
Duplicates, Rule 1001 Note 5 (p. 412), Rule 1003 Note 1 (p. 417)
Electronic signature, Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)

BEST EVIDENCE RULE—Cont'd
Exceptions to requirement of original
collateral matters, Rule 1004 Note 5 (p. 422)
lost or destroyed original, Rule 1004 Note 2 (p. 420)
original not obtainable, Rule 1004 Note 3 (p. 421)
possession of opponent, Rule 1004 Note 4 (p. 421)
public records, Rule 1005 Note 1 (p. 424)
testimony or written admission of party, Rule 1007 Note 1 (p. 430)
Functions of court and jury, Rule 1008 Note 1 (p. 432)
Hearsay
generally, Rule 1002 Note 1 (p. 413)
exceptions, Rule 1005 Note 1 (p. 424)
writing, evidence to show diligent search for, Rule 1004 Note 2 (p. 420)
Judge and jury, functions of, Rule 1008 Note 1 (p. 432)
Jury's role, Rule 1008 Note 1 (p. 432)
Legibility of duplicate, Rule 1003 Note 1 (p. 417)
Lost original, Rule 1004 Note 2 (p. 420)
Materiality of writing, Rule 1002 Note 2 (p. 414)
Motion pictures, Rule 1002 Note 1 (p. 413)
Motor vehicles, Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)
Notice to produce, Rule 1004 Note 4 (p. 421)
Opponent's possession, Rule 1004 Note 4 (p. 421)
Original documents rule, Rule 1002 Note 1 (p. 413)
Original lost or destroyed, Rule 1004 Note 2 (p. 420)
Original not obtainable, Rule 1004 Note 3 (p. 421)
Original required
generally, Rule 1002 Note 1 (p. 413)
materiality, Rule 1002 Note 2 (p. 414)
photographs, Rule 1002 Note 3 (p. 414)
Originals, defined, Rule 1001 Note 4 (p. 411)
Other Rules to consider, Rule 1001 Note 7 (p. 412), Rule 1002 Note 6 (p. 415)
Party's admission as proof of writing's contents, Rule 1007 Note 1 (p. 430)
Personal knowledge of witness, writing containing, Rule 1002 Note 2 (p. 414)
Photographs, Rule 1001 Note 3 (p. 411)
Possession of person beyond jurisdiction of court, Rule 1004 Note 3 (p. 421)
Public records, Rule 1005 Note 1 (p. 424)
Recordings defined, Rule 1001 Note 2 (p. 411)
Remainder of conversations and writings, Rule 1003 Note 1 (p. 417)
Request for production and inspection, Rule 1004 Note 4 (p. 421)
Revised Rule 1005, Rule 1005 (p. 424)
Role of court and jury, Rule 1008 Note 1 (p. 432)
Rule stated, Rule 1002 Note 1 (p. 413)
Secondary evidence of writing's contents, generally, Rule 1004 Note 1 (p. 419)
Sounds, Rule 1001 Note 2 (p. 411)
Summaries of voluminous records
generally, Rule 1006 Note 1 (p. 426)
pedagogical summaries, Rule 1006 Note 2 (p. 428)

BEST EVIDENCE RULE—Cont'd
Summary of issues affecting admissibility, Rule 1001 Note 6 (p. 412), Rule 1002 Note 5 (p. 415)
Transcripts, of audio tapes
generally, Rule 1002 Note 1 (p. 413)
definition of "recordings," Rule 1001 Note 2 (p. 411)
materiality of recording, Rule 1002 Note 2 (p. 414)
Unavailability of documents
lost or destroyed original, Rule 1004 Note 2 (p. 420)
not obtainable, Rule 1004 Note 3 (p. 421)
possession of opponent, Rule 1004 Note 4 (p. 421)
Videotapes, Rule 1002 Note 1 (p. 413), Rule 1002 Note 3 (p. 414)
Voluminous records, summaries of
generally, Rule 1006 Note 1 (p. 426)
pedagogical summaries, Rule 1006 Note 2 (p. 428)
Wills, lost will, Rule 1004 Note 2 (p. 420)
Writings, defined, Rule 1001 Note 2 (p. 411)
X-rays, Rule 1002 Note 3 (p. 414)

BIAS OF WITNESS
Generally, Rule 616 Note 1 (p. 223), Rule 616 (p. 223)
Bribery, Rule 616 Note 6 (p. 226)
Comparison with Federal Rule, Rule 616 Note 11 (p. 227)
Compensation by adverse party, Rule 616 Note 3 (p. 225)
Covenants not to execute or sue, Rule 616 Note 5 (p. 225)
Interest in related litigation, Rule 616 Note 4 (p. 225)
Loan receipt agreements, Rule 616 Note 5 (p. 225)
Not collateral matter, Rule 616 Note 1 (p. 223)
Other Rules to consider, Rule 616 Note 10 (p. 227)
Partial settlement agreements, Rule 616 Note 5 (p. 225)
Plea agreement with prosecution, Rule 616 Note 2 (p. 224)
Relationship with party or witness, Rule 616 Note 7 (p. 226)
Specific acts as proof of, Rule 608 Note 6 (p. 182)
Summary of issues affecting admissibility, Rule 616 Note 9 (p. 227)
Threats, Rule 616 Note 6 (p. 226)
Ulterior motives, Rule 616 Note 8 (p. 226)

BIBLE, FAMILY
Hearsay rule, family records, Rule 803 Note 13 (p. 334)

BIGAMOUS MARRIAGE
Privileged communications, Rule 501 Note 8 (p. 136)

BIRTH CERTIFICATES
Exception to the hearsay rule, Rule 803 Note 9 (p. 332)

BITE MARKS
Expert testimony, Rule 702 Note 7 (p. 249)

BLACKBOARD
Closing argument, use in, Rule 611 Note 6 (p. 197)

BLOOD GROUPING TESTS
Chain of custody, Rule 901 Note 3 (p. 377)
Expert testimony, Rule 702 Note 7 (p. 249)

BLOOD SPATTER EVIDENCE
Expert opinion testimony, Rule 702 Note 7 (p. 249)

BLOOD TESTS
Chain of custody, Rule 901 Note 3 (p. 377)
Physician-patient privilege, Rule 501 Note 7 (p. 129)

BODILY CONDITION, STATEMENTS CONCERNING
Appearance, opinion testimony, Rule 701 Note 6 (p. 239)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Existing pain or suffering, Rule 803 Note 3 (p. 316)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Opinion testimony, Rule 701 Note 6 (p. 239)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Symptoms of present illness, Rule 803 Notes 3 (p. 316) & 4 (p. 319)

BOUNDARIES
Judgment as to boundaries, Rule 803 Note 23 (p. 342)
Reputation evidence concerning boundaries or general history, Rule 803 Note 20 (p. 339)

BRIBERY
Evidence concerning bribery of a witness, Rule 616 Note 6 (p. 226)

BRUTON RULE
Redacted confessions, Rule 105 Note 5 (p. 26)

BUREAU OF MOTOR VEHICLES
Best evidence rule, Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)

BURGLARY
Impeachment by evidence of conviction of crime, Rule 609 Note 2 (p. 188), Rule 609 (p. 186)
Third degree, Rule 609 Note 2 (p. 188)

BUSINESS RECORDS
Absence of record following diligent search, Rule 803 Note 7 (p. 327)
Affidavits
interest in property, Rule 803 Note 15 (p. 335)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)

BUSINESS RECORDS—Cont'd
Authentication—Cont'd
electronically maintained records, Rule 803 Note 6 (p. 323)
hearsay exception, Rule 803 Note 6 (p. 323)
lack of trustworthiness, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
qualified witness, Rule 803 Note 6 (p. 323)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Baptismal certificates, Rule 803 Note 12 (p. 334)
Best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
Birth records, Rule 803 Note 9 (p. 332)
Certificates
baptismal certificates, Rule 803 Note 12 (p. 334)
marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
Computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
Criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
Deaths records, Rule 803 Note 9 (p. 332)
Deeds, recorded, Rule 803 Note 14 (p. 335)
Electronically maintained records, Rule 803 Note 6 (p. 323)
Exception to hearsay rule, Rule 803 Note 6 (p. 323)
Hearsay
authentication, Rule 803 Note 6 (p. 323)
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
criminal conviction, Rule 803 Note 22 (p. 340)
lack of trustworthiness, Rule 803 Note 6 (p. 323)
police reports, exclusions from hearsay rule, Rule 803 Note 8 (p. 327)
qualified witness, Rule 803 Note 6 (p. 323)
vital statistics, records excluded from hearsay exception, Rule 803 Note 9 (p. 332)
Opinions contained in records, Rule 803 Note 6 (p. 323)
Personal knowledge, Rule 803 Note 6 (p. 323)
Police reports
generally, Rule 803 Note 6 (p. 323)
business records, as, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
hearsay, exclusions from hearsay rule, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 6 (p. 323)
trustworthiness, Rule 803 Note 8 (p. 327)
vital statistics, records of. Police reports, above
Public records and reports
generally, Rule 803 Note 8 (p. 327)
absence of record following diligent search, Rule 803 Note 10 (p. 333)
affidavits concerning an interest in property, Rule 803 Note 15 (p. 335)
baptismal certificates, Rule 803 Note 12 (p. 334)
best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
birth records, Rule 803 Note 9 (p. 332)

BUSINESS RECORDS—Cont'd
"Regularly conducted business" defined, Rule 803 Note 6 (p. 323)
Religious organizations, Rule 803 Note 11 (p. 333)
Self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Trustworthiness, Rule 803 Note 8 (p. 327)
Vital statistics, records of
generally, Rule 803 Note 9 (p. 332)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
deaths, records of, Rule 803 Note 9 (p. 332)
exclusions from hearsay exception, Rule 803 Note 9 (p. 332)
factual findings, Rule 803 Note 9 (p. 332)
foreign public documents, Rule 902 Note 3 (p. 399)
marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
matters observed and reported pursuant to legal duty, Rule 803 Note 9 (p. 332)
personal knowledge, requirement of, Rule 803 Note 9 (p. 332)
police reports
exclusions from hearsay rule, Rule 803 Note 9 (p. 332)
public records and reports, Rule 803 Note 9 (p. 332)
regularly kept records, Rule 803 Note 9 (p. 332)
trustworthiness, Rule 803 Note 9 (p. 332)
testimony, public records, Rule 901 Note 16 (p. 393)

CARBON COPIES
Originals under best evidence rule, Rule 1001 Note 4 (p. 411)

CASE REPORTS
Authentication of common law reports, Rule 902 Note 4 (p. 399)

CERTIFICATES
Authentication
business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
dishonor, Rule 902 Note 8 (p. 402)
domestic public records, Rule 902 Note 2 (p. 397)
foreign public records, Rule 902 Note 3 (p. 399)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
weighers or inspectors, Rule 902 Note 8 (p. 402)
Baptism. See index heading BAPTISM CERTIFICATES
Birth, Rule 803 Note 9 (p. 332)
Business records. See index heading business records
Certified copy
attestation of public official, domestic, Rule 902 Note 2 (p. 397)
authentication of public records
domestic, Rule 902 Note 2 (p. 397)
foreign, Rule 902 Note 3 (p. 399)
business records, self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Death, Rule 803 Note 9 (p. 332)
Dishonor, certificates of, Rule 902 Note 8 (p. 402)
Hearsay, baptismal certificates, Rule 803 (p. 308)

CERTIFICATES—Cont'd
Marriage
private record, Rule 803 Note 12 (p. 334)
public record, Rule 803 Note 9 (p. 332)
Public records and reports
baptismal certificates, Rule 803 Note 12 (p. 334)
best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
birth records, Rule 803 Note 9 (p. 332)
data compilations
public records generally, Rule 803 Note 8 (p. 327)
records of vital statistics, Rule 803 Note 9 (p. 332)
deaths, records of, Rule 803 Note 9 (p. 332)
deeds, recorded, Rule 803 Note 14 (p. 335)
documents affecting an interest in property, records of, Rule 803 Note 14 (p. 335)
foreign public documents, Rule 902 Note 3 (p. 399)
marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
marriages, records of, Rule 803 Note 9 (p. 332)
vital statistics, records of, Rule 803 Note 9 (p. 332)
Rehabilitation certificates, effect on witnesses, Rule 609 (p. 186)
Self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Weighers or inspectors, certificates of, Rule 902 Note 8 (p. 402)
Witnesses , effect of certificate of rehabilitation, Rule 609 (p. 186)

CERTIFIED COPY
Authentication of public records
domestic, Rule 902 Note 2 (p. 397)
foreign, Rule 902 Note 3 (p. 399)
Baptismal certificates, Rule 803 Note 12 (p. 334)
Best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
Birth records, Rule 803 Note 9 (p. 332)
Business records, self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Certificates. See index heading CERTIFICATES
Deaths, records of, Rule 803 Note 9 (p. 332)
Deeds, recorded, Rule 803 Note 14 (p. 335)
Domestic public official, attestation of, Rule 902 Note 2 (p. 397)
Foreign public official, attestation of, Rule 902 Note 3 (p. 399)
Interest in property, documents affecting, Rule 803 Note 14 (p. 335)
Marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
Public records and reports
generally, Rule 803 Note 8 (p. 327)
authentication, Rule 902 Note 2 (p. 397)
baptismal certificates, Rule 803 Note 12 (p. 334)
best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
birth records, Rule 803 Note 9 (p. 332)
deaths, records of, Rule 803 Note 9 (p. 332)
deeds, recorded, Rule 803 Note 14 (p. 335)
foreign public documents, Rule 902 Note 3 (p. 399)

CERTIFIED COPY—Cont'd
Public records and reports—Cont'd
interest in property, documents affecting, Rule 803 Note 14 (p. 335)
marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
records of vital statistics, Rule 803 Note 9 (p. 332)
self-authentication, Rule 902 Note 2 (p. 397)
vital statistics, records of, Rule 803 Note 9 (p. 332)
Self-authentication of public records and reports, Rule 902 Note 2 (p. 397)
Vital statistics, records of, Rule 803 Note 9 (p. 332)

CHAIN OF CUSTODY
Generally, Rule 901 Note 3 (p. 377)

CHARACTER OR REPUTATION
Generally, as proof of character, Rule 405 Note 2 (p. 83)
Accused
generally, Rule 404 Note 2 (p. 68)
evidence of own relevant traits, and prosecution's rebuttal, Rule 404 Note 2 (p. 68)
sexual preference, Rule 404 Note 6 (p. 71)
Balancing probative value and unfair prejudice, uncharged crimes, Rule 404 Note 7 (p. 72)
Boundaries or customs affecting land, hearsay rule, Rule 803 Note 20 (p. 339)
Character witnesses
cross-examination, Rule 405 Note 4 (p. 84)
limitation on number allowed, Rule 611 Note 2 (p. 196)
notice to accused, Rule 405 Note 5 (p. 85)
opinion evidence admissible, Rule 405 Note 3 (p. 84)
reputation evidence, Rule 405 Note 2 (p. 83)
Child sex offenses, Rule 404 Note 17 (p. 79)
CHINS Proceedings, Rule 405 Note 6 (p. 86)
Circumstantial use of character evidence, Rule 404 Note 1 (p. 68)
Collateral matters, Rule 616 Note 1 (p. 223)
Common scheme or plan, Generally, Rule 404 Note 13 (p. 77)
Comparison with Federal Rule, Rule 404 Note 20 (p. 82), Rule 405 Note 9 (p. 87)
Conviction of crime
generally, Rule 609 Note 1 (p. 187)
comparison with Federal Rule, Rule 609 Note 13 (p. 193)
crimes admissible, Rule 609 Note 2 (p. 188)
crimes inadmissible, Rule 609 Note 3 (p. 188)
extent of questioning, Rule 609 Note 7 (p. 190)
juvenile convictions, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 609 Note 9 (p. 191)
other Rules to consider, Rule 609 Note 12 (p. 193)
pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
pendency of appeal, Rule 609 Note 6 (p. 190)
remoteness: convictions more than ten years old, Rule 609 Note 10 (p. 191)

CHARACTER OR REPUTATION—Cont'd
Conviction of crime—Cont'd
summary of issues affecting admissibility, Rule 609 Note 11 (p. 192)
Crime victim, reputation for peacefulness, Rule 404 Note 3 (p. 69)
Cross examination
character witness, specific acts, Rule 608 Note 8 (p. 182)
impeaching witness, Rule 608 Note 8 (p. 182)
notice
generally, Rule 405 Note 5 (p. 85)
intent to offer character evidence in criminal cases, Rule 608 Note 8 (p. 182)
Extrinsic evidence, opinion and reputation evidence of character, Rule 608 (p. 179)
Extrinsic offenses
balancing probative value and unfair prejudice, Rule 404 Note 7 (p. 72)
extrinsic acts not amounting crimes, Rule 404 Note 6 (p. 71)
general rule, Rule 404 Note 6 (p. 71)
notice in criminal cases, Rule 404 Note 9 (p. 74)
sufficiency of proof of extrinsic offense, Rule 404 Note 7 (p. 72)
test for admissibility, Rule 404 Note 7 (p. 72)
Family history, hearsay rule, Rule 803 Note 19 (p. 339)
'Forbidden inference,' Rule 404 Note 6 (p. 71)
Gang membership, Rule 404 Note 6 (p. 71)
Hearsay
boundaries or general history, reputation concerning, Rule 803 (p. 308)
exception, Rule 803 Note 21 (p. 340)
family or personal history, reputation concerning, Rule 803 (p. 308)
proof of character, Rule 803 Note 21 (p. 340)
Historical matters, hearsay rule, Rule 803 Note 20 (p. 339)
Identity, proof of perpetrator's, Rule 404 Note 12 (p. 76)
Impeachment, Rule 404 Note 17 (p. 79)
Impeachment evidence, character as
comparison with Federal Rule, Rule 608 Note 13 (p. 185)
cross examination
character witness, specific acts, Rule 608 Note 8 (p. 182)
impeaching witness, Rule 608 Note 8 (p. 182)
notice, Rule 405 Note 5 (p. 85), Rule 608 Note 8 (p. 182)
hearsay exception, Rule 803 Note 21 (p. 340)
impeachee's rebuttal reputation evidence, Rule 608 Note 4 (p. 181)
jury confusion, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
opinion testimony admissible, Rule 608 Note 3 (p. 180)
other Rules to consider, Rule 608 Note 12 (p. 185)
own witness, impeachment of
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
comparison with Federal Rule, Rule 607 Note 9 (p. 178)
limitations, Rule 607 Note 2 (p. 175)
other Rules to consider, Rule 607 Note 8 (p. 177)

CHARACTER OR REPUTATION—Cont'd
Impeachment evidence, character as—Cont'd
own witness, impeachment of—Cont'd
summary of issues affecting admissibility, Rule 607 Note 7 (p. 177)
religious belief or opinion, Rule 610 Note 1 (p.194)
reputation within a reasonable time before trial, Rule 608 Note 2 (p. 180)
sexual reputation
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
rape shield law, generally, Rule 412 Note 1 (p. 111)
specific acts generally inadmissible as proof of character, Rule 608 Note 5 (p. 181)
summary of issues affecting admissibility, Rule 608 Note 11 (p. 184)
truthfulness, character for, Rule 608 Note 1 (p. 179)
truthfulness, reputation evidence admissible, Rule 608 Note 2 (p. 180)
In issue
CHINS Proceedings, Rule 405 Note 6 (p. 86)
criminal cases, Rule 404 Note 3 (p. 69)
Inseparable crimes, Rule 404 Note 10 (p. 74)
Intent, proof of accused's
generally, Rule 404 Note 11 (p. 75)
intent at issue, Rule 404 Note 7 (p. 72)
similarity, Rule 404 Note 11 (p. 75)
Jury confusion, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Juvenile convictions, Rule 609 Note 5 (p. 189)
Knowledge of accused, as proof of, Rule 404 Note 14 (p. 78)
Marriage, as proof of, Rule 803 Note 19 (p. 339)
Methods of proof of character
generally, Rule 405 Note 1 (p. 83)
opinion testimony admissible, Rule 405 Note 3 (p. 84)
reputation, Rule 405 Note 2 (p. 83)
Modus operandi, Rule 404 Note 13 (p. 77)
Motive of accused, as proof of, Rule 404 Note 14 (p. 78)
Non-propensity purposes not listed in rule, Rule 404 Note 17 (p. 79)
Notice
cross examination
generally, Rule 405 Note 5 (p. 85)
intent to offer character evidence in criminal cases, Rule 608 Note 8 (p. 182)
uncharged crimes in criminal cases, Rule 404 Note 9 (p. 74)
Opinion testimony admissible, Rule 608 Note 3 (p. 180)
Other crimes and acts by accused, general rule, Rule 404 Note 6 (p. 71)
Other Rules to consider, Rule 404 Note 19 (p. 81), Rule 405 Note 8 (p. 86)
Own witness, impeachment of
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
limitations, Rule 607 Note 2 (p. 175)
Pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)

CHARACTER OR REPUTATION—Cont'd
Pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)
Personal history, hearsay rule, Rule 803 Note 19 (p. 339)
Plan, generally, Rule 404 Note 13 (p. 77)
Prior sexual allegations, Rule 608 Note 9 (p. 183)
Propensity rule, Rule 404 Note 6 (p. 71)
Rape shield law
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
civil cases, exceptions, Rule 412 Note 3 (p. 113)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
Rebutting entrapment defense, Rule 404 Note 17 (p. 79)
Relevancy
accused's character, character evidence not admissible to prove, Rule 404 (p. 67)
method of proving character, reputation or opinion, Rule 405 (p. 83)
Religious belief or opinion, Rule 610 Note 1 (p.194)
Reputation as proof of character, Rule 608 Note 2 (p. 180)
"Res gestae," Rule 404 Note 10 (p. 74)
Sanity, Rule 404 Note 16 (p. 79)
Self-defense cases, Rule 404 Note 3 (p. 69)
Sexual conduct or reputation
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
certain criminal cases, Rule 412 Note 1 (p. 111)
civil cases, exceptions, Rule 412 Note 3 (p. 113)
comparison with Federal Rule, Rule 412 Note 7 (p. 115)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
notice and hearing, Rule 412 Note 4 (p. 114)
other cases, Rule 412 Note 2 (p. 112)
other Rules to consider, Rule 412 Note 6 (p. 115)
predisposition, generally, Rule 412 (p. 110)
preference of accused, Rule 404 Note 6 (p. 71)
summary of issues affecting admissibility, Rule 412 Note 5 (p. 114)
Specific acts
bias, admissible to show, Rule 608 Note 6 (p. 182)
character in issue, Rule 405 Note 6 (p. 86)
cross examination of character witness
generally, Rule 608 Note 8 (p. 182)
notice to accused, Rule 405 Note 5 (p. 85)
inadmissibility as proof, Rule 608 Note 5 (p. 181)
observe and recall, admissible to impeach ability to, Rule 608 Note 7 (p. 182)
opening the door, Rule 608 Note 10 (p. 184)
prior sexual allegations, Rule 608 Note 9 (p. 183)
proof, generally inadmissible as, Rule 608 Note 5 (p. 181)
substantive purposes, admissible for, Rule 608 Note 5 (p. 181)
Specific instances of conduct, Rule 405 Note 6 (p. 86)
Substantive evidence, generally, Rule 404 Note 6 (p. 71)

CHARACTER OR REPUTATION—Cont'd
Sufficiency of proof of extrinsic offense, Rule 404 Note 8 (p. 74)
Summary of issues affecting admissibility, Rule 404 Note 18 (p. 80), Rule 405 Note 7 (p. 86)
Truthfulness, opinion and reputation evidence of character, Rule 608 (p. 179)
Veracity of witness, Rule 608 Note 2 (p. 180)
Victim's character
as proof of accused's state of mind, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
as proof of victim's conduct, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
sexual reputation, generally, Rule 412 Note 1 (p. 111)
Witnesses
generally, Rule 404 Note 4 (p. 70), Rule 608 Note 4 (p. 181), Rule 608 Notes 1 (p. 179) & 2 (p. 180)
character witnesses
cross-examination, Rule 405 Note 4 (p. 84)
limitation on number allowed, Rule 611 Note 2 (p. 196)
notice to accused, Rule 405 Note 5 (p. 85)
opinion evidence admissible, Rule 405 Note 3 (p. 84)
reputation evidence, Rule 405 Note 2 (p. 83)
comparison with Federal Rule, Rule 608 Note 13 (p. 185)
other Rules to consider, Rule 608 Note 12 (p. 185)
summary of issues affecting admissibility, Rule 608 Note 11 (p. 184)

CHARTS
Generally, Rule 611 Note 6 (p. 197)

CHILD ABUSE ACCOMMODATION SYNDROME
Expert opinion testimony, Rule 702 Note 7 (p. 249)

CHILD MOLESTING
Child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)
Victim's statement, hearsay exception, Rule 804 Note 7 (p. 361)

CHILDREN
Child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
"CHINS" proceedings
closed circuit testimony, Rule 804 Note 8 (p. 364)
parents' character in issue, Rule 405 Note 6 (p. 86)
videotaped testimony, Rule 804 Note 7 (p. 361)
Closed circuit testimony of crime victim, Rule 804 Note 8 (p. 364)
Communication to parent not privileged, Rule 501 Note 15 (p. 144)
Competency as witnesses
generally, Rule 601 Note 2 (p. 155)
statements in criminal cases, child as victim, Rule 804 Note 7 (p. 361)
Doll, use in testimony, Rule 611 Note 6 (p. 197)
Exaggeration, child's tendency for, Rule 704 Note 5 (p. 268)
Expert testimony, child's ability to describe events, Rule 704 Note 5 (p. 268)

CHILDREN—Cont'd
Hearsay
closed-circuit televised testimony, Rule 804 Note 8 (p. 364)
out-of-court statements, Rule 804 Note 7 (p. 361)
videotaped testimony, Rule 804 Note 7 (p. 361), Rule 804 Note 8 (p. 364)
Husband-wife privilege, inapplicability in certain cases involving children, Rule 501 Note 8 (p. 139)
Leading questions, Rule 611 Note 10 (p. 200)
Molesting of children
child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
impeachment use of conviction for, Rule 609 Note 2 (p. 188)
victim's statement, hearsay exception, Rule 804 Note 7 (p. 361)
Opinion testimony, child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
Paternity. See index heading PATERNITY
Physician-patient privilege, inapplicability in certain cases involving children, Rule 501 Note 7 (p. 129)
Sex offenses, character or reputation, Rule 404 Note 17 (p. 79)
Support of children, use of failure to pay for impeachment, Rule 609 Note 3 (p. 188)
Victim's statement, admissibility, Rule 804 Note 7 (p. 361)
Videotape of statement, hearsay exception, Rule 804 Note 7 (p. 361), Rule 804 Note 8 (p. 364)
Witnesses
closed-circuit television, Rule 804 Note 8 (p. 364)
competency of witnesses, Rule 601 Note 2 (p. 155), Rule 804 Note 7 (p. 361)
doll, use in testimony, Rule 611 Note 6 (p. 197)
hearsay exception, Rule 804 Note 7 (p. 361)
parent-child privileges, Rule 501 Note 15 (p. 144)
videotaped testimony, Rule 804 Note 8 (p. 364)

CHILD SEX OFFENSES
Character or reputation, Rule 404 Note 17 (p. 79)

CHILD SUPPORT, FAILURE TO PAY
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)

"CHINS" PROCEEDINGS
Closed circuit testimony, Rule 804 Note 8 (p. 364)
Parents' character in issue, Rule 405 Note 6 (p. 86)
Videotaped testimony, Rule 804 Note 7 (p. 361)

CHIROPRACTORS
Physician-patient privilege, Rule 501 Note 7 (p. 129)

CHURCH
Clergyman's privilege, Rule 501 Note 9 (p. 139)

CHURCH RECORDS
Hearsay exception, Rule 803 Note 11 (p. 333)

CIRCUMSTANTIAL EVIDENCE
Authentication
execution of writing, proof of, Rule 901 Note 8 (p. 383)
proof of, Rule 901 Note 1 (p. 376)
Character evidence, use as, Rule 404 Note 1 (p. 68)

CITY ORDINANCES AND CODES
Authentication, Rule 902 Note 4 (p. 399)
Judicial notice, Rule 201 Note 6 (p. 38)

CIVIL COMMITMENT PROCEEDINGS
Physician-patient privilege, Rule 501 Note 7 (p. 129)

CLERGYMAN'S PRIVILEGE
Generally, Rule 501 Note 9 (p. 139)

CLINICAL SOCIAL WORKERS
Privileged communications, Rule 501 Note 13 (p. 143)

CLOSED CIRCUIT TELEVISION
Testimony by way of, Rule 804 Note 8 (p. 364)

CO-CONSPIRATOR'S STATEMENTS
Hearsay rule, Rule 801 Note 14 (p. 297)
Joint trials, limited admissibility, Rule 105 Note 5 (p. 26)

CO-DEFENDANT'S STATEMENTS
Generally, Rule 105 Note 5 (p. 26)
Child hearsay exception, Rule 804 Note 7 (p. 361)
Declarations against interest exception, Rule 804 Note 4 (p. 355)
Denial of memory of statement, Rule 801 Note 5 (p. 286)
Dying declarations exception, Rule 804 Note 3 (p. 354)
Excited utterance exception, Rule 803 Note 2 (p. 314)
Forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
Former testimony exception, Rule 804 Note 2 (p. 350)
Hearsay rule
child hearsay exception, Rule 804 Note 7 (p. 361)
declarations against interest exception, Rule 804 Note 4 (p. 355)
dying declarations exception, Rule 804 Note 3 (p. 354)
excited utterance exception, Rule 803 Note 2 (p. 314)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
former testimony exception, Rule 804 Note 2 (p. 350)
regularly kept business records exception, Rule 803 Note 6 (p. 323)
relationship to, Rule 802 Note 2 (p. 304)
statements for medical diagnosis or treatment exception, Rule 803 Note 4 (p. 319)
Joint trials, generally, Rule 105 Note 5 (p. 26)
Regularly kept business records exception, Rule 803 Note 6 (p. 323)
Relationship to, Rule 802 Note 2 (p. 304)
Statements for medical diagnosis or treatment exception, Rule 803 Note 4 (p. 319)

CO-DEFENDANT'S STATEMENTS—Cont'd
Unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)

COLLATERAL ESTOPPEL
Criminal judgment in civil cases, Rule 803 Note 22 (p. 340)

COLLATERAL MATTERS
Best evidence rule, exception to, Rule 1004 Note 5 (p. 422)
Bias of witness not collateral, Rule 616 Note 1 (p. 223)
Character, Rule 616 Note 1 (p. 223)
Cross examination, Rule 613 Note 3 (p. 210), Rule 616 Note 1 (p. 223)
Original documents rule, Rule 1004 Note 5 (p. 422)
Prior Inconsistent Statement, Rule 613 Note 3 (p. 210)
Recordings, originals, Rule 1004 (p. 419)
Witnesses, impeachment on collateral matters, Rule 607 Note 6 (p. 177)

COLLATERAL SOURCE RULE
Relevancy, Rule 401 Note 5 (p. 53)

COMMERCIAL PAPER
Self-authentication, Rule 902 Note 8 (p. 402), Rule 902 (p. 394)

COMMERCIAL PUBLICATIONS
Exception to hearsay rule, Rule 803 Note 17 (p. 337)

COMMON INTEREST PRIVILEGE
Generally, Rule 501 Note 2 (p. 120)

COMMON KNOWLEDGE
Judicial notice, Rule 201 Note 2 (p. 36)

COMMON SCHEME OR PLAN
Notice of intent to use evidence of extrinsic offenses, Rule 404 Note 9 (p. 74)
Other crimes or acts to prove, generally, Rule 404 Note 13 (p. 77)

COMPARISONS
Authentication of handwriting, Rule 901 Note 6 (p. 381)

COMPETENCY OF WITNESSES
Generally, Rule 601 Note 1 (p. 154)
Administrators and executors as parties, Rule 601 Note 5 (p. 157)
Affirmation, Rule 603 Note 1 (p. 165)
Age, Rule 601 Note 2 (p. 155)
Agents of claimants or decedent, dead man's statutes, Rule 601 Note 5 (p. 157)
Attorney-client privilege, Rule 501 Note 6 (p. 124)
Attorneys as witnesses, Rule 605 Note 2 (p. 168)
Children
  generally, Rule 601 Note 2 (p. 155)
  statements in criminal cases, child as victim, Rule 804 Note 7 (p. 361)
Clergyman's privilege, Rule 501 Note 9 (p. 139)
Comparison with Federal Rule, Rule 601 Note 8 (p. 161)
Corporations, dead man's statutes, Rule 601 Note 5 (p. 157)

COMPETENCY OF WITNESSES—Cont'd
Dead man's statutes
generally, Rule 601 Note 5 (p. 157)
administrators as parties, Rule 601 Note 5 (p. 157)
adverse party, calling, Rule 601 Note 5 (p. 157)
agents, Rule 601 Note 5 (p. 157)
contracts assigned to decedent, Rule 601 Note 5 (p. 157)
corporations, Rule 601 Note 5 (p. 157)
court's witnesses, Rule 601 Note 5 (p. 157), Rule 614 Note 1 (p. 214)
decedent's testimony available, Rule 601 Note 5 (p. 157)
devisees and heirs, suits by or against, Rule 601 Note 5 (p. 157)
excited utterances, Rule 601 Note 5 (p. 157)
executors as parties, Rule 601 Note 5 (p. 157)
heirs and devisees, suits by or against, Rule 601 Note 5 (p. 157)
objections and offers to prove, Rule 601 Note 5 (p. 157)
res gestae, Rule 601 Note 5 (p. 157)
spouses, Rule 601 Note 5 (p. 157)
suits between estates, Rule 601 Note 5 (p. 157)
testator's mental soundness, Rule 601 Note 5 (p. 157)
will contests, Rule 601 Note 5 (p. 157)
Devisees and heirs, suits between, Rule 601 Note 5 (p. 157)
Estates, suits between, Rule 601 Note 5 (p. 157)
Excited utterances, Rule 601 Note 5 (p. 157)
Executors and administrators as parties, Rule 601 Note 5 (p. 157)
Heirs and devisees, suits between, Rule 601 Note 5 (p. 157)
Hypnosis, testimony induced by, Rule 602 Note 2 (p. 163)
Insane persons, Rule 601 Note 3 (p. 155)
Insurance agents, dead man's statutes, Rule 601 Note 5 (p. 157)
Intoxicated witnesses, Rule 601 Note 4 (p. 156)
Judges, Rule 605 Note 1 (p. 168)
Jurors
affidavits, competency of juror as witness, Rule 606 (p. 170)
after trial
generally, Rule 606 Notes 2 (p. 171) & 3 (p. 172)
exceptions, Rule 606 Note 3 (p. 172)
extraneous matters, Rule 606 Note 3 (p. 172)
hearing, procedure, Rule 606 Note 3 (p. 172)
hearsay from jurors to impeach verdict, Rule 606 Note 2 (p. 171)
impeaching verdict, Rule 606 Note 2 (p. 171)
supporting verdict or indictment, Rule 606 Note 3 (p. 172)
alcohol use by juror, competency of juror as witness, Rule 606 (p. 170)
drug use by juror, competency of juror as witness, Rule 606 (p. 170)
during trial
generally, Rule 606 Note 1 (p. 170)
comparison with Federal Rule, Rule 606 Note 7 (p. 174)
inaccurate voir dire responses, Rule 606 Note 4 (p. 173)
other Rules to consider, Rule 606 Note 6 (p. 174)

COMPETENCY OF WITNESSES—Cont'd
Jurors—Cont'd
during trial—Cont'd
publicity, Rule 606 Note 1 (p. 170)
summary of issues affecting admissibility, Rule 606 Note 5 (p. 173)
extraneous prejudicial information, competency of juror as witness, Rule 606 (p. 170)
indictment, inquiry into validity of verdict or, competency of juror as witness, Rule 606 (p. 170)
inquiry into validity of verdict or indictment, competency of juror as witness, Rule 606 (p. 170)
judge as witness, Rule 605 (p. 168)
outside influence, competency of juror as witness, Rule 606 (p. 170)
revised Rule 605, Rule 605 (p. 168)
validity of verdict or indictment, inquiry into, competency of juror as witness, Rule 606 (p. 170)
verdict or indictment, inquiry into validity of, competency of juror as witness, Rule 606 (p. 170)
Mental soundness of testator, dead man's statutes, Rule 601 Note 5 (p. 157)
Objections: dead man's statutes, Rule 601 Note 5 (p. 157)
Offers to prove
dead man's statutes, Rule 601 Note 5 (p. 157)
following determination of competency, Rule 601 Note 2 (p. 155)
Other Rules to consider, Rule 601 Note 7 (p. 161)
''Party to the issue,'' Rule 601 Note 5 (p. 157)
Personal knowledge
comparison with Federal Rule, Rule 602 Note 6 (p. 164)
opinions, Rule 602 Note 3 (p. 163)
other Rules to consider, Rule 602 Note 5 (p. 164)
requirement of, Rule 602 Note 1 (p. 162)
summary of issues affecting admissibility, Rule 602 Note 4 (p. 164)
testimony induced by hypnosis, Rule 602 Note 2 (p. 163)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Procedure for determination of sanity, Rule 601 Note 3 (p. 155)
Prosecuting attorney, Rule 605 Note 2 (p. 168)
Psychiatrist, appointment of, Rule 601 Note 3 (p. 155)
Religious beliefs, Rule 610 Note 1 (p.194)
Res gestae, dead man's statutes, Rule 601 Note 5 (p. 157)
Spouses, dead man's statutes, Rule 601 Note 5 (p. 157)
Summary of issues affecting admissibility, Rule 601 Note 6 (p. 161)
Testator's mental soundness, dead man's statutes, Rule 601 Note 5 (p. 157)
Will contests, Rule 601 Note 5 (p. 157)

COMPLETENESS, PRINCIPLE OF
Best evidence rule, duplicates, Rule 1003 Note 1 (p. 417)
Common law principle, generally, Rule 106 Note 4 (p. 30)
Doctrine of completeness, Rule 106 Note 4 (p. 30)

COMPLETENESS, PRINCIPLE OF—Cont'd
Immediate completeness
generally, Rule 106 Note 1 (p. 28)
evidence otherwise inadmissible, Rule 106 Note 3 (p. 29)
hearsay, Rule 106 Note 3 (p. 29)
inadmissible hearsay, Rule 106 Note 3 (p. 29)
otherwise inadmissible evidence, Rule 106 Note 3 (p. 29)
''ought to be considered,'' Rule 106 Note 1 (p. 28)
principle of completeness compared, Rule 106 Note 4 (p. 30)
recordings, Rule 106 Note 3 (p. 29)
requirements of fairness, Rule 106 Note 1 (p. 28)
trial Court discretion, Rule 106 Note 2 (p. 29)
unfair prejudice, Rule 106 Note 3 (p. 29)
unrecorded statements of witness during custodial interrogation, Rule 617 Note 4 (p. 232)
writings, Rule 106 Note 3 (p. 29)
Prior consistent statement, Rule 801 Note 7 (p. 288)
Prior inconsistent statement, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211), Rule 801 Note 6 (p. 287)
Timing of production of remainder, Rule 106 Note 1 (p. 28)

COMPROMISE
Admissibility in small claims cases, Rule 101 Note 4 (p. 4)
Admissions, Rule 408 Note 6 (p. 97), Rule 408 Notes 1 (p. 95) & 8 (p. 97)
Alternative dispute resolution, Rule 408 Note 5 (p. 97)
Conduct, Rule 408 Notes 1 (p. 95) & 8 (p. 97)
Guilty pleas and related statements
generally, Rule 410 Note 1 (p. 102)
admissible if not withdrawn, Rule 410 Note 6 (p. 105)
''in connection with'' plea offer, Rule 410 Note 4 (p. 104)
perjury, admissibility of statements at guilty plea later withdrawn, Rule 410 Note 1 (p. 102)
plea bargaining, evidence of, generally inadmissible, Rule 410 Note 3 (p. 104)
proof of underlying conduct, Rule 410 Note 7 (p. 105), Rule 803 Note 22 (p. 340)
sentencing hearing, admissibility of statements made in plea negotiations, Rule 410 Note 2 (p. 102)
statements made by others, Rule 410 Note 3 (p. 104)
statements related to plea discussions, Rule 410 Note 4 (p. 104)
offering party, as affecting admissibility, Rule 410 Note 5 (p. 105)
traffic offenses, Rule 410 Note 7 (p. 105)
withdrawn guilty pleas generally inadmissible, Rule 410 Note 1 (p. 102)
Inadmissibility, general rule of, Rule 408 Note 1 (p. 95)
Instructing the jury, Rule 408 Note 1 (p. 95)
Judge and jury, Rule 408 Note 1 (p. 95)
Limiting instruction, Rule 408 Note 2 (p. 96)
Medical and similar expenses, payment of, Rule 410 Notes 1 (p. 101) & 2 (p. 102)

COMPROMISE—Cont'd
Negotiations for settlement, Rule 408 Notes 1 (p. 95) & 2 (p. 96)
Non-parties, offers to, Rule 408 Note 8 (p. 97)
Offer of compromise
generally, Rule 408 Note 1 (p. 95)
admissibility in small claims cases, Rule 101 Note 4 (p. 4)
admissions, Rule 408 Note 6 (p. 97), Rule 408 Notes 1 (p. 95) & 8 (p. 97)
alternative dispute resolution, Rule 408 Note 5 (p. 97)
comparison with Federal Rule, Rule 408 Note 10 (p. 97)
guilty pleas and related statements, Rule 410 Note 1 (p. 102), Rule 410 Notes 4 (p. 104) & 5 (p. 105)
inadmissibility, general rule of, Rule 408 Note 1 (p. 95)
instructing the jury, Rule 408 Note 1 (p. 95)
judge and jury, Rule 408 Note 1 (p. 95)
limiting instruction, Rule 408 Note 2 (p. 96)
negotiations for settlement, Rule 408 (p. 95)
non-parties, offers to, Rule 408 Note 8 (p. 97)
offers of judgment, Rule 408 Note 5 (p. 97)
other Rules to consider, Rule 408 Note 10 (p. 97)
payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
preliminary questions of fact, Rule 408 Note 6 (p. 97)
promises, generally, Rule 408 Note 1 (p. 95)
proof of matters other than offeror's belief in his liability, Rule 408 Note 2 (p. 96)
punitive damages, Rule 408 Note 3 (p. 96)
relevancy
generally, Rule 408 (p. 95)
offer to non-party, Rule 408 Note 8 (p. 97)
offer to party inadmissible, Rule 408 Notes 1 (p. 95) & 2 (p. 96)
statement of fact admissible, Rule 408 Note 6 (p. 97)
settlements
generally, Rule 408 Note 1 (p. 95)
admissions, Rule 408 Note 6 (p. 97)
alternative dispute resolution, Rule 408 Note 5 (p. 97)
inadmissibility, general rule of, Rule 408 Note 1 (p. 95)
non-parties, offers to, Rule 408 Note 8 (p. 97)
offers of judgment, Rule 408 Note 5 (p. 97)
proof of matters other than offeror's belief in his liability, Rule 408 Note 2 (p. 96)
small claims cases, Rule 101 Note 4 (p. 4)
statements of fact admissible, Rule 408 Note 6 (p. 97)
small claims cases, Rule 101 Note 4 (p. 4)
statement of party-opponent, Rule 408 Notes 1 (p. 95) & 2 (p. 96)
statements of fact admissible, Rule 408 Note 6 (p. 97)
statements related to plea discussions, Rule 410 Notes 4 (p. 104) & 5 (p. 105)
summary of issues affecting admissibility, Rule 408 Note 9 (p. 97)
Offers of judgment, Rule 408 Note 5 (p. 97)

COMPROMISE—Cont'd
Preliminary fact questions, Rule 408 Note 7 (p. 97)
Proof of matters other than offeror's belief in his liability, Rule 408 Note 1 (p. 95)
Relevancy
generally, Rule 408 (p. 95)
offer to non-party, Rule 408 Note 8 (p. 97)
offer to party inadmissible, Rule 408 Notes 1 (p. 95) & 2 (p. 96)
statement of fact admissible, Rule 408 Note 6 (p. 97)
Revised Rule 408, Rule 408 (p. 95)
Settlements
generally, Rule 408 Note 1 (p. 95)
admissions, Rule 408 Note 6 (p. 97)
alternative dispute resolution, Rule 408 Note 5 (p. 97)
inadmissibility, general rule of, Rule 408 Note 1 (p. 95)
non-parties, offers to, Rule 408 Note 8 (p. 97)
offers of judgment, Rule 408 Note 5 (p. 97)
proof of matters other than offeror's belief in his liability, Rule 408 Note 2 (p. 96)
small claims cases, Rule 101 Note 4 (p. 4)
statements of fact admissible, Rule 408 Note 6 (p. 97)
Small claims cases, Rule 101 Note 4 (p. 4)
Statements of fact admissible, Rule 408 Note 6 (p. 97)
Suit on completed compromise, Rule 408 Note 5 (p. 97)

COMPUTER RECORDS
Authentication, Rule 901 Note 4 (p. 379)
Business records exception to hearsay rule, Rule 803 Note 6 (p. 323)

CONCEALING EVIDENCE
Relevancy to show accused's consciousness of guilt, Rule 401 Note 6 (p. 54)

CONCLUSIONS
Expert testimony, generally, Rule 702 Note 1 (p. 244)
Forbidden topics for conclusions, Rule 704 Note 2 (p. 267)
Microscopic inspection, opinion based on, Rule 702 Note 7 (p. 249)
Opinion based on personal perception, generally, Rule 701 Notes 2 & 3 (p. 237)
Scientific evidence, generally, Rule 702 Note 8 (p. 254)

CONCLUSIVE PRESUMPTIONS
Generally, Rule 301 Note 4 (p. 46)

CONDITIONAL RELEVANCY
Generally, Rule 104 Note 1 (p. 20)
Burden of proof, Rule 104 Note 2 (p. 20)
''Connecting up,'' Rule 104 Note 3 (p. 21)
Genuineness of writing used in handwriting comparison, Rule 901 Note 6 (p. 381)
Instructing the jury, Rule 104 Note 2 (p. 20)
Relevancy that depends on a fact, Rule 104 Note 2 (p. 20)

CONDUCT

Admonitions to jury, relevancy of evidence of past sexual conduct, Rule 412 (p. 110)
Balancing probative value and unfair prejudice, Rule 404 Note 7 (p. 72), Rule 412 Note 5 (p. 114)
Character in issue
  CHINS Proceedings, Rule 405 Note 6 (p. 86)
  criminal cases, Rule 404 Note 3 (p. 69)
Common scheme or plan, Rule 404 Note 13 (p. 77)
Compromise
  generally, Rule 408 Notes 1 (p. 95) & 8 (p. 97)
  guilty pleas and related statements, proof of underlying conduct, Rule 410 Note 7 (p. 105), Rule 803 Note 22 (p. 340)
Contradiction
  ability to observe and recall acts of misconduct, as proof of, Rule 608 Note 7 (p. 182)
  bias as proof of, Rule 608 Note 6 (p. 182)
  character witnesses, cross examination of, Rule 608 Note 8 (p. 182)
Corporations, routine practice as proof of conduct, Rule 406 Note 2 (p. 88), Rule 406 Note 3 (p. 89)
Credibility, impeachment of, Rule 608 Note 5 (p. 181)
Custom or routine practice of business or group as proof of conduct
  generally, Rule 406 Note 2 (p. 88)
  method of proving, Rule 406 Note 3 (p. 89)
Disorderly conduct, impeachment by showing of conviction, Rule 609 Note 3 (p. 188)
Escape as an admission, Rule 401 Note 6 (p. 54)
Guilty pleas, as proof of conduct
  hearsay exception, Rule 803 Note 22 (p. 340)
  perjury prosecution, Rule 410 Notes 1 (p. 101) & 2 (p. 102)
  pleas not withdrawn, Rule 410 Note 6 (p. 105)
  traffic offense, Rule 410 Note 7 (p. 105)
Habit of individual as proof of conduct, Rule 406 Note 1 (p. 88), Rule 406 Note 3 (p. 89)
Hearsay, conduct as, Rule 801 Note 1 (p. 282)
Husband-wife privilege, conduct within, Rule 501 Note 8 (p. 139)
Mug shots, references to, Rule 403 Note 4 (p. 61)
Offer of compromise as admission, Rule 408 Notes 1 (p. 95) & 8 (p. 97)
Other crimes or acts, generally, Rule 404 Note 6 (p. 71)
Payment of medical and similar expenses as admission, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Physician-patient privilege, conduct within, Rule 501 Note 7 (p. 129)
Plan including charged and uncharged acts
  generally, Rule 404 Note 13 (p. 77)
  general rule of inadmissibility, Rule 404 Note 1 (p. 68)
  identity, Rule 404 Note 12 (p. 76)
  intent, proof of accused's
    generally, Rule 404 Note 11 (p. 75)

CONDUCT—Cont'd
Plan including charged and uncharged acts—Cont'd
intent, proof of accused's—Cont'd
intent at issue, Rule 404 Note 7 (p. 72)
similarity, Rule 404 Note 11 (p. 75)
knowledge of accused, as proof of, Rule 404 Note 15 (p. 78)
motive of accused, as proof of, Rule 404 Note 14 (p. 78)
mug shots, references to, Rule 403 Note 4 (p. 61)
other crimes and acts by accused, general rule, Rule 404 Note 6 (p. 71)
''res gestae,'' Rule 404 Note 10 (p. 74)
self-defense cases, Rule 404 Note 3 (p. 69)
sexual conduct or reputation
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
burden of proof, Rule 412 Note 2 (p. 112)
certain criminal cases, Rule 412 Note 2 (p. 112)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
subsequent to charged crime, Rule 404 Note 6 (p. 71)
sufficiency of proof of extrinsic offense, Rule 404 Note 8 (p. 74)
test for admissibility, Rule 404 Note 7 (p. 72)
victim's conduct or character
proof of, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
sexual conduct or reputation, Rule 412 Note 1 (p. 111)
state of mind of accused, proof of, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
Police officers, expert testimony and conduct of dealers, Rule 704 Note 3 (p. 267)
Rape shield law, generally, Rule 412 Note 1 (p. 111)
Relevancy
character evidence not admissible to prove, Rule 404 (p. 67)
exceptions, character evidence not admissible to prove conduct, Rule 404 (p. 67)
instructions to jury, evidence of past sexual conduct, Rule 412 (p. 110)
jury instructions, evidence of past sexual conduct, Rule 412 (p. 110)
method of proving character, specific instances of conduct, Rule 405 (p. 83)
notice of character evidence to prove conduct, Rule 404 (p. 67)
other crimes, wrongs or acts, character evidence not admissible to prove conduct, Rule 404 (p. 67)
past sexual conduct, evidence of, Rule 412 (p. 110)
pregnancy, evidence of past sexual conduct, Rule 412 (p. 110)
previous sexual conduct, evidence of, Rule 412 (p. 110)
prior sexual conduct, evidence of, Rule 412 (p. 110)
sexual conduct, evidence of past, Rule 412 (p. 110)
''Res gestae,'' Rule 404 Note 10 (p. 74)
Routine practice of organization, as proof of conduct
generally, Rule 406 Note 2 (p. 88)
method of proving, Rule 406 Note 3 (p. 89)
Self-defense cases, Rule 404 Note 3 (p. 69)

CONDUCT—Cont'd
Settlement offer as admission, Rule 408 Notes 1 (p. 95) & 8 (p. 97)
Sexual conduct, reputation or history
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
certain criminal cases, Rule 412 Note 2 (p. 112)
credibility
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
rape shield law, generally, Rule 412 Note 1 (p. 111)
exceptions, Rule 412 Note 5 (p. 114), Rule 412 Notes 1 (p. 111) & 2 (p. 112)
extrinsic offense evidence
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
certain criminal cases, Rule 412 Note 2 (p. 112)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
instructions to jury, evidence of past sexual conduct, Rule 412 (p. 110)
other cases, Rule 412 Note 2 (p. 112)
pregnancy, evidence of past sexual conduct, Rule 412 (p. 110)
relevancy, instructions to jury regarding evidence of past sexual conduct, Rule 412 (p. 110)
Silence as admission, Rule 801 Note 11 (p. 293)
Subsequent remedial measures as admission
generally, Rule 407 Note 1 (p. 92)
negligence, Rule 407 Note 3 (p. 93)
Witnesses
conduct of witness, evidence of, Rule 608 (p. 179)
cross-examination, specific instances of conduct of witness, Rule 608 (p. 179)
specific instances of conduct of witness, Rule 608 (p. 179)

CONFESSIONS
Admissions (statement of party-opponent)
adoptive admissions, Rule 801 Note 11 (p. 293)
"against interest," Rule 801 Note 9 (p. 291)
traffic offenses, Rule 410 Note 7 (p. 105)
Argument in hearing of jury, Rule 104 Note 4 (p. 21)
Bruton Rule, redacted confessions, Rule 105 Note 5 (p. 26)
Clergyman's privilege, Rule 501 Note 9 (p. 139)
Co-defendant's admissions, joint trials, Rule 105 Note 5 (p. 26)
Guilty pleas and related statements, Rule 410 (p. 102)
Hearing in absence of jury, Rule 104 Note 3 (p. 21)
Priests, confessions to, Rule 501 Note 9 (p. 139)
Tape recordings, Rule 403 Note 7 (p. 63)

CONFIDENTIAL COMMUNICATIONS
Accountant-client privilege, Rule 501 Note 11 (p. 142)
Attorney-client privilege, Rule 501 Note 6 (p. 124), Rule 502 (p. 146)
Clergyman's privilege, Rule 501 Note 9 (p. 139)
Employee assistance professionals, Rule 501 Note 13 (p. 143)

CONFIDENTIAL COMMUNICATIONS—Cont'd
Family therapists, Rule 501 Note 13 (p. 143)
Husband-wife privilege, Rule 501 Note 8 (p. 139)
Informant's identity, Rule 501 Note 10 (p. 140)
Marriage therapists, Rule 501 Note 13 (p. 143)
Mental health counselors, Rule 501 Note 13 (p. 143)
Parent-child, Rule 501 Note 15 (p. 144)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Psychologist-patient privilege, Rule 501 Note 12 (p. 142)
Social workers, Rule 501 Note 13 (p. 143)

CONFRONTATION
Generally, Rule 802 Note 2 (p. 304)
Certificates of analysis of suspected drugs, state laboratory analyst's, Rule 802 Note 2 (p. 304)
Co-defendant's statements, joint trials, Rule 105 Note 5 (p. 26)
Cross examination, right to, Rule 611 Note 9 (p. 200)
Denial of memory and statement, Rule 801 Note 5 (p. 286), Rule 804 Note 1 (p. 347)
Depositions in criminal cases, Rule 804 Notes 1 (p. 347) & 2 (p. 350)
Expert opinion based on reports of others, Rule 703 Notes 5 (p. 261) & 6 (p. 262)
Forfeiture by wrongdoing, hearsay exceptions, Rule 804 Note 6 (p. 359)
Hearsay rule, relationship to, Rule 802 Note 2 (p. 304)
Lack of memory, Rule 801 Note 5 (p. 286), Rule 804 Note 1 (p. 347)
Prior statement, Rule 801 Note 5 (p. 286)
Requirement of reliability of hearsay, Rule 804 Note 7 (p. 361)
Shielding witness from accused, Rule 804 Note 8 (p. 364)
Testimony by closed circuit television, Rule 804 Note 8 (p. 364)
Unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)

CONFUSION OF JURY
Audio tapes and transcripts, Rule 403 Note 7 (p. 63)
Exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
Relevant evidence, grounds for exclusion of, Rule 403 Note 6 (p. 62)
Striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)

CONJECTURE
Personal knowledge, Rule 602 Note 1 (p. 162)
"Reasonable certainty," Rule 702 Note 4 (p. 248)

"CONNECTING UP"
Conditional relevancy, Rule 104 Note 3 (p. 21)

CONSCIOUSNESS OF GUILT
Relevancy of flight, falsehoods to show accused consciousness of guilt, Rule 401 Note 6 (p. 54)

CONSISTENT STATEMENTS
Admissibility, general rule, Rule 801 Note 7 (p. 288)
Improper motive, recent charge of, Rule 801 Note 7 (p. 288)

CONSISTENT STATEMENTS—Cont'd
Recent fabrication, recent charge of, Rule 801 Note 7 (p. 288)
Rehabilitation
balancing probative value and risk of unfair prejudice, Rule 801 Note 5 (p. 286)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
rebuttal, Rule 613 Note 4 (p. 211)
timing
charge and statement, Rule 801 Note 7 (p. 288)
introduction of proof, Rule 801 Note 5 (p. 286)
use as substantive evidence, Rule 801 Note 7 (p. 288)
Substantive evidence, Rule 801 Note 7 (p. 288)

CONSPIRACY
Joint trials, limited admissibility, Rule 105 Note 5 (p. 26)
Statements by co-conspirators, hearsay, Rule 801 Note 14 (p. 297)

CONSTRUCTION
Generally, Rule 102 (p. 6)
Purpose, Rule 102 Note 1 (p. 6)

CONTEMPT (DIRECT) PROCEEDINGS
Applicability of Evidence Rules, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

CONTINUING OBJECTIONS
Generally, Rule 103 Note 5 (p. 11)

CONTRADICTION
Acts of misconduct
ability to observe and recall, as proof of, Rule 608 Note 7 (p. 182)
bias, as proof of, Rule 608 Note 6 (p. 182)
character witnesses, cross examination of, Rule 608 Note 8 (p. 182)
Admission by witness, effect on extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
Collateral matters, Rule 613 Note 3 (p. 210), Rule 616 Note 1 (p. 223)
Depositions
generally, Rule 613 Note 1 (p. 208)
comparison with Federal Rule, Rule 613 Note 8 (p. 213)
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 1 (p. 208), Rule 806 Note 2 (p. 371)
other Rules to consider, Rule 613 Note 7 (p. 213)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
summary of issues affecting admissibility, Rule 613 Note 6 (p. 212)
Instructing the jury
admitted only for impeachment, Rule 613 Note 5 (p. 212)
substantive use when no instruction given, Rule 801 Note 6 (p. 287)
Prior inconsistent statements
generally, Rule 613 Note 1 (p. 208)

CONTRADICTION—Cont'd
Prior inconsistent statements—Cont'd
admission by witness, effect on extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
collateral matters, Rule 613 Note 3 (p. 210)
completeness, principle of, Rule 106 Note 4 (p. 30)
cross examination, foundation for prior inconsistent statement, Rule 613 Note 2 (p. 209)
depositions
generally, Rule 613 Note 1 (p. 208)
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 1 (p. 208), Rule 806 Note 2 (p. 371)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
examination of witness being impeached, Rule 613 Note 2 (p. 209)
explanation of prior statement, Rule 613 Note 3 (p. 210)
extrinsic evidence, Rule 613 Note 3 (p. 210), Rule 613 (p. 208)
foundation required, Rule 613 Note 2 (p. 209)
hearsay declarant, prior statements of, Rule 806 Note 2 (p. 371)
impeachment use distinguished from substantive use, Rule 613 Note 1 (p. 208)
instructing the jury
admitted only for impeachment, Rule 613 Note 5 (p. 212)
substantive use when no instruction given, Rule 801 Note 6 (p. 287)
limiting instruction, Rule 613 Note 5 (p. 212)
oath, Rule 801 Note 6 (p. 287)
opinion evidence of truthfulness, Rule 608 Note 3 (p. 180)
principle of completeness, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211), Rule 801 Note 6 (p. 287)
prior consistent statements as rehabilitation, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
rehabilitation of impeached witness
generally, Rule 613 Note 4 (p. 211)
explanation of prior statement, Rule 613 Note 3 (p. 210)
opinion evidence of truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
prior consistent statements, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
rebuttal, Rule 613 Note 4 (p. 211)
remainder of writing, conversation, or deposition, Rule 613 Note 4 (p. 211)
reputation for truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
remainder of, admissibility, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211)
reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)
reputation for truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
revised Rule 613, Rule 613 (p. 208)
substantive evidence, admissibility as
generally, Rule 801 Note 6 (p. 287)
cross examination concerning statement, Rule 801 Note 5 (p. 286)

CONTRADICTION—Cont'd
Prior inconsistent statements—Cont'd
substantive evidence, admissibility as—Cont'd
impeachment compared, Rule 801 Note 6 (p. 287)
''Inconsistency,'' definition of, Rule 801 Note 6 (p. 287)
oath required, Rule 801 Note 6 (p. 287)
timing of introduction of proof, Rule 801 Note 5 (p. 286)
trial, hearing, other proceeding, or deposition, Rule 801 Note 6 (p. 287)
witnesses
generally, Rule 613 Note 1 (p. 208)
examination of witness being impeached, Rule 613 Note 2 (p. 209)
extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
Rehabilitation and rebuttal, Rule 613 Note 4 (p. 211), Rule 613 Notes 3 (p. 210) & 4 (p. 211)
Substantive evidence, admissibility as
generally, Rule 801 Note 6 (p. 287)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
impeachment compared, Rule 801 Note 6 (p. 287)
''inconsistency,'' definition of, Rule 801 Note 6 (p. 287)
oath required, Rule 801 Note 6 (p. 287)
timing of introduction of proof, Rule 801 Note 5 (p. 286)
trial, hearing, other proceeding, or deposition, Rule 801 Note 6 (p. 287)
Witnesses
generally, Rule 613 Note 1 (p. 208)
examination of witness being impeached, Rule 613 Note 2 (p. 209)
extrinsic evidence of statement, Rule 613 Note 3 (p. 210)

CONTROL BY COURT
Generally, Rule 611 Note 1 (p. 195)
Calling of witnesses, Rule 614 Note 1 (p. 214)
Demonstrations, Rule 611 Note 6 (p. 197)
Experiments, Rule 611 Note 6 (p. 197)
Leading questions, Rule 611 Note 10 (p. 200)
Narrative testimony, Rule 611 Note 4 (p. 197)
Number of witnesses, limitations on, Rule 611 Note 2 (p. 196)
Order of proof, Rule 611 Note 5 (p. 197)
Questions by court, generally, Rule 614 Note 2 (p. 215)
Questions by jury, Rule 614 Note 4 (p. 216)
Reopening case in chief, Rule 611 Note 5 (p. 197)
Scope of cross, redirect or recross examination, Rule 611 Note 8 (p. 199)
Time allowed for examination, Rule 611 Note 2 (p. 196)
Written direct testimony, Rule 611 Note 4 (p. 197)

CONTROLLED SUBSTANCES
Chain of custody requirement, Rule 901 Note 3 (p. 377)

CONVERSATIONS, REMAINDER OF
Generally, Rule 106 (p. 28)
Best evidence rule, duplicates, Rule 1003 Note 1 (p. 417)

CONVERSATIONS, REMAINDER OF—Cont'd
Common law principle, generally, Rule 106 Note 4 (p. 30)
Immediate completeness
generally, Rule 106 Note 1 (p. 28)
hearsay, Rule 106 Note 3 (p. 29)
inadmissible hearsay, Rule 106 Note 3 (p. 29)
otherwise inadmissible evidence, Rule 106 Note 3 (p. 29)
recordings, Rule 106 Note 3 (p. 29)
requirements of fairness, Rule 106 Note 1 (p. 28)
trial Court discretion, Rule 106 Note 2 (p. 29)
unfair prejudice, Rule 106 Note 3 (p. 29)
writings, Rule 106 Note 3 (p. 29)
Previous relevant conversations, Rule 106 Note 4 (p. 30)
Prior consistent statement, Rule 801 Note 7 (p. 288)
Prior inconsistent statement, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211), Rule 801 Note 6 (p. 287)
Timing of production of remainder, Rule 106 Note 1 (p. 28)
Trial Court discretion, Rule 106 Note 2 (p. 29)

CONVICTION OF CRIME
Admissibility in related civil action, Rule 803 Note 22 (p. 340)
Admissions
guilty pleas and related statements, Rule 410 (p. 102)
statement of party-opponent, Rule 801 Note 9 (p. 291)
traffic offenses, Rule 410 Note 7 (p. 105)
withdrawn guilty pleas, Rule 410 Note 1 (p. 102)
Annulment, effect of, Rule 609 (p. 186)
Appeal, pendency of, Rule 609 (p. 186)
Arson, Rule 609 Note 2 (p. 188), Rule 609 (p. 186)
Authentication of court records, Rule 902 Note 2 (p. 397)
Best evidence rule, Rule 1005 Note 1 (p. 424)
Burglary, Rule 609 (p. 186)
Business records, hearsay rule, Rule 803 Note 22 (p. 340)
Certificate of rehabilitation, effect of, Rule 609 (p. 186)
Character. See index heading CHARACTER OR REPUTATION
Civil action on same facts, admissibility in, Rule 410 Notes 6 & 7 (pp. 105)
Credibility
generally, Rule 609 Note 1 (p. 187)
age of conviction, Rule 609 Note 10 (p. 191)
effect of pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
extent of questioning, Rule 609 Note 7 (p. 190)
juvenile adjudications, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 609 Note 9 (p. 191)
pendency of appeal, Rule 609 Note 6 (p. 190)
specific admissible crimes, Rule 609 Note 2 (p. 188)
specific inadmissible crimes, Rule 609 Note 3 (p. 188)

CONVICTION OF CRIME—Cont'd
Credibility—Cont'd
comparison with Federal Rule, Rule 609 Note 13 (p. 193)
other Rules to consider, Rule 609 Note 12 (p. 193)
summary of issues affecting admissibility, Rule 609 Note 11 (p. 192)
Dishonesty or false statement, Rule 609 (p. 186)
''Door opening,'' Rule 609 Note 9 (p. 191)
Drug offenses, Rule 609 Note 3 (p. 188)
Escape, Rule 609 Note 3 (p. 188)
Fire, Rule 609 Note 2 (p. 188), Rule 609 (p. 186)
Forgery, Rule 609 Note 2 (p. 188)
Guilty pleas and related statements
generally, Rule 410 Note 1 (p. 102)
admissible if not withdrawn, Rule 410 Note 6 (p. 105)
perjury, admissibility of statements at guilty plea later withdrawn, Rule 410 Notes 1 (p. 101) & 2 (p. 102)
proof of underlying conduct, Rule 410 Note 4 (p. 104), Rule 803 Note 22 (p. 340)
sentencing hearing, admissibility of statements made in plea negotiations, Rule 410 Note 2 (p. 102)
statements related to plea discussions, Rule 410 Note 4 (p. 104)
offering party, as affecting admissibility, Rule 410 Note 5 (p. 105)
traffic offenses, Rule 410 Note 7 (p. 105)
withdrawn guilty pleas generally inadmissible, Rule 410 Note 1 (p. 102)
Gun, possession of, Rule 609 Note 3 (p. 188)
Habitual offender proceedings, Rule 1005 Note 1 (p. 424)
Hearsay
judgment of previous, Rule 803 (p. 308)
judgments, Rule 803 Note 22 (p. 340)
Impeachment by showing of conviction
generally, Rule 609 Note 1 (p. 187)
age of conviction, Rule 609 Note 10 (p. 191)
annulment, effect of, Rule 609 Note 4 (p. 189)
appeal, pendency of, Rule 609 Note 6 (p. 190)
armed robbery, Rule 609 Note 2 (p. 188)
arson, Rule 609 Note 2 (p. 188)
assault
aiding and abetting, Rule 609 Note 3 (p. 188)
with intent to rape, Rule 609 Note 2 (p. 188)
with intent to rob, Rule 609 Note 2 (p. 188)
simple, Rule 609 Note 3 (p. 188)
assisting a criminal, Rule 609 Note 3 (p. 188)
attempt, Rule 609 Note 2 (p. 188)
battery, aiding and abetting, Rule 609 Note 3 (p. 188)
burglary
second degree, Rule 609 Note 2 (p. 188)
tools, possession of, Rule 609 Note 3 (p. 188)
certificate of rehabilitation, effect of, Rule 609 Note 4 (p. 189)

CONVICTION OF CRIME—Cont'd
Impeachment by showing of conviction—Cont'd
check deception, Rule 609 Note 2 (p. 188)
child molesting, Rule 609 Note 3 (p. 188)
child support, failure to pay, Rule 609 Note 3 (p. 188)
comparison with Federal Rule, Rule 609 Note 13 (p. 193)
conversion, Rule 609 Note 2 (p. 188)
criminal confinement, Rule 609 Note 2 (p. 188)
disorderly conduct, Rule 609 Note 3 (p. 188)
drug offenses, Rule 609 Note 3 (p. 188)
escape, Rule 609 Note 3 (p. 188)
extent of inquiry, Rule 609 Note 7 (p. 190)
facts of crime, Rule 609 Note 7 (p. 190)
failure to pay child support, Rule 609 Note 3 (p. 188)
false informing, Rule 609 Note 2 (p. 188)
firearms Act, Rule 609 Note 2 (p. 188)
forgery, Rule 609 Note 2 (p. 188)
gun, possession of, Rule 609 Note 3 (p. 188)
juvenile adjudications, Rule 609 Note 5 (p. 189)
kidnapping, Rule 609 Note 2 (p. 188)
limiting instruction, Rule 609 Note 8 (p. 191)
malicious trespass, Rule 609 Note 3 (p. 188)
murder, Rule 609 Note 2 (p. 188)
opening the door, Rule 608 Note 10 (p. 184), Rule 609 Note 9 (p. 191)
other Rules to consider, Rule 609 Note 12 (p. 193)
pardon, effect of, Rule 609 Note 4 (p. 189)
pending charges, Rule 609 Note 1 (p. 187)
perjury, Rule 609 Note 2 (p. 188)
prostitution, Rule 609 Note 3 (p. 188)
rape, Rule 609 Note 2 (p. 188)
rehabilitation, certification of, effect of, Rule 609 Note 4 (p. 189)
remoteness in time, Rule 609 Note 10 (p. 191)
robbery, Rule 609 Note 2 (p. 188)
summary of issues affecting admissibility, Rule 609 Note 11 (p. 192)
theft and included offenses, Rule 609 Note 2 (p. 188)
third degree, generally, Rule 609 Note 2 (p. 188)
trespass, Rule 609 Note 3 (p. 188)
Instructing the jury, Rule 609 Note 8 (p. 191)
Jury instructions, Rule 609 Note 8 (p. 191)
Juvenile adjudications, Rule 609 (p. 186)
Kidnapping, Rule 609 (p. 186)
Malicious trespass, Rule 609 Note 3 (p. 188)
Murder, Rule 609 (p. 186)
Pardon, effect of, Rule 609 (p. 186)
Pendency of appeal, Rule 609 (p. 186)
Perjury, Rule 609 Note 2 (p. 188), Rule 609 (p. 186)
Proof as same facts, hearsay rule, Rule 803 Note 22 (p. 340)

CONVICTION OF CRIME—Cont'd
Prostitution, Rule 609 Note 3 (p. 188)
Rape, impeachment by evidence of conviction of crime, Rule 609 Note 2 (p. 188), Rule 609 (p. 186)
Reputation. See index heading CHARACTER OR REPUTATION
Robbery, Rule 609 Note 2 (p. 188)
Sexual behavior
assault with intent to rape, Rule 609 Note 2 (p. 188)
child molesting, Rule 609 Note 3 (p. 188)
prostitution, Rule 609 Note 3 (p. 188)
rape, Rule 609 Note 2 (p. 188)
Statute of limitations, Rule 609 (p. 186)
Theft, Rule 609 Note 2 (p. 188)
Time
impeachment by evidence of conviction, Rule 609 (p. 186)
witnesses, Rule 609 (p. 186)
Treason, Rule 609 (p. 186)
Verdict, Rule 609 Note 1 (p. 187), Rule 803 Note 22 (p. 340)
Victim's character, generally, Rule 609 Note 1 (p. 187)

CO-PARTIES
Admissions of co-party, Rule 801 Note 15 (p. 299)
Co-conspirator's statements, hearsay, Rule 801 Note 14 (p. 297)
Joint trials, limited admissibility, Rule 105 Note 5 (p. 26)

COPIES
Best evidence rule, Rule 1002 Note 1 (p. 413)
Carbon copies, originals under best evidence rule, Rule 1001 Note 4 (p. 411)
Certified copy
authentication of domestic public record, Rule 902 Note 2 (p. 397)
baptismal certificates, Rule 803 Note 12 (p. 334)
best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
birth records, Rule 803 Note 9 (p. 332)
business records, self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
deaths, records of, Rule 803 Note 9 (p. 332)
deeds, recorded, Rule 803 Note 14 (p. 335)
domestic public official, attestation of, Rule 902 Note 2 (p. 397)
foreign public documents, Rule 902 Note 3 (p. 399)
foreign public official, attestation of, Rule 902 Note 3 (p. 399)
interest in property, documents affecting, Rule 803 Note 14 (p. 335)
marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
public records and reports, generally, Rule 803 Note 8 (p. 327)
records of vital statistics, Rule 803 Note 9 (p. 332)
self-authentication of public records and reports, Rule 902 Note 2 (p. 397)
vital statistics, records of, Rule 803 Note 9 (p. 332)
Definitions
duplicate, Rule 1001 Note 5 (p. 412)
original, Rule 1001 Note 4 (p. 411)
photographs, Rule 1001 Note 3 (p. 411)

COPIES—Cont'd
Definitions—Cont'd
recordings, Rule 1001 Note 2 (p. 411)
writings, Rule 1001 Note 2 (p. 411)
Duplicates
admissibility of, Rule 1003 Note 1 (p. 417)
comparison with Federal Rule, Rule 1003 Note 4 (p. 418)
definitions, Rule 1001 Note 5 (p. 412)
other Rules to consider, Rule 1003 Note 3 (p. 417)
summary of issues affecting admissibility, Rule 1003 Note 2 (p. 417)
Original required
generally, Rule 1002 Note 1 (p. 413)
comparison with Federal Rule, Rule 1002 Note 7 (p. 416)
exceptions to requirement of original
collateral matters, Rule 1004 Note 5 (p. 422)
lost or destroyed original, Rule 1004 Note 2 (p. 420)
original not obtainable, Rule 1004 Note 3 (p. 421)
possession of opponent, Rule 1004 Note 4 (p. 421)
public records, Rule 1005 Note 1 (p. 424)
testimony or written admission of party, Rule 1007 Note 1 (p. 430)
materiality, Rule 1002 Note 2 (p. 414)
other Rules to consider, Rule 1002 Note 6 (p. 415)
photographs, Rule 1002 Note 3 (p. 414)
summary of issues affecting admissibility, Rule 1002 Note 5 (p. 415)
Public records
generally, Rule 1005 Note 1 (p. 424)
certified copy, generally, Rule 803 Note 8 (p. 327)
Secondary evidence generally, Rule 1004 Note 1 (p. 419)

CORPORATIONS
Attorney-client privilege, Rule 501 Note 6 (p. 124)
Business records exception to hearsay rule, Rule 803 Note 6 (p. 323)
Dead man's statutes, Rule 601 Note 5 (p. 157)
Routine practice as proof of conduct, Rule 406 Note 2 (p. 88)
method of proving, Rule 406 Note 3 (p. 89)

CORPUS DELICTI EVIDENCE
"Connecting up," Rule 104 Note 3 (p. 21)

COURT APPOINTED EXPERTS
Generally, Rule 614 Note 1 (p. 214)

COURT RECORDS
Authentication, Rule 902 Note 2 (p. 397)
Best evidence rule, exception for, Rule 1005 Note 1 (p. 424)
Civil judgments, hearsay exception, Rule 803 Note 23 (p. 342)
Collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
Criminal judgments, hearsay exception, Rule 803 Note 22 (p. 340)
Former testimony, hearsay exception, Rule 804 Note 2 (p. 350)

COURT RECORDS—Cont'd
Judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
self-authentication
domestic public documents, Rule 902 Note 2 (p. 397)
foreign public documents, Rule 902 Note 3 (p. 399)
testimony, public records, Rule 901 Note 11 (p. 385)
Judicial notice of, Rule 201 Note 4 (p. 37)
Public records and reports
absence of record following diligent search, Rule 803 Note 10 (p. 333)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)

COURT'S WITNESSES
Court's authority to call witnesses, Rule 614 Note 1 (p. 214)

COVENANT NOT TO SUE
Impeachment by use of, Rule 616 Note 5 (p. 225)

CREDIBILITY
Bias, prejudice or interest, evidence of, generally, Rule 616 Note 1 (p. 223)
bribery, Rule 616 Note 6 (p. 226)
compensation by adverse party, Rule 616 Note 3 (p. 225)
covenants not to execute or sue, Rule 616 Note 5 (p. 225)
interest in related litigation, Rule 616 Note 4 (p. 225)
loan receipt agreements, Rule 616 Note 5 (p. 225)
not collateral matter, Rule 616 Note 1 (p. 223)
partial settlement agreements, Rule 616 Note 5 (p. 225)
plea agreement with prosecution, Rule 616 Note 2 (p. 224)
relationship with party or witness, Rule 616 Note 7 (p. 226)
specific acts as proof of, Rule 608 Note 6 (p. 182)
threats, Rule 616 Note 6 (p. 226)
ulterior motives, Rule 616 Note 8 (p. 226)
Character
collateral matters, Rule 616 Note 1 (p. 223)
cross examination
character witness, specific acts, Rule 608 Note 8 (p. 182)
impeaching witness, Rule 608 Note 8 (p. 182)
notice, Rule 405 Note 5 (p. 85), Rule 608 Note 8 (p. 182)
hearsay exception, Rule 803 Note 21 (p. 340)
impeachee's rebuttal reputation evidence, Rule 608 Note 4 (p. 181)
opinion testimony admissible, Rule 608 Note 3 (p. 180)
own witness, impeachment of
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
limitations, Rule 607 Note 2 (p. 175)
prior sexual allegations, Rule 608 Note 9 (p. 183)
religious belief or opinion, Rule 610 Note 1 (p.194)

CREDIBILITY—Cont'd
Character—Cont'd
reputation within a reasonable time before trial, Rule 608 Note 2 (p. 180)
sexual conduct or reputation
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
rape shield law, generally, Rule 412 Note 1 (p. 111)
specific acts generally inadmissible as proof of character, Rule 608 Note 5 (p. 181)
truthfulness, character for, Rule 608 Note 1 (p. 179)
Confusion of jury, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Conviction of crime, generally, Rule 609 Note 1 (p. 187)
age of conviction, Rule 609 Note 10 (p. 191)
effect of pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
extent of questioning, Rule 609 Note 7 (p. 190)
juvenile adjudications, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 609 Note 9 (p. 191)
pendency of appeal, Rule 609 Note 6 (p. 190)
specific admissible crimes, Rule 609 Note 2 (p. 188)
specific inadmissible crimes, Rule 609 Note 3 (p. 188)
Cross examination generally, Rule 616 Note 1 (p. 223)
Impeachment
generally, Rule 616 Note 1 (p. 223)
acts of misconduct
generally, Rule 608 Note 5 (p. 181)
ability to observe and recall, as proof of, Rule 608 Note 7 (p. 182)
bias, as proof of, Rule 608 Note 6 (p. 182)
character witnesses, cross examination of, Rule 608 Note 8 (p. 182)
adverse witnesses, Rule 607 Note 1 (p. 175)
alcohol usage, Rule 608 Note 7 (p. 182)
anticipatory impeachment of own witness, Rule 607 Note 3 (p. 176)
expert testimony, impeachment by attacking or explaining basis for opinion, Rule 705 Note 3 (p. 276)
sex offenses, prior false accusations by victim, Rule 608 Note 5 (p. 181)
Interest, evidence of, generally, Rule 616 Notes 1 (p. 223) & 4 (p. 225)
Jury confusion, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Notice to accused
generally, Rule 405 Note 5 (p. 85)
character evidence, notice of intent to offer, Rule 405 Note 5 (p. 85)
comparison to Federal Rule, Rule 806 Note 5 (p. 372)
cross examination, Rule 608 Note 8 (p. 182)
hearsay declarant, Rule 806 Note 1 (p. 371)
hostile witness, Rule 607 Note 1 (p. 175)
other Rules to consider, Rule 806 Note 4 (p. 372)
own witness, Rule 607 Note 1 (p. 175)

CREDIBILITY—Cont'd
Notice to accused—Cont'd
summary of issues affecting admissibility, Rule 806 Note 3 (p. 372)
Prejudice, evidence of, generally, Rule 616 Note 1 (p. 223)
Prior inconsistent statements
generally, Rule 613 Note 1 (p. 208)
examination of witness being impeached, Rule 613 Note 2 (p. 209)
extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
limiting instruction, Rule 613 Note 5 (p. 212)
Rehabilitation
rebuttal, after prior inconsistent statement, Rule 613 Note 4 (p. 211)
reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)
Relevancy of credibility evidence, Rule 401 Note 4 (p. 52)
Reputation
accused person, for specific trait, and prosecution's rebuttal, Rule 404 Note 2 (p. 68)
proof of character, Rule 405 Note 2 (p. 83)
veracity of witness, Rule 608 Note 2 (p. 180)

CRIMINAL SUMMONSES, PROCEEDINGS RELATING TO
Applicability of Evidence Rules, Rule 101 Note 4 (p. 4)

CROSS EXAMINATION
Accused's testimony on facts affecting admissibility, Rule 104 Note 5 (p. 22)
Address and place of employment, Rule 616 Note 1 (p. 223)
Agreement with prosecution, Rule 616 Note 2 (p. 224)
Bias of witness, generally, Rule 616 Note 1 (p. 223)
Bribery or threats, Rule 616 Note 6 (p. 226)
Character witnesses. See index heading CHARACTER OR REPUTATION
Collateral matters, Rule 613 Note 3 (p. 210), Rule 616 Note 1 (p. 223)
Compensation by adverse party, Rule 616 Note 3 (p. 225)
Confrontation, Rule 611 Note 9 (p. 200)
Constitutional provisions, criminal cases, Rule 611 Note 9 (p. 200)
Contradiction
character witnesses, Rule 608 Note 8 (p. 182)
prior inconsistent statements, Rule 613 Note 2 (p. 209), Rule 801 Note 5 (p. 286)
substantive evidence, admissibility as, Rule 801 Note 5 (p. 286)
Covenants not to execute or sue, Rule 616 Note 5 (p. 225)
Credibility generally, Rule 616 Note 1 (p. 223)
Dead man's statute, effect on, Rule 601 Note 5 (p. 157)
Denial of memory of prior statement, Rule 801 Note 5 (p. 286)
Doctors, expert testimony, Rule 705 Note 3 (p. 276)
Employment, place of, Rule 616 Note 1 (p. 223)
Exhausting memory and refreshing recollection, Rule 612 Note 3 (p. 205)
Expert witnesses, Rule 705 Note 3 (p. 276)
Former testimony, Rule 804 Note 2 (p. 350)
Foundation for prior inconsistent statement, Rule 613 Note 2 (p. 209)
Good faith basis for question, Rule 405 Note 4 (p. 84)

CROSS EXAMINATION—Cont'd
"Have you heard," Rule 405 Note 4 (p. 84)
Hypothetical questions, experts, Rule 705 Note 3 (p. 276)
Impeaching character witness, Rule 405 Note 5 (p. 85), Rule 608 Note 8 (p. 182)
Interest in related litigation, Rule 616 Note 4 (p. 225)
Lack of memory, Rule 611 Note 7 (p. 198)
Leading questions, Rule 611 Note 10 (p. 200)
Loan receipt agreements, Rule 616 Note 5 (p. 225)
Memory, cross examination testing, Rule 611 Note 7 (p. 198)
Offers to prove during cross examination, Rule 103 Note 7 (p. 12)
Opinions based on reports of others, Rule 705 Note 3 (p. 276)
Partial settlement agreements, Rule 616 Note 5 (p. 225)
Preliminary questions of fact, Rule 104 (p. 18)
Prior inconsistent statements
  foundation, Rule 613 Note 2 (p. 209)
  substantive evidence, admissibility as, Rule 801 Note 5 (p. 286)
Redirect and recross examination, Rule 611 Note 8 (p. 199)
Refreshing recollection, examination on refreshing document, Rule 612 Notes 1 (p. 204) & 2 (p. 205)
Relationship with party or witness, Rule 616 Note 7 (p. 226)
Repetitious questions, Rule 611 Note 3 (p. 196)
Scope, Rule 611 Note 7 (p. 198), Rule 611 Note 8 (p. 199)
Testing memory, Rule 611 Note 7 (p. 198)
Ulterior motives, Rule 616 Note 8 (p. 226)
Use of treatises, cross examination of experts, Rule 803 Note 18 (p. 337)
Witnesses, specific instances of conduct of witness, Rule 608 (p. 179)

CUMULATIVE EVIDENCE
Court's discretion to exclude cumulative or repetitive evidence, Rule 403 Note 5 (p. 62), Rule 611 Note 3 (p. 196)

CURATIVE ADMISSIBILITY
Character as impeachment evidence, Rule 608 Note 10 (p. 184)
Conviction of crime, Rule 609 Note 9 (p. 191)
Prior consistent statements, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)

CUSTODY, CHAIN OF
Chain of custody, authentication, Rule 901 Note 3 (p. 377)

CUSTOM OR ROUTINE PRACTICE
Generally, Rule 406 Note 2 (p. 88)
Method of proving, Rule 406 Note 3 (p. 89)

DATA COMPILATIONS
Business records, Rule 803 Note 6 (p. 323)
Public records and reports, Rule 803 Note 8 (p. 327)
Vital statistics, Rule 803 Note 9 (p. 332)
Voluminous records, summaries of
  generally, Rule 1006 Note 1 (p. 426)
  pedagogical summaries, Rule 1006 Note 2 (p. 428)

DEAD MAN'S STATUTES
Generally, Rule 601 Note 5 (p. 157)
Administrators as parties, Rule 601 Note 5 (p. 157)
Adverse party, calling, Rule 601 Note 5 (p. 157)
Agents of claimants or decedent, Rule 601 Note 5 (p. 157)
Competency of witnesses. See index heading COMPETENCY OF WITNESSES
Contracts assigned to decedent, Rule 601 Note 5 (p. 157)
Corporations, Rule 601 Note 5 (p. 157)
Court's witnesses, Rule 601 Note 5 (p. 157)
Decedent's testimony available, Rule 601 Note 5 (p. 157)
Devisees and heirs, suits between, Rule 601 Note 5 (p. 157)
Excited utterances, Rule 601 Note 5 (p. 157)
Executors as parties, Rule 601 Note 5 (p. 157)
Heirs and devisees, suits between, Rule 601 Note 5 (p. 157)
Insurance agents, Rule 601 Note 5 (p. 157)
Objections, Rule 601 Note 5 (p. 157)
Offer to prove, Rule 601 Note 5 (p. 157)
Spouses, Rule 601 Note 5 (p. 157)
Suits between estates, Rule 601 Note 5 (p. 157)
Testator's mental soundness, Rule 601 Note 5 (p. 157)
Theory of statutes, Rule 601 Note 5 (p. 157)
Will contests, Rule 601 Note 5 (p. 157)

DEATH
Certificate, physician-patient privilege, Rule 501 Note 7 (p. 129)
Dead man's statutes, Rule 601 Note 5 (p. 157)
Dying declarations, Rule 804 Note 3 (p. 354)
Hearsay exceptions, unavailability of declarant due to death, Rule 804 (p. 345)
Husband-wife privilege, effect on, Rule 501 Note 8 (p. 139)
Physician-patient privilege, effect on, Rule 501 Note 7 (p. 129)
Records of deaths, hearsay exception, Rule 803 Note 9 (p. 332)
Unavailability of witness, for hearsay purposes, Rule 804 Note 1 (p. 347)

DECLARATIONS AGAINST INTEREST
Admissions contrasted, Rule 801 Note 9 (p. 291)
Declarations against pecuniary, propriety, or penal interest, hearsay exception
generally, Rule 804 Note 4 (p. 355)
declarant's unavailability, requirement of, Rule 804 Note 4 (p. 355)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
against interest, Rule 804 Note 4 (p. 355)
pecuniary interest, statement against, Rule 804 Note 4 (p. 355)
penal interest, statement against, Rule 804 Note 4 (p. 355)
personal knowledge, Rule 804 Note 4 (p. 355)
statement partly against interest, severability of, Rule 804 Note 4 (p. 355)
Personal knowledge, Rule 804 Note 4 (p. 355)

DEEDS
Recorded deeds, exception to hearsay rule, Rule 803 Note 14 (p. 335)

DEFENDANT'S TESTIMONY
Facts affecting admissibility, Rule 104 Note 5 (p. 22)

DEMONSTRATIONS
Breathalyzers, Rule 702 Note 9 (p. 254)
Child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
Courtroom experiments, Rule 611 Note 6 (p. 197)
Expert opinion, basis for, Rule 702 Note 7 (p. 249)
Pedagogical summaries, Rule 1006 Note 2 (p. 428)
Polygraphs, Rule 702 Note 10 (p. 255)
Rape trauma syndrome, Rule 702 Note 7 (p. 249)
Scientific tests, Rule 702 Note 7 (p. 249)
Summaries of voluminous records, Rule 1006 Note 1 (p. 426)
Trial court's discretion to allow, Rule 611 Note 6 (p. 197)

DEMONSTRATIVE EVIDENCE
Blood grouping tests, expert testimony, Rule 702 Note 7 (p. 249)
Blood tests, physician-patient privilege, Rule 501 Note 7 (p. 129)
Chain of custody, Rule 901 Note 3 (p. 377)
Conditions, similarity of, Rule 611 Note 6 (p. 197)
Demonstrations in courtroom, Rule 611 Note 6 (p. 197)
Diagrams, Rule 611 Note 6 (p. 197)
Dolls, use during child's testimony, Rule 611 Note 6 (p. 197)
Experiments in courtroom, Rule 611 Note 6 (p. 197)
Handwriting
  comparison by trier or expert witness, Rule 901 Note 7 (p. 382)
  nonexpert opinion, Rule 901 Note 6 (p. 381)
Maps, Rule 611 Note 6 (p. 197)
Photographs
  authentication, Rule 901 Note 13 (p. 388)
  autopsy photographs, Rule 403 Note 3 (p. 61)
  best evidence rule, Rule 1001 Note 3 (p. 411)
  gruesome photographs, Rule 403 Note 3 (p. 61)
  mug shots, Rule 403 Note 4 (p. 61)
  "silent witness" photographs, Rule 901 Note 13 (p. 388)
  x-rays
    authentication, Rule 901 Note 13 (p. 388)
    best evidence rule, Rule 1002 Note 3 (p. 414)
Summaries of voluminous records
  generally, Rule 1006 Note 1 (p. 426)
  pedagogical summaries, Rule 1006 Note 2 (p. 428)
Videotapes
  authentication, Rule 901 Note 13 (p. 388)
  best evidence rule, Rule 1002 Note 1 (p. 413)
  relevancy, risk of prejudice, Rule 403 Note 7 (p. 63)
  "silent witness" videotapes, Rule 901 Note 13 (p. 388)
X-rays, authentication, Rule 901 Note 13 (p. 388)

DEPOSITIONS
Best evidence rule, Rule 1002 Note 1 (p. 413)
Confrontation clause in criminal cases, Rule 804 Notes 1 (p. 347) & 2 (p. 350)
Contradiction
generally, Rule 613 Note 1 (p. 208)
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 2 (p. 209), Rule 806 Note 2 (p. 371)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
Former testimony, Rule 804 Note 2 (p. 350)
Hearsay, opportunity to take as affecting unavailability, Rule 804 Note 1 (p. 347)
Impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 2 (p. 209), Rule 806 Note 2 (p. 371)
Inconsistent statement as substantive evidence, Rule 801 Note 6 (p. 287)
Rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
Remainder of depositions, Rule 106 Note 5 (p. 32)
Substantive use when deponent is unavailable, Rule 804 Note 2 (p. 350)

DESTROYED DOCUMENTS
Best evidence rule, Rule 1004 Note 2 (p. 420)

DIAGRAMS
Generally, Rule 611 Note 6 (p. 197)

DIGITAL SIGNATURE
Best evidence rule, Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)

DISCLOSURE
Attorney-client privilege
comparison with Federal Rule, Rule 502 Note 7 (p. 150)
inadvertent disclosure, generally, Rule 502 (p. 146)
intentional disclosure, generally, Rule 502 Note 1 (p. 147)
other rules to consider, Rule 502 Note 6 (p. 150)
summary of issues of admissibility, Rule 502 Note 5 (p. 149)
Expert testimony
generally, Rule 705 (p. 274)
cross examination, Rule 705 Note 3 (p. 276)
direct examination, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
hearsay information, disclosure to jury, Rule 703 Note 6 (p. 262)
revised Rule 705, Rule 705 (p. 274)
Hearsay
disclosure to jury, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
expert testimony, Rule 703 Note 6 (p. 262)
Husband-wife privilege, waiver, Rule 501 Notes 2 (p. 120) & 8 (p. 136)
Hypothetical questions, Rule 703 Note 6 (p. 262), Rule 705 Note 3 (p. 276)
Opinions and expert opinions, Rule 705 (p. 274)

DISCLOSURE—Cont'd
Physician-patient privilege, waiver
compelled disclosure, Rule 501 Note 3 (p. 122)
disclosure without opportunity to claim, Rule 501 Note 3 (p. 122)
voluntary disclosure, Rule 501 Notes 2 (p. 120) & 7 (p. 129)
Revised Rule 705, Rule 705 (p. 274)
Scientific formula or calculation, Rule 705 Note 1 (p. 274)

DISCOVERY
Depositions
best evidence rule, Rule 1002 Note 1 (p. 413)
confrontation clause in criminal cases, Rule 804 Notes 1 (p. 347) & 2 (p. 350)
contradiction
generally, Rule 613 Note 1 (p. 208)
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 2 (p. 209), Rule 806 Note 2 (p. 371)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
former testimony, Rule 804 Note 2 (p. 350)
hearsay, opportunity to take as affecting unavailability, Rule 804 Note 1 (p. 347)
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 2 (p. 209), Rule 806 Note 2 (p. 371)
inconsistent statement as substantive evidence, Rule 801 Note 6 (p. 287)
prior inconsistent statement, generally, Rule 613 Note 1 (p. 208)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
remainder of depositions, Rule 106 Note 5 (p. 32)
substantive use when deponent is unavailable, Rule 804 Note 2 (p. 350)
Exclusion of relevant evidence on grounds of unfair surprise, Rule 403 Note 8 (p. 65)
Request for production, best evidence rule, Rule 1004 Note 4 (p. 421)
Waiver of claim of prejudice, failure to request continuance as alternative to exclusion as, Rule 403 Note 8 (p. 65)

DISORDERLY CONDUCT
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)

DNA IDENTIFICATION
Admissibility of evidence based on DNA testing, Rule 702 Note 7 (p. 249)

DOCTORS
Autopsies
photographs, Rule 403 Note 3 (p. 61)
physician-patient privilege, Rule 501 Note 7 (p. 129)
public records exception to hearsay rule, Rule 803 Note 9 (p. 332)
Blood tests
chain of custody, Rule 901 Note 3 (p. 377)
physician-patient privilege, Rule 501 Note 7 (p. 129)

DOCTORS—Cont'd
Bodily condition, statements concerning
diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
existing pain or suffering, Rule 803 Note 3 (p. 316)
physician-patient privilege, Rule 501 Note 7 (p. 129)
physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
symptoms of present illness, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Child abuse or neglect, privilege inapplicable, Rule 501 Note 7 (p. 129)
Chiropractors, physician-patient privilege, Rule 501 Note 7 (p. 129)
Civil commitment proceedings, physician-patient privilege, Rule 501 Note 7 (p. 129)
Commenting upon exercise of privilege, Rule 501 Note 7 (p. 129)
Death
certificate, physician-patient privilege, Rule 501 Note 7 (p. 129)
dying declarations, Rule 804 Note 3 (p. 354)
physician-patient privilege, effect on, Rule 501 Note 7 (p. 129)
records of deaths, hearsay exception, Rule 803 Note 9 (p. 332)
Disclosures by physicians, Rule 501 Note 7 (p. 129)
Expert testimony
generally, Rule 702 Note 1 (p. 244)
comparison with Federal Rule, Rule 702 Note 13 (p. 258)
cross examination, Rule 705 Note 3 (p. 276)
degree of certainty, Rule 702 Note 4 (p. 248)
helpfulness of testimony, Rule 702 Note 2 (p. 245)
hypothetical questions on cross examination, Rule 705 Note 3 (p. 276)
other Rules to consider, Rule 702 Note 12 (p. 257)
summary of issues affecting admissibility, Rule 702 Note 11 (p. 256)
topic of testimony, Rule 702 Note 7 (p. 249)
Eye doctors, physician-patient privilege, Rule 501 Note 7 (p. 129)
Hospital records
business records, Rule 803 Note 6 (p. 323)
physician-patient privilege, Rule 501 Note 7 (p. 129)
Medical diagnosis and treatment
business records, opinions and diagnoses, Rule 803 Note 6 (p. 323)
medical history, hearsay exception, Rule 803 Note 4 (p. 319)
questions, answers to, presently existing condition, Rule 803 Note 3 (p. 316)
statements concerning
existing pain or suffering, Rule 803 Note 3 (p. 316)
statements for diagnosis or treatment, hearsay exception, Rule 803 Note 4 (p. 319)
statements of existing physical or mental condition, Rule 803 Note 3 (p. 316)
symptoms of present illness, Rule 803 Note 3 (p. 316)
Nurses, physician-patient privilege, Rule 501 Note 7 (p. 129)
Physical therapists, physician-patient privilege, Rule 501 Note 7 (p. 129)

DOCTORS—Cont'd
Physician-patient privilege
generally, Rule 501 Note 7 (p. 129)
commenting upon exercise of privilege, Rule 501 Note 7 (p. 129)
Psychiatrists and psychologists
appointment by court, Rule 614 Note 1 (p. 214)
privilege, Rule 501 Note 7 (p. 129)

DOCUMENTS
Ancient documents
authentication, Rule 901 Note 12 (p. 386)
exception to hearsay rule, Rule 803 Note 16 (p. 336)
Authentication
generally, Rule 901 Note 1 (p. 376)
acknowledged documents, Rule 902 Note 7 (p. 401)
ancient documents or data compilations, Rule 901 Note 12 (p. 386)
business records, self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
chain of custody, Rule 901 Note 3 (p. 377)
commercial paper and related documents, Rule 902 Note 8 (p. 402)
computer records, Rule 901 Note 4 (p. 379)
diagrams, Rule 611 Note 6 (p. 197)
distinctive characteristics, Rule 901 Note 8 (p. 383)
foreign public documents, Rule 902 Note 3 (p. 399)
handwriting
expert witness, comparison by, Rule 901 Note 7 (p. 382)
nonexpert opinion, Rule 901 Note 6 (p. 381), Rule 901 (p. 374)
trier of fact, comparison, Rule 901 Note 7 (p. 382)
witness familiar with person's writing, Rule 901 Note 6 (p. 381)
knowledge, testimony of witness with, Rule 901 Note 5 (p. 380)
newspapers and periodicals, Rule 902 Note 5 (p. 400)
official publications, Rule 902 Note 4 (p. 399)
presumptions created by law, Rule 902 Note 9 (p. 402)
process or system, Rule 901 Note 13 (p. 388)
public records or reports
self-authentication, Rule 902 Notes 2 (p. 397) & 7 (p. 401)
testimony, Rule 901 Note 11 (p. 385)
regularly kept business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
''reply doctrine,'' Rule 901 Note 8 (p. 383)
self-authentication, generally, Rule 902 Note 1 (p. 396)
statutory methods of authentication, Rule 901 Note 14 (p. 391)
subscribing witness
generally, Rule 903 Note 1 (p. 407)
wills, Rule 903 Note 2 (p. 407)
trade inscriptions, signs, tags and labels, Rule 902 Note 6 (p. 401)
Best evidence rule
generally, Rule 1002 Note 1 (p. 413)
carbon copies, Rule 1001 Note 4 (p. 411)
comparison with Federal Rule, Rule 1002 Note 7 (p. 416)

DOCUMENTS—Cont'd
Best evidence rule—Cont'd
computer-generated evidence, Rule 1001 Note 4 (p. 411)
copies, executed, Rule 1001 Note 4 (p. 411)
definitions
duplicate, Rule 1001 Note 5 (p. 412)
original, Rule 1001 Note 4 (p. 411)
photographs, Rule 1001 Note 3 (p. 411)
recordings, Rule 1001 Note 2 (p. 411)
writings, Rule 1001 Note 2 (p. 411)
duplicates, admissibility of, Rule 1003 Note 1 (p. 417)
exceptions to requirement of original
collateral matters, Rule 1004 Note 5 (p. 422)
comparison with Federal Rule, Rule 1007 Note 4 (p. 431)
lost or destroyed original, Rule 1004 Note 2 (p. 420)
original not obtainable, Rule 1004 Note 3 (p. 421)
other Rules to consider, Rule 1007 Note 3 (p. 431)
possession of opponent, Rule 1004 Note 4 (p. 421)
public records, Rule 1005 Note 1 (p. 424)
summary of issues affecting admissibility, Rule 1007 Note 2 (p. 430)
testimony or written admission of party, Rule 1007 Note 1 (p. 430)
functions of court and jury, Rule 1008 Note 1 (p. 432)
judgments and judicial proceedings, Rule 1005 Note 1 (p. 424)
medical bills, admissibility, proof of reasonableness, Rule 413 Note 2 (p. 116)
original required, Rule 1002 Note 1 (p. 413)
other Rules to consider, Rule 1002 Note 6 (p. 415)
summary of issues affecting admissibility, Rule 1002 Note 5 (p. 415)
Business records
absence of record following diligent search, Rule 803 Note 7 (p. 327)
authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
lack of trustworthiness, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
qualified witness, Rule 803 Note 6 (p. 323)
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
exception to hearsay rule, Rule 803 Note 6 (p. 323)
official records, Rule 803 Note 8 (p. 327)
opinions contained in records, Rule 803 Note 6 (p. 323)
personal knowledge, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323), Rule 803 Notes 6 (p. 323) & 8 (p. 327)
public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)

DOCUMENTS—Cont'd
Business records—Cont'd
''regularly conducted business'' defined, Rule 803 Note 6 (p. 323)
religious organizations, Rule 803 Note 11 (p. 333)
Commercial paper, authentication, Rule 902 Note 8 (p. 402)
Materiality, Rule 1002 Note 2 (p. 414)
Photographs
generally, Rule 1002 Note 3 (p. 414)
public records, Rule 1005 Note 1 (p. 424)
secondary evidence generally, Rule 1004 Note 1 (p. 419)
summaries, Rule 1006 Note 1 (p. 426)
transcripts, of audio tapes, best evidence rule, Rule 1002 Note 1 (p. 413)
Public records and reports
affidavits concerning an interest in property, Rule 803 Note 15 (p. 335)
authentication
generally, Rule 902 Note 2 (p. 397)
case reports, Rule 902 Note 4 (p. 399)
certified copies, Rule 902 Note 2 (p. 397)
custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
foreign public documents, Rule 902 Note 3 (p. 399)
municipal ordinances, Rule 902 Note 4 (p. 399)
self-authentication of attested records and records under seal, Rule 902 Note 2 (p. 397)
statutes, Rule 902 Note 4 (p. 399)
baptismal certificates, Rule 803 Note 12 (p. 334)
best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
birth records, Rule 803 Note 9 (p. 332)
comparison with Federal Rule, Rule 1005 Note 4 (p. 425)
data compilations
public records generally, Rule 803 Note 8 (p. 327)
records of vital statistics, Rule 803 Note 9 (p. 332)
deaths, records of, Rule 803 Note 9 (p. 332)
deeds, recorded, Rule 803 Note 14 (p. 335)
documents affecting an interest in property
records of, Rule 803 Note 14 (p. 335)
statements in, Rule 803 Note 15 (p. 335)
exception to hearsay rule, Rule 803 Note 8 (p. 327)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
executory contracts, acknowledged, Rule 803 Note 14 (p. 335)
factual findings, Rule 803 Note 8 (p. 327)
foreign public documents, Rule 902 Note 3 (p. 399)
investigative reports, Rule 803 Note 8 (p. 327)
judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)

DOCUMENTS—Cont'd
Public records and reports—Cont'd
judgments—Cont'd
self-authentication
Domestic public documents, Rule 902 Note 2 (p. 397)
Foreign public documents, Rule 902 Note 3 (p. 399)
testimony, public records, Rule 901 Note 11 (p. 385)
marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
matters observed and reported pursuant to legal duty, Rule 803 Note 8 (p. 327)
other Rules to consider, Rule 1005 Note 3 (p. 425)
parol evidence, Rule 1005 Note 1 (p. 424)
personal knowledge, requirement of, Rule 803 Note 8 (p. 327)
police reports
business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
exclusions from hearsay rule, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 8 (p. 327)
trustworthiness, Rule 803 Note 8 (p. 327)
proof of contents by testimony, Rule 1005 Note 1 (p. 424)
self-authentication
generally, Rule 902 Note 2 (p. 397)
case reports, Rule 902 Note 4 (p. 399)
certified copies, Rule 902 Note 2 (p. 397)
custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
foreign public documents, Rule 902 Note 3 (p. 399)
municipal ordinances, Rule 902 Note 4 (p. 399)
self-authentication of attested records and records under seal, Rule 902 Note 2 (p. 397)
statutes, Rule 902 Note 4 (p. 399)
summary of issues affecting admissibility, Rule 1005 Note 2 (p. 425)
types, Rule 803 Note 8 (p. 327)
vital statistics, records of, Rule 803 Note 9 (p. 332)
Refreshing recollection
generally, Rule 612 Note 1 (p. 204)
admissibility of writing used, Rule 612 Note 3 (p. 205)
comparison with Federal Rule, Rule 612 Note 6 (p. 207)
cross examination on writing used, Rule 612 Note 3 (p. 205)
nature of writing used, Rule 612 Note 1 (p. 204)
other Rules to consider, Rule 612 Note 5 (p. 206)
past recollection recorded distinguished, Rule 612 Note 1 (p. 204)
prior to authentication of audio tape, Rule 403 Note 7 (p. 63)
privileged material, production of, Rule 612 Note 2 (p. 205)
production of writing, Rule 612 Note 2 (p. 205)
summary of issues affecting production and admissibility, Rule 612 Note 4 (p. 206)
witness must testify from memory, Rule 612 Note 1 (p. 204)

DOLLS
Child's testimony, use during, Rule 611 Note 6 (p. 197)

DOMESTIC SEXUAL ABUSE
Hearsay, statements for purposes of medical diagnosis or treatment, Rule 803 Note 4 (p. 319)

DOUBLE HEARSAY
Generally, Rule 805 Note 1 (p. 368)
Comparison with Federal Rule, Rule 805 Note 4 (p. 369)
Other Rules to consider, Rule 805 Note 3 (p. 368)
Summary of issues affecting admissibility, Rule 805 Note 2 (p. 368)

DRUG OFFENSES
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)

DRUGS
Impeachment based on drug usage, Rule 608 Note 7 (p. 182)
Juror using drugs, competency of juror as witness, Rule 606 (p. 170)
Police and police officers' expert testimony as to conduct of drug dealers, Rule 704 Note 3 (p. 267)
Witnesses, drug use by juror, competency of other juror as witness, Rule 606 (p. 170)

DRUNKENNESS
Blood alcohol content, expert testimony, Rule 702 Notes 7 (p. 249) & 9 (p. 254)
Competency of witness, Rule 601 Note 4 (p. 156)
Expert testimony, blood alcohol content, Rule 702 Notes 7 (p. 249) & 9 (p. 254)
Impeachment, Rule 608 Note 7 (p. 182)
Opinion testimony, intoxication, Rule 701 Note 6 (p. 239)
Witnesses
  competency of witness, Rule 601 Note 4 (p. 156)
  juror's use of alcohol, competency of other juror as witness, Rule 606 (p. 170)

DUPLICATES
Best evidence rule
  admissibility, Rule 1003 Note 1 (p. 417)
  definition, Rule 1001 Note 5 (p. 412)
  summary of issues affecting admissibility, Rule 1003 Note 2 (p. 417)
  2014 Amendment, effect, Rule 1003 Note 2 (p. 417)

DURESS
Recorded testimony elicited free from duress, Rule 403 Note 7 (p. 63)

DYING DECLARATIONS
Hearsay exception for, Rule 804 Note 3 (p. 354)
Unavailability of declarant, Rule 804 Notes 1 (p. 347) & 3 (p. 354)
  forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)

ELECTRONIC SIGNATURE
Best evidence rule, Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)

EMOTIONAL STATE
Character evidence in criminal cases as proof of:, state of mind in cases of self-defense, Rule 404 Note 3 (p. 69)
Hearsay exception, Rule 803 Note 3 (p. 316)
Opinion testimony
intent in criminal case, Rule 704 Note 3 (p. 267)
sanity
expert, Rule 704 Note 3 (p. 267)
nonexpert, Rule 701 Note 6 (p. 239)
Witness's own, Rule 701 Note 6 (p. 239)

EMPLOYEE ASSISTANCE PROFESSIONALS
Privileged communications, Rule 501 Note 13 (p. 143)

EMPLOYEES
Admissions by, Rule 801 Note 12 (p. 294)
Subsequent remedial measure, Rule 407 Note 1 (p. 92)

EMPLOYMENT, PLACE OF
Witness's place of employment, cross examination, Rule 616 Note 1 (p. 223)

ENTRAPMENT
Character or reputation, rebutting entrapment defense, Rule 404 Note 17 (p. 79)

ENTRIES IN REGULAR COURSE OF BUSINESS
Absence of record following diligent search, Rule 803 Note 7 (p. 327)
Authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
Certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
Electronically maintained records, Rule 803 Note 6 (p. 323)
Exception to hearsay rule, Rule 803 Note 6 (p. 323)
Opinions contained in records, Rule 803 Note 6 (p. 323)
Personal knowledge, Rule 803 Note 6 (p. 323)
Police reports, Rule 803 Note 6 (p. 323), Rule 803 Notes 6 (p. 323) & 8 (p. 327)
Public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
Refreshing recollection, Rule 612 Note 1 (p. 204)
"Regularly conducted business" defined, Rule 803 Note 6 (p. 323)
Religious organizations, Rule 803 Note 11 (p. 333)

ESCAPE
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)
Relevancy, Rule 401 Note 6 (p. 54)

EXAGGERATION
Child's tendency for, Rule 704 Note 5 (p. 268)

EXCITED UTTERANCES
Bodily condition, statements concerning
diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
existing pain or suffering, Rule 803 Note 3 (p. 316)
non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
physicians, statements to concerning existing pain and suffering
questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Dead man's statutes, Rule 601 Note 5 (p. 157)
Hearsay exceptions, Rule 803 Note 2 (p. 314), Rule 803 (p. 308)
"Res gestae," Rule 803 Note 26 (p. 343)

EXCLUSION OF WITNESSES
Closing statements, Rule 615 Note 1 (p. 218)
Comparison with Federal Rule, Rule 615 Note 6 (p. 222)
Essential, persons whose presence is, Rule 615 Note 2 (p. 219)
Exceptions to order, Rule 615 Note 2 (p. 219)
Opening statements, Rule 615 Note 1 (p. 218)
Other Rules to consider, Rule 615 Note 5 (p. 222)
Parents in delinquency proceeding, Rule 615 Note 2 (p. 219)
Parties to action, Rule 615 Note 2 (p. 219)
Remedies for violation, Rule 615 Note 3 (p. 220)
Summary of issues affecting admissibility, Rule 615 Note 4 (p. 221)
Terms of order, Rule 615 Note 1 (p. 218)
Witnesses who have testified, Rule 615 Notes 1 (p. 218) & 2 (p. 219)

EXHAUSTING MEMORY
Refreshing recollection
generally, Rule 612 Note 1 (p. 204)
admissibility of writing used, Rule 612 Note 3 (p. 205)
cross examination on writing used, Rule 612 Note 3 (p. 205)
hypnosis to refresh memory, Rule 602 Note 2 (p. 163)
nature of writing used, Rule 612 Note 1 (p. 204)
past recollection recorded distinguished, Rule 612 Note 1 (p. 204)
privileged material, production of, Rule 612 Note 2 (p. 205)
production of writing, Rule 612 Note 2 (p. 205)
witness must testify from memory, Rule 612 Note 1 (p. 204)

EXPERIMENTS
Breathalyzers, Rule 702 Note 9 (p. 254)
Child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
Courtroom experiments, Rule 611 Note 6 (p. 197)
Expert opinion, basis for, Rule 702 Note 7 (p. 249)
Polygraphs, Rule 702 Note 10 (p. 255)
Rape trauma syndrome, Rule 702 Note 7 (p. 249)
Scientific tests, Rule 702 Note 7 (p. 249)
Trial court's discretion to allow, Rule 611 Note 6 (p. 197)

EXPERT WITNESS OR TESTIMONY
Generally, Rule 701 (p. 236), Rule 702 Note 1 (p. 244)

EXPERT WITNESS OR TESTIMONY—Cont'd
Admissibility generally, Rule 702 Note 1 (p. 244)
Appointment by court, Rule 614 Note 1 (p. 214)
Atomic absorption testing, Rule 702 Note 7 (p. 249)
Basis of opinion testimony by experts, Rule 703 (p. 259), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
Bite marks, Rule 702 Note 7 (p. 249)
Blood alcohol content, Rule 702 Notes 7 (p. 249) & 9 (p. 254)
Blood grouping tests, Rule 702 Note 7 (p. 249)
Breathalyzers, Rule 702 Note 9 (p. 254)
Character, Rule 704 Note 4 (p. 268)
Child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
Child's ability to describe events, Rule 704 Note 5 (p. 268)
Comparison with Federal Rule, Rule 702 Note 13 (p. 258)
Cross examination, Rule 705 Note 3 (p. 276)
Defendant's statement to psychiatrist, Rule 803 Note 4 (p. 319)
Degree of certainty required, Rule 702 Note 4 (p. 248)
Disclosure
  generally, Rule 705 (p. 274)
  cross examination, Rule 705 Note 3 (p. 276)
  direct examination, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
  expert opinion, disclosure before testifying to, Rule 705 Note 2 (p. 275)
  hearsay information, disclosure to jury, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
  revised Rule 705, Rule 705 (p. 274)
Discretion of trial court
  cross examination, Rule 705 Note 3 (p. 276)
  hypothetical questions
    cross examination, Rule 705 Note 3 (p. 276)
    direct examination, Rule 703 Note 3 (p. 260)
  observations, sufficiency of, Rule 705 Notes 1 (p. 274) & 2 (p. 275)
  opinion based on reports of others
    generally, Rule 703 Note 5 (p. 261)
    disclosure of hearsay information to jury, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
  opinion testimony from experts, generally, Rule 702 Notes 1 (p. 244) & 2 (p. 245)
  polygraphs, Rule 702 Note 10 (p. 255)
  qualifications of expert, Rule 702 Note 3 (p. 246)
  scientific test, performance of, Rule 702 Note 8 (p. 254)
  ultimate issue of fact, Rule 704 Note 1 (p. 266)
DNA identification, Rule 702 Note 7 (p. 249)
Experience as expert's qualification, Rule 702 Note 3 (p. 246)
Expert testimony, Rule 702 (p. 244)
Facts perceived by expert, Rule 703 Note 2 (p. 259)
"Frye" test abandoned, Rule 702 Note 7 (p. 249)
Handwriting, Rule 901 Note 6 (p. 381)

EXPERT WITNESS OR TESTIMONY—Cont'd
Helpfulness to trier of fact, Rule 702 Note 2 (p. 245)
Hypothetical questions
generally, Rule 703 Note 3 (p. 260)
cross examination, use during, Rule 705 Note 3 (p. 276)
Impeachment by attacking or explaining basis for opinion, Rule 703 Note 3 (p. 260)
Inclusion in hypothetical question, Rule 703 Note 3 (p. 260)
Intent in criminal cases, Rule 704 Note 3 (p. 267)
Law, opinion of, Rule 704 Note 7 (p. 271)
Lay witnesses, Rule 701 (p. 236)
Leading questions, use of, Rule 611 Note 10 (p. 200)
Learned treatises
expert testimony, basis for, Rule 703 Note 6 (p. 262)
hearsay rule, Rule 803 Note 18 (p. 337)
Legal conclusions, Rule 704 Note 7 (p. 271)
Licensing, Rule 702 Note 3 (p. 246)
Limitations on testimony of lay witnesses, Rule 701 (p. 236)
Meaning of terms, cross examination on, Rule 705 Note 3 (p. 276)
Medical malpractice review panel's opinion, Rule 702 Note 6 (p. 249)
Methods of criminals, Rule 704 Note 3 (p. 267)
Microscopic inspection, opinion based on, Rule 702 Note 7 (p. 249)
Neutron activation analysis, Rule 702 Note 7 (p. 249)
Odontic comparisons, Rule 702 Note 7 (p. 249)
Opinion based on reports of others
generally, Rule 703 Note 5 (p. 261)
disclosure of hearsay information to jury, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
Opinion on ultimate issue
generally, Rule 704 Note 1 (p. 266)
guilt or innocence, criminal case, Rule 704 Note 4 (p. 268)
intent, criminal case, Rule 704 Note 3 (p. 267)
legal conclusions, Rule 704 Note 7 (p. 271)
rape trauma syndrome, Rule 704 Note 5 (p. 268)
truthfulness of witness's testimony, Rule 704 Note 5 (p. 268)
truth or falsity of allegations, Rule 704 Note 6 (p. 270)
Other Rules to consider, Rule 702 Note 12 (p. 257)
Peculiar knowledge or experience not common to world, Rule 702 Notes 2 (p. 245) & 3 (p. 246)
Personal knowledge of experts
facts perceived by expert, Rule 703 Note 2 (p. 259)
no requirement of personal knowledge, Rule 602 Note 3 (p. 163), Rule 703 Note 1 (p. 259)
opinion based on personal knowledge, Rule 702 Note 2 (p. 245), Rule 703 Note 2 (p. 259)
Personal observations, sufficiency of, Rule 703 Note 2 (p. 259)
Personal perception, generally, Rule 701 Notes 2 & 3 (p. 237)
Physicians, based on patient's statements, Rule 803 Note 4 (p. 319)

EXPERT WITNESS OR TESTIMONY—Cont'd
Police officers, testimony as to conduct of dealers, Rule 704 Note 3 (p. 267)
Polygraphs, Rule 702 Note 10 (p. 255)
Probabilities and possibilities, Rule 702 Note 4 (p. 248)
Probability of assistance to trier of fact, Rule 702 Note 8 (p. 254)
Qualifications of expert
generally, Rule 702 Note 3 (p. 246)
burden of proving, Rule 702 Note 3 (p. 246)
disclosure of opinion before testifying to, Rule 705 Note 2 (p. 275)
experience alone, Rule 702 Note 3 (p. 246)
licensing not required, Rule 702 Note 3 (p. 246)
objection to opinion outside expertise, Rule 702 Note 3 (p. 246)
past testimony as expert, Rule 702 Note 3 (p. 246)
specialization not required, Rule 702 Note 3 (p. 246)
voir dire, Rule 702 Note 3 (p. 246)
Rape trauma syndrome, Rule 702 Note 7 (p. 249)
''Reasonable medical certainty,'' Rule 702 Note 4 (p. 248)
Reconstructive memory, Rule 602 Note 2 (p. 163), Rule 702 Note 7 (p. 249)
Relation to science, profession, business or occupation, Rule 702 Notes 1 (p. 244) & 2 (p. 245)
Reports of others, opinion based upon
generally, Rule 703 Note 5 (p. 261)
disclosure of hearsay information to jury, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
Revised Rule 701, Rule 701 (p. 236)
Revised Rule 702, Rule 702 (p. 244)
Revised Rule 703, Rule 703 (p. 259)
Revised Rule 705, Rule 705 (p. 274)
Scientific expert testimony, Rule 702 (p. 244)
Scientific formula or calculation, Rule 705 Note 1 (p. 274)
Scientific tests
generally, Rule 702 Note 7 (p. 249)
atomic absorption testing, Rule 702 Note 7 (p. 249)
blood grouping tests, Rule 702 Note 7 (p. 249)
breathalyzers, Rule 702 Note 9 (p. 254)
child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
polygraphs, Rule 702 Note 10 (p. 255)
rape trauma syndrome, Rule 702 Note 7 (p. 249)
weight of expert testimony, Rule 702 Note 7 (p. 249)
Summary of issues affecting admissibility, Rule 702 Note 11 (p. 256)
Testimony by experts, Rule 702 (p. 244)
Tooth marks, Rule 702 Note 7 (p. 249)
Trace metal detection tests, Rule 702 Note 7 (p. 249)
Ultimate issue, opinion on
generally, Rule 704 Note 1 (p. 266), Rule 704 (p. 266)
comparison with Federal Rule, Rule 704 Note 10 (p. 273)
guilt or innocence, criminal case, Rule 704 Note 4 (p. 268)
intent, criminal case, Rule 704 Note 3 (p. 267)

EXPERT WITNESS OR TESTIMONY—Cont'd
Ultimate issue, opinion on—Cont'd
legal conclusions, Rule 704 Note 7 (p. 271)
other Rules to consider, Rule 704 Note 9 (p. 273)
revised Rule 704, Rule 704 (p. 266)
summary of issues affecting admissibility, Rule 704 Note 7 (p. 271)
truthfulness of witness's testimony, Rule 704 Note 5 (p. 268)
truth or falsity of allegations, Rule 704 Note 6 (p. 270)
Underlying expert opinion, disclosure of facts or data, Rule 705 (p. 274)
Usefulness of opinion
generally, Rule 702 Note 2 (p. 245)
degree of certainty required, Rule 702 Note 4 (p. 248)
subject of expertise, Rule 702 Note 3 (p. 246)
Weight of expert testimony, scientific tests, Rule 702 Note 7 (p. 249)

EXPRESS WAIVER
Physician-patient privilege, Rule 501 Note 7 (p. 129), Rule 501 Notes 2 (p. 120) & 7 (p. 129)

EXTRADITION PROCEEDINGS
Applicability of Evidence Rules, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

EXTRINSIC OFFENSE EVIDENCE
Generally, Rule 404 Note 6 (p. 71)
Balancing probative value and unfair prejudice, uncharged crimes, Rule 404 Note 7 (p. 72)
Best evidence rule, Rule 1002 Note 1 (p. 413)
Character in issue
CHINS Proceedings, Rule 405 Note 6 (p. 86)
criminal cases, Rule 404 Note 3 (p. 69)
Character witnesses. See index heading CHARACTER OR REPUTATION
Common scheme or plan, Rule 404 Note 13 (p. 77)
General rule of inadmissibility, Rule 404 Note 1 (p. 68)
Identity, Rule 404 Note 12 (p. 76)
Inseparable crimes, Rule 404 Note 10 (p. 74)
Intent, proof of accused's
generally, Rule 404 Note 11 (p. 75)
intent at issue, Rule 404 Note 7 (p. 72)
similarity, Rule 404 Note 11 (p. 75)
Knowledge of accused, as proof of, Rule 404 Note 15 (p. 78)
Motive of accused, as proof of, Rule 404 Note 14 (p. 78)
Mug shots, references to, Rule 403 Note 4 (p. 61)
Notice in criminal cases, uncharged crimes, Rule 404 Note 9 (p. 74)
Other crimes and acts by accused, general rule, Rule 404 Note 6 (p. 71)
Plan, generally, Rule 404 Note 13 (p. 77)
"Res gestae," Rule 404 Note 10 (p. 74)
Self-defense cases, Rule 404 Note 3 (p. 69)

EXTRINSIC OFFENSE EVIDENCE—Cont'd
Sexual conduct or reputation
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
burden of proof, Rule 412 Note 2 (p. 112)
certain criminal cases, Rule 412 Note 2 (p. 112)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
other cases, Rule 412 Note 2 (p. 112)
Subsequent to charged crime, Rule 404 Note 6 (p. 71)
Sufficiency of proof of extrinsic offense, Rule 404 Note 8 (p. 74)
Test for admissibility, Rule 404 Note 7 (p. 72)
Victim's character
as proof of accused's state of mind, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
as proof of victim's conduct, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
"in issue," Rule 404 Note 5 (p. 70)
sexual conduct or reputation, Rule 412 Note 1 (p. 111)

EYE DOCTORS
Physician-patient privilege, Rule 501 Note 7 (p. 129)

FAILURE TO OBJECT
Adoptive admission, Rule 801 Note 11 (p. 293)
Appeal, Rule 103 Note 2 (p. 9)

FAMILY HISTORY
Hearsay exception
family records, Rule 803 Note 13 (p. 334)
judgment as to, Rule 803 Note 23 (p. 342)
pedigree, Rule 804 Note 5 (p. 358)
religious organization records, Rule 803 Note 11 (p. 333)
reputation, Rule 803 Note 19 (p. 339)

FAMILY THERAPISTS
Privileged communications, Rule 501 Note 13 (p. 143)

FINAL ARGUMENT
Blackboard, use in, Rule 611 Note 6 (p. 197)
Objections, Rule 103 Note 8 (p. 13)

FINANCIAL INTEREST
As affecting credibility of witness
related litigation, Rule 616 Note 3 (p. 225)
settlement agreement, Rule 616 Note 5 (p. 225)
Compensation by adverse party, Rule 616 Note 4 (p. 225)
Covenant not to sue, Rule 616 Note 5 (p. 225)
Interest in related litigation, Rule 616 Note 4 (p. 225)
Loan receipt agreement, Rule 616 Note 5 (p. 225)
Partial settlement agreements, Rule 616 Note 5 (p. 225)

FIRE
Arson. See index heading ARSON
Impeachment use of convictions for, Rule 609 Note 2 (p. 188)
Witnesses, impeachment by evidence of conviction of crime, Rule 609 (p. 186)

FLIGHT
Relevancy of evidence of, Rule 401 Note 6 (p. 54)

FOOTPRINTS
Opinion testimony, Rule 701 Note 6 (p. 239)

"FORBIDDEN INFERENCE"
Character or reputation, Rule 404 Note 6 (p. 71)

FOREIGN LAW
Judicial notice, Rule 201 Note 6 (p. 38)

FOREIGN PUBLIC DOCUMENTS
Authentication, Rule 902 Note 3 (p. 399)

FORFEITURE
Confrontation, hearsay exceptions to forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)

FORGERY
Impeachment use of conviction for, Rule 609 Note 2 (p. 188)

FORMER TESTIMONY
Generally, Rule 804 Note 2 (p. 350)
Confrontation clause, Rule 804 Note 2 (p. 350)
Cross examination
  motive to develop, Rule 804 Note 2 (p. 350)
  opportunity for, Rule 804 Note 2 (p. 350)
Depositions
  generally, Rule 804 Note 2 (p. 350)
  prior inconsistent statement as substantive evidence, Rule 801 Note 7 (p. 288)
Exception to hearsay rule, Rule 804 Note 2 (p. 350)
Forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
Method of proof, Rule 804 Note 2 (p. 350)
Predecessor in interest, Rule 804 Note 2 (p. 350)
Prior inconsistent statements as substantive evidence, Rule 801 Note 7 (p. 288)
Proceeding, testimony given at, Rule 804 Note 2 (p. 350)
Refreshing recollection, Rule 612 Note 1 (p. 204)
Remainder, admissibility, Rule 106 Notes 4 (p. 30) & 5 (p. 32)
Unavailability of declarant, Rule 804 Notes 1 (p. 347) & 2 (p. 350)

FRAUD
Attorney-client privilege, Rule 501 Note 6 (p. 124)
Physician-patient, communications in furtherance of crime or fraud, Rule 501 Note 7 (p. 129)

"FRYE" TEST
Rejection of, Rule 702 Note 7 (p. 249)

FUNDAMENTAL ERROR
Notice of fundamental error, taking, revised rule, Rule 103 (p. 8)
Objections, Rule 103 Note 11 (p. 17)
Rulings on evidence, Rule 103 (p. 8)

GENERAL ACCEPTANCE OF SCIENTIFIC PRINCIPLE
Scientific evidence, rejection of Frye test, Rule 702 Note 7 (p. 249)

GENERAL OBJECTIONS
Generally, Rule 103 Note 3 (p. 10)
Relevancy, Rule 402 Note 2 (p. 57)

GRAND JURY PROCEEDINGS
Applicability of Evidence Rules, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

GRUESOME PHOTOGRAPHS
Prejudice, exclusion of relevant evidence for other reasons, Rule 403 Note 3 (p. 61)

GUILTY PLEAS AND RELATED STATEMENTS
Generally, Rule 410 Note 1 (p. 102)
Comparison with Federal Rule, Rule 410 Note 10 (p. 106)
Confessions, Rule 410 (p. 102)
Conviction of crime
generally, Rule 410 Note 1 (p. 102)
admissible if not withdrawn, Rule 410 Note 6 (p. 105)
''in connection with'' plea offer, Rule 410 Note 4 (p. 104)
perjury, admissibility of statements at guilty plea later withdrawn, Rule 410 Notes 1 (p. 101) & 2 (p. 102)
proof of underlying conduct, Rule 410 Note 4 (p. 104), Rule 803 Note 22 (p. 340)
sentencing hearing, admissibility of statements made in plea negotiations, Rule 410 Note 2 (p. 102)
statements related to plea discussions, Rule 410 Note 4 (p. 104)
offering party, as affecting admissibility, Rule 410 Note 5 (p. 105)
traffic offenses, Rule 410 Note 7 (p. 105)
withdrawn guilty pleas generally inadmissible, Rule 410 Note 1 (p. 102)
Other Rules to consider, Rule 410 Note 9 (p. 106)
Perjury, admissibility of statements at guilty plea later withdrawn, Rule 410 Note 1 (p. 102)
Plea bargaining, evidence of, generally inadmissible, Rule 410 Note 3 (p. 104)
Plea of guilty
admissible if not withdrawn, Rule 410 Note 6 (p. 105)
proof of underlying conduct, Rule 410 Note 7 (p. 105), Rule 803 Note 22 (p. 340)
Relevancy, withdrawn pleas and offers, Rule 410 (p. 102)
Sentencing hearing, admissibility of statements made in plea negotiations, Rule 410 Note 2 (p. 102)
Statements made by others, Rule 410 Note 3 (p. 104)

GUILTY PLEAS AND RELATED STATEMENTS—Cont'd
Statements related to plea discussions
generally, Rule 410 Note 4 (p. 104)
offering party, as affecting admissibility, Rule 410 Note 5 (p. 105)
Summary of issues affecting admissibility, Rule 410 Note 8 (p. 106)
Traffic offenses, Rule 410 Note 7 (p. 105)
Withdrawn guilty pleas generally inadmissible, Rule 410 Note 1 (p. 102)

GUN, POSSESSION OF
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)

HABIT
Comparison with Federal Rule, Rule 406 Note 7 (p. 91)
Custom of organization, Rule 406 Note 2 (p. 88)
Drunkenness, as impeachment, Rule 608 Note 7 (p. 182)
Method of proving, Rule 406 Note 3 (p. 89)
Other Rules to consider, Rule 406 Note 6 (p. 91)
As proof of conduct, generally, Rule 406 Note 1 (p. 88)
Routine practice of organization, Rule 406 Note 2 (p. 88)
Summary of issues affecting admissibility, Rule 406 Note 5 (p. 90)

HABITUAL OFFENDER PROCEEDINGS
Proof of prior convictions, parol evidence, Rule 1005 Note 1 (p. 424)

HANDWRITING
Comparison
by expert witness, Rule 901 Note 7 (p. 382)
by non-expert witness, Rule 901 Note 6 (p. 381)
by trier of fact, Rule 901 Note 7 (p. 382)
Expert testimony, Rule 901 Note 7 (p. 382)
Opinion testimony, Rule 701 Note 6 (p. 239)
Witness who has seen person write, Rule 901 Note 6 (p. 381)

HARMLESS ERROR
Prejudice requirement, Rule 103 Note 9 (p. 14)

"HAVE YOU HEARD"
Cross examination of character witness, Rule 405 Note 4 (p. 84)

HEALTH
Appearance, opinion testimony, Rule 701 Note 6 (p. 239)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Existing pain or suffering, Rule 803 Note 3 (p. 316)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Opinion testimony, Rule 701 Note 6 (p. 239)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)

HEARING OF JURY
Accused's testimony on preliminary matters, Rule 104 Note 4 (p. 21)

HEARING OF JURY—Cont'd
Availability of child victim/witness in criminal case, Rule 804 Note 7 (p. 361)
Confessions, Rule 104 Note 4 (p. 21)
Privilege, claim of, Rule 501 Note 4 (p. 122)
Rulings on evidence, Rule 103 (p. 8)
Unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)

HEARSAY
Generally, Rule 801 (p. 280)
Generally inadmissible, Rule 802 Note 1 (p. 303)
Absence
entry in records, exceptions, Rule 803 (p. 308)
forfeiture by wrongdoing, exceptions, Rule 804 Note 6 (p. 359)
public record or entry, absence of, Rule 803 (p. 308)
unavailability of declarant, exceptions, Rule 804 (p. 345)
Admissibility, general rule, Rule 802 Note 1 (p. 303)
Admissibility in sentencing hearings, Rule 101 Note 4 (p. 4)
Admissibility to show diligent search for lost document, Rule 1004 Note 2 (p. 420)
Admissions (statements of party-opponent)
adoptive admissions, Rule 801 Note 11 (p. 293)
''against interest,'' Rule 801 Note 9 (p. 291)
agents, Rule 801 Notes 12-14 (p. 294-297)
agent or servant, Rule 801 Note 12 (p. 294)
attorneys, Rule 801 Note 12 (p. 294)
authority of declarant, Rule 801 Note 12 (p. 294)
co-conspirators, Rule 801 Note 14 (p. 297)
employee's agent, Rule 801 Note 12 (p. 294)
judicial admissions, Rule 801 Note 13 (p. 296)
personal knowledge not required, Rule 801 Note 12 (p. 294)
pleadings, Rule 801 Note 13 (p. 296)
servant, Rule 801 Note 12 (p. 294)
stipulations, Rule 801 Note 13 (p. 296)
contents of writing, to prove, Rule 1007 Note 1 (p. 430)
co-party's admissions, Rule 801 Note 15 (p. 299)
failure to deny accusation, Rule 801 Note 11 (p. 293)
guilty pleas and related statements, Rule 410 (p. 102)
judicial admissions, Rule 801 Note 13 (p. 296)
limiting instruction, adoptive or tacit admission, Rule 801 Note 11 (p. 293)
personal knowledge, adoptive or tacit admission, Rule 801 Note 11 (p. 293)
plea bargaining, Rule 410 Note 3 (p. 104)
tacit admissions, Rule 801 Note 11 (p. 293)
traffic offenses, Rule 410 Note 7 (p. 105)
victim, criminal case, Rule 801 Note 9 (p. 291)
withdrawn guilty pleas, Rule 410 Note 1 (p. 102)
withdrawn pleadings, Rule 801 Note 13 (p. 296)
Admitted without objection, effect, Rule 802 Note 1 (p. 303)
Adoptive admissions, Rule 801 Note 11 (p. 293)

HEARSAY—Cont'd
Age of witness, Rule 804 Note 5 (p. 358)
Ancient documents
authentication, Rule 901 Note 12 (p. 386)
exception to hearsay rule, Rule 803 Note 16 (p. 336)
statements in, Rule 803 (p. 308)
Attacking and supporting credibility of declarant, Rule 806 (p. 370)
Availability for cross examination, Rule 801 Note 5 (p. 286)
Availability of declarant immaterial, Rule 803 (p. 308)
Baptismal certificates, Rule 803 (p. 308)
Basis for expert testimony
generally, Rule 703 Note 5 (p. 261)
disclosure of hearsay information to jury, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
Best evidence rule. See index heading BEST EVIDENCE RULE
Bodily condition, statements concerning
diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
existing pain or suffering, Rule 803 Note 3 (p. 316)
non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Boundaries or customs affecting land, hearsay exception, Rule 803 Note 20 (p. 339)
Boundaries or general history, reputation concerning, Rule 803 (p. 308)
Business activity records, hearsay exceptions, Rule 803 (p. 308)
Business records
absence of record following diligent search, Rule 803 Note 7 (p. 327)
authentication
generally, Rule 803 Note 6 (p. 323)
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
criminal conviction, Rule 803 Note 22 (p. 340)
electronically maintained records, Rule 803 Note 6 (p. 323)
exception to hearsay rule, Rule 803 Note 6 (p. 323)
lack of trustworthiness, Rule 803 Note 6 (p. 323)
official records, Rule 803 Note 8 (p. 327)
opinions contained in records, Rule 803 Note 6 (p. 323)
personal knowledge, Rule 803 Note 6 (p. 323)
police reports
generally, Rule 803 Note 6 (p. 323), Rule 803 Notes 6 (p. 323) & 8 (p. 327)

HEARSAY—Cont'd
Business records—Cont'd
police reports—Cont'd
exclusions from hearsay rule, Rule 803 Note 8 (p. 327)
public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
qualified witness, Rule 803 Note 6 (p. 323)
"regularly conducted business" defined, Rule 803 Note 6 (p. 323)
religious organizations, Rule 803 Note 11 (p. 333)
vital statistics, records excluded from hearsay exception, Rule 803 Note 9 (p. 332)
Bystander's excited utterance, Rule 803 Note 2 (p. 314)
Capability of being true, Rule 801 Note 2 (p. 284)
Certificates of analysis of suspected drugs, state laboratory analyst's, Rule 802 Note 2 (p. 304)
Character, hearsay exception, Rule 803 Note 21 (p. 340)
Child victim's statements in certain criminal cases
closed-circuit televised testimony, Rule 804 Note 8 (p. 364)
out-of-court statements, Rule 804 Note 7 (p. 361)
videotaped testimony, Rule 804 Note 8 (p. 364)
Co-conspirator's statements
generally, Rule 801 Note 14 (p. 297)
joint trials, limited admissibility, Rule 105 Note 5 (p. 26)
Co-defendant's statements. See index heading CO-DEFENDANT'S STATEMENTS
Commands or requests, Rule 801 Note 2 (p. 284)
Commercial publications, Rule 803 Note 17 (p. 337), Rule 803 (p. 308)
Comparison with federal rules, Rule 801 Note 18 (p. 302), Rule 802 Note 5 (p. 307), Rule 806 Note 5 (p. 372)
Conduct as hearsay, Rule 801 Note 1 (p. 282)
Confrontation clause, Rule 802 Note 2 (p. 304)
Consistent prior statements
rebuttal of impeached witness, Rule 613 Note 4 (p. 211)
rehabilitation of impeached witness, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
substantive evidence, Rule 801 Note 7 (p. 288)
Conviction, judgment of previous, Rule 803 (p. 308)
Credibility of declarant
generally, Rule 806 Note 1 (p. 365)
attacking and supporting, Rule 806 (p. 370)
Cross-examination, Rule 802 Note 1 (p. 303)
Crypts, engravings on, Rule 803 Note 13 (p. 334)
Declarant, defined, Rule 801 (p. 280)
Declarant's availability immaterial, Rule 803 (p. 308)
Declarant's credibility, Rule 806 Note 1 (p. 371)
Declarations against interest
generally, Rule 804 Note 4 (p. 355)
declarant's unavailability, requirement of, Rule 804 Note 4 (p. 355)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
against interest, Rule 804 Note 4 (p. 355)

HEARSAY—Cont'd
Declarations against interest—Cont'd
pecuniary interest, statement against, Rule 804 Note 4 (p. 355)
penal interest, statement against, Rule 804 Note 4 (p. 355)
personal knowledge, Rule 804 Note 4 (p. 355)
statement partly against interest, severability of, Rule 804 Note 4 (p. 355)
Definitions, Rule 801 Note 1 (p. 282), Rule 801 (p. 280)
Deposition, opportunity to take as affecting unavailability, Rule 804 Note 1 (p. 347)
Documents affecting interest in property
judgment affecting boundary, Rule 803 Note 23 (p. 342)
record of document, Rule 803 Note 14 (p. 335)
statement in document, Rule 803 Note 15 (p. 335)
Domestic sexual abuse, statements for purposes of medical diagnosis or treatment, Rule 803 Note 4 (p. 319)
''Double hearsay,'' Rule 805 Note 1 (p. 368)
Dying declarations, Rule 804 Note 3 (p. 354)
Effect on listener, Rule 801 Note 2 (p. 284)
Exceptions
absence, unavailability of declarant, Rule 804 (p. 345)
comparison with Federal Rule, Rule 803 Note 28 (p. 344)
death, unavailability of declarant, Rule 804 (p. 345)
declarant's availability, regardless of, Rule 803 Note 0.50 (p. 313)
declarant unavailable, Rule 804 (p. 345)
excited utterances, Rule 803 Note 2 (p. 314), Rule 803 (p. 308)
failure to object, Rule 802 Note 1 (p. 303)
forfeiture by wrongdoing, Rule 804 (p. 345)
former testimony, Rule 804 (p. 345)
impending death, statement under belief of, Rule 804 (p. 345)
infirmity, unavailability of declarant, Rule 804 (p. 345)
lack of memory, unavailability of declarant, Rule 804 (p. 345)
other Rules to consider, Rule 803 Note 27 (p. 343)
personal or family history, statement of, Rule 804 (p. 345)
revised Rule 804, Rule 804 (p. 345)
statement against interest, Rule 804 (p. 345)
statement of personal or family history, Rule 804 (p. 345)
statement under belief of impending death, Rule 804 (p. 345)
then existing physical or mental illness, unavailability of declarant, Rule 804 (p. 345)
unavailability, defined, Rule 804 (p. 345)
wrongdoing, forfeiture by, Rule 804 (p. 345)
Excited utterances, Rule 803 Note 2 (p. 314), Rule 803 (p. 308)
Expert testimony based on reports of others
generally, Rule 703 Note 5 (p. 261)
disclosure of hearsay information to jury, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
Failure to object, Rule 802 Note 1 (p. 303)
Family Bibles, Rule 803 Note 13 (p. 334)

HEARSAY—Cont'd
Family history
family records, Rule 803 Note 13 (p. 334)
judgment as to, Rule 803 Note 23 (p. 342), Rule 803 (p. 308)
pedigree, Rule 804 Note 5 (p. 358)
religious organization records, Rule 803 Note 11 (p. 333)
reputation, Rule 803 Note 19 (p. 339), Rule 803 (p. 308)
Family records, Rule 803 Note 13 (p. 334), Rule 803 (p. 308)
Federal rules, comparison with, Rule 801 Note 18 (p. 302)
Forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
Former testimony
generally, Rule 804 Note 2 (p. 350)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
motive to develop, Rule 804 Note 2 (p. 350)
opportunity to develop, Rule 804 Note 2 (p. 350)
predecessor in interest, Rule 804 Note 2 (p. 350)
proceeding, testimony in, Rule 804 Note 2 (p. 350)
unavailability of declarant, Rule 804 Note 2 (p. 350)
Genealogies, Rule 803 Note 13 (p. 334)
General history, Rule 803 Note 20 (p. 339), Rule 803 (p. 308)
Hearsay, defined, Rule 801 (p. 280)
Hearsay rule, Rule 802 (p. 303)
Hearsay within hearsay, Rule 805 (p. 368)
''Hearsay within hearsay,'' Rule 805 Note 1 (p. 368)
Identifications by witness, prior, Rule 801 Note 8 (p. 290)
Immateriality of availability of declarant, Rule 803 (p. 308)
Immediate completeness, Rule 106 Note 3 (p. 29)
Impeachment of declarant, Rule 806 Note 1 (p. 371)
Inconsistent sworn statements, as substantive evidence, Rule 801 Note 6 (p. 287)
Inquiries concerning whereabouts of person, Rule 804 Note 1 (p. 347)
Insanity, then existing mental, emotional, or physical condition, hearsay exceptions, Rule 803 (p. 308)
Intent, Rule 803 Note 3 (p. 316)
Interest in property, records of documents affecting, Rule 803 (p. 308)
Investigative reports not exception to hearsay rule, Rule 803 (p. 308)
Judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
personal, family, or general history or boundaries, Rule 803 (p. 308)
previous conviction, Rule 803 (p. 308)
Jury instruction concerning limited purpose, Rule 801 Note 2 (p. 284)
Lack of trustworthiness, self-serving, Rule 803 Note 26 (p. 343)
Law enforcement investigative reports not exception to hearsay rule, Rule 803 (p. 308)
Learned treatises, Rule 803 Note 18 (p. 337), Rule 803 (p. 308)
Limiting instruction when not offered as proof of statement's truth, Rule 801 Note 2 (p. 284)

HEARSAY—Cont'd
Market reports, Rule 803 Note 17 (p. 337), Rule 803 (p. 308)
Marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334), Rule 803 (p. 308)
Medical bills, Rule 413 Note 1 (p. 116)
Medical diagnosis and treatment
business records, opinions and diagnoses, Rule 803 Note 6 (p. 323)
medical history, hearsay exception, Rule 803 Note 4 (p. 319)
questions, answers to, presently existing condition, Rule 803 Note 3 (p. 316)
statements concerning
existing pain or suffering, Rule 803 Note 3 (p. 316)
hearsay exceptions, Rule 803 (p. 308)
statements for diagnosis or treatment, hearsay exception, Rule 803 Note 4 (p. 319)
statements of existing physical or mental condition, Rule 803 Note 3 (p. 316)
symptoms of present illness, Rule 803 Note 3 (p. 316)
Medical review panel opinion, Rule 803 Note 25 (p. 343)
Mentally deficient persons, hearsay exception in certain criminal cases, Rule 804 Note 7 (p. 361)
Mental or emotional condition
generally, Rule 803 Note 3 (p. 316)
then existing mental, emotional, or physical condition, hearsay exceptions, Rule 803 (p. 308)
"Multiple hearsay," Rule 805 Note 1 (p. 368)
New exceptions, Rule 804 Note 6 (p. 359)
No residual exceptions, Rule 807 Note 1 (p. 373)
Not for truth of matters asserted
generally, Rule 801 Note 2 (p. 284)
verbal acts, Rule 801 Note 3 (p. 285)
Offered to prove statement's truth, Rule 801 Note 2 (p. 284)
Operative facts, Rule 801 Note 3 (p. 285)
Opinion testimony based on reports of others
generally, Rule 703 Note 5 (p. 261)
disclosure of hearsay information to jury, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
Oral statements as hearsay, Rule 801 Note 1 (p. 282)
Other exceptions, Rule 803 Note 24 (p. 342), Rule 804 Note 6 (p. 359)
Other Rules to consider, Rule 801 Note 17 (p. 301), Rule 802 Note 4 (p. 306), Rule 806 Note 4 (p. 372)
Past recollection recorded, Rule 803 Note 5 (p. 321)
Pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)
Perceive, remember and recount events, ability of declarant to, Rule 802 Note 1 (p. 303)
Personal history, judgment as to, Rule 803 (p. 308)
Personal knowledge
generally, Rule 602 Note 1 (p. 162)
admissions, Rule 801 Note 9 (p. 291)
adoptive admissions, Rule 801 Note 11 (p. 293)

HEARSAY—Cont'd
Personal knowledge—Cont'd
ancient documents, Rule 803 Note 16 (p. 336)
business records, Rule 803 Note 6 (p. 323)
declarations against interest, Rule 804 Note 4 (p. 355)
dying declarations, Rule 804 Note 3 (p. 354)
excited utterance, Rule 803 Note 2 (p. 314)
expert witnesses, Rule 703 Note 1 (p. 259)
hearsay declarant, Rule 805 Note 1 (p. 368)
lay opinions, Rule 602 Note 3 (p. 163), Rule 701 Notes 2 & 3 (p. 237)
motion to strike, Rule 602 Note 1 (p. 162)
official records, Rule 803 Note 8 (p. 327)
public records and reports, official records, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 6 (p. 323)
required for opinion testimony not offered by expert, Rule 602 Note 3 (p. 163), Rule 701 Note 3 (p. 237)
statement of party-opponent, Rule 801 Note 9 (p. 291)
tacit admissions, Rule 801 Note 11 (p. 293)
Personal or family history, Rule 803 (p. 308), Rule 804 Note 5 (p. 358)
Physical condition
diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
existing pain or suffering, Rule 803 Note 3 (p. 316)
non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Plea bargaining, Rule 410 Note 5 (p. 105)
Police investigative reports not exception to hearsay rule, Rule 803 (p. 308)
Police officers, reason for investigation, Rule 801 Note 2 (p. 284)
Present sense impression, Rule 803 Note 1 (p. 314), Rule 803 (p. 308)
Previous conviction, judgment of, Rule 803 (p. 308)
Prior identification by witness, Rule 801 Note 8 (p. 290)
Prior statement by witness not hearsay, Rule 801 (p. 280)
Prior witness statements, as substantive evidence
generally, Rule 801 Note 5 (p. 286)
consistent with declarant's trial testimony, Rule 801 Note 7 (p. 288)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
inconsistent sworn statements, Rule 801 Note 6 (p. 287)
timing of introduction of proof, Rule 801 Note 5 (p. 286)
Probation hearings, applicability of rule against, Rule 101 Note 4 (p. 4)
Public record or entry, absence of, Rule 803 (p. 308)
Public records and reports
generally, Rule 803 (p. 308)
absence of record following diligent search, Rule 803 Note 10 (p. 333)
affidavits concerning an interest in property, Rule 803 Note 15 (p. 335)
baptismal certificates, Rule 803 Note 12 (p. 334)
best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
birth records, Rule 803 Note 9 (p. 332)

HEARSAY—Cont'd
Public records and reports—Cont'd
data compilations
public records generally, Rule 803 Note 8 (p. 327)
records of vital statistics, Rule 803 Note 9 (p. 332)
deaths, records of, Rule 803 Note 9 (p. 332)
deeds, recorded, Rule 803 Note 14 (p. 335)
documents affecting an interest in property
records of, Rule 803 Note 14 (p. 335)
statements in, Rule 803 Note 15 (p. 335)
exception to hearsay rule, Rule 803 Note 8 (p. 327)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
executory contracts, acknowledged, Rule 803 Note 14 (p. 335)
factual findings, Rule 803 Note 8 (p. 327)
foreign public documents, Rule 902 Note 3 (p. 399)
investigative reports, Rule 803 Note 8 (p. 327)
judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
testimony, public records, Rule 901 Note 11 (p. 385)
marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
marriages, records of, Rule 803 Note 9 (p. 332)
matters observed and reported pursuant to legal duty, Rule 803 Note 8 (p. 327)
parol evidence, Rule 1005 Note 1 (p. 424)
personal knowledge, requirement of, Rule 803 Note 8 (p. 327)
police reports
business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
exclusions from hearsay rule, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 8 (p. 327)
trustworthiness, Rule 803 Note 8 (p. 327)
proof of contents by testimony, Rule 1005 Note 1 (p. 424)
trustworthiness, Rule 803 Note 8 (p. 327)
types, Rule 803 Note 8 (p. 327)
vital statistics, records of, Rule 803 Note 9 (p. 332)
Published compilations, Rule 803 Note 17 (p. 337)
Reason for police investigation, Rule 801 Note 2 (p. 284)
Recorded recollection, hearsay exceptions, Rule 803 (p. 308)
Records
interest in property, documents affecting, Rule 803 (p. 308)
religious organizations, Rule 803 (p. 308)
vital statistics, Rule 803 (p. 308)
Records of regularly conducted business activity
absence of record following diligent search, Rule 803 Note 7 (p. 327)
authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)

HEARSAY—Cont'd
Records of regularly conducted business activity—Cont'd
authentication—Cont'd
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
lack of trustworthiness, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
qualified witness, Rule 803 Note 6 (p. 323)
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
exceptions, Rule 803 Note 6 (p. 323), Rule 803 (p. 308)
opinions contained in records, Rule 803 Note 6 (p. 323)
personal knowledge, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323), Rule 803 Notes 6 (p. 323) & 8 (p. 327)
public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
"regularly conducted business" defined, Rule 803 Note 6 (p. 323)
religious organizations, Rule 803 Note 11 (p. 333)
Religious organizations, records of, Rule 803 Note 11 (p. 333), Rule 803 (p. 308)
Reports of police officers to other officers, Rule 801 Note 2 (p. 284)
Reputation
boundaries or customs affecting land, hearsay exception, Rule 803 Note 20 (p. 339)
character, as proof of, hearsay exception, Rule 803 Note 21 (p. 340)
family history, hearsay exception, Rule 803 Note 19 (p. 339), Rule 803 (p. 308)
marriage, as proof of, Rule 803 Note 19 (p. 339)
pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)
personal history, hearsay rule, Rule 803 Note 19 (p. 339)
Requests or commands, Rule 801 Note 2 (p. 284)
Res gestae
business records, Rule 803 Note 26 (p. 343)
hearsay, generally, Rule 803 Note 26 (p. 343)
Residual exception, Rule 807 Note 1 (p. 373), Rule 807 (p. 373)
Revised Rule 801, Rule 801 (p. 280)
Revised Rule 802, Rule 802 (p. 303)
Revised Rule 804, Rule 804 (p. 345)
Revised Rule 805, Rule 805 (p. 368)
Sanity, then existing mental, emotional, or physical condition, hearsay exceptions, Rule 803 (p. 308)
"Self-serving" statements, Rule 803 Note 26 (p. 343)
Sexual abuse, statements for purposes of medical diagnosis or treatment, Rule 803 Note 4 (p. 319)
Shopbook rule, Rule 803 Note 6 (p. 323)
Silence as admission, Rule 801 Note 11 (p. 293)
Spontaneous exclamations, Rule 803 Note 2 (p. 314)

HEARSAY—Cont'd
Statement, defined, Rule 801 (p. 280)
Statement by party-opponent not hearsay, Rule 801 (p. 280)
''Statement'' defined, Rule 801 Note 1 (p. 282)
Statements for purposes of medical diagnosis or treatment
domestic sexual abuse, Rule 803 Note 4 (p. 319)
hearsay exceptions, Rule 803 (p. 308)
Statements in documents affecting interest in property, Rule 803 (p. 308)
Statements not capable of being true, Rule 801 Note 2 (p. 284)
Statements which are not hearsay, Rule 801 (p. 280)
State of mind, Rule 803 Note 3 (p. 316)
Summaries of business records
generally, Rule 1006 Note 1 (p. 426)
comparison with Federal Rule, Rule 1006 Note 5 (p. 429)
other Rules to consider, Rule 1006 Note 4 (p. 429)
pedagogical summaries, Rule 1006 Note 2 (p. 428)
summary of issues affecting admissibility, Rule 1006 Note 3 (p. 428)
Summary of issues affecting admissibility, Rule 801 Note 16 (p. 299), Rule 802 Note 3 (p. 306), Rule 806 Note 3 (p. 372)
Tacit admissions, Rule 801 Note 11 (p. 293)
Then existing mental, emotional, or physical condition, hearsay exceptions, Rule 803 (p. 308)
Tombstones, inscriptions on, Rule 803 Note 13 (p. 334)
Unavailability of declarant
generally, Rule 804 Note 1 (p. 347)
absence from state, Rule 804 Note 1 (p. 347)
claim of privilege
comparison with Federal Rule, Rule 804 Note 10 (p. 367)
other Rules to consider, Rule 804 Note 9 (p. 366)
rejected by court, Rule 804 Note 1 (p. 347)
upheld by court, Rule 804 Note 1 (p. 347)
death, Rule 804 Note 1 (p. 347)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
inability to procure attendance, Rule 804 Note 1 (p. 347)
lack of memory, Rule 804 Note 1 (p. 347)
mental illness or insanity, Rule 804 Note 1 (p. 347)
physical infirmity, Rule 804 Note 1 (p. 347)
procurement by proponent of statement, Rule 804 Note 1 (p. 347)
question for the court, Rule 804 Note 1 (p. 347)
refusal to testify, Rule 804 Note 1 (p. 347)
Urns, inscriptions on, Rule 803 Note 13 (p. 334)
Verbal acts or parts of acts, Rule 801 Note 3 (p. 285)
Videotape of child victim's statement, exception to hearsay rule, Rule 804 Note 7 (p. 361)
Vital statistics, records of
generally, Rule 803 (p. 308)
exceptions, Rule 803 Note 9 (p. 332)

HEARSAY—Cont'd
Voluminous records, summaries of
generally, Rule 1006 Note 1 (p. 426)
comparison with Federal Rule, Rule 1006 Note 5 (p. 429)
other Rules to consider, Rule 1006 Note 4 (p. 429)
pedagogical summaries, Rule 1006 Note 2 (p. 428)
summary of issues affecting admissibility, Rule 1006 Note 3 (p. 428)
Weight when no objection made, Rule 802 Note 1 (p. 303)
Witness's prior statements, as substantive evidence
generally, Rule 801 Note 5 (p. 286)
consistent with declarant's trial testimony, Rule 801 Note 7 (p. 288)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
inconsistent sworn statements, Rule 801 Note 6 (p. 287)
timing of introduction of proof, Rule 801 Note 5 (p. 286)
Written statements as hearsay, Rule 801 Note 1 (p. 282)

HEIRS
Dead man's statutes, generally, Rule 601 Note 5 (p. 157)

HISTORY
Family history, hearsay exceptions
family records, Rule 803 Note 13 (p. 334)
judgment as to, Rule 803 Note 23 (p. 342)
pedigree, Rule 804 Note 5 (p. 358)
religious organization records, Rule 803 Note 11 (p. 333)
reputation, Rule 803 Note 19 (p. 339)
statement of family history, Rule 804 Note 5 (p. 358), Rule 804 (p. 345)
General history, events of, hearsay exception, Rule 803 Note 20 (p. 339)
Judicial notice
generally known facts, Rule 201 Note 2 (p. 36)
facts capable of accurate and ready determination, Rule 201 Note 3 (p. 36)
Matters of common knowledge, judicial notice, Rule 201 Note 2 (p. 36)
Medical history, hearsay, Rule 803 Note 4 (p. 319)
Reputation evidence of personal or family history, Rule 803 Note 19 (p. 339)
Sexual history, victim or witness in sex crime: Rape shield law, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)

HOMICIDE
Relevancy, pre-autopsy photographs of homicide victims, Rule 403 Note 3 (p. 61)
Victim advocate/service provider privilege, Rule 501 Note 14 (p. 144)

HOSPITAL RECORDS
Business records, Rule 803 Note 6 (p. 323)
Physician-patient privilege, Rule 501 Note 7 (p. 129)

HOSPITALS
Relevancy
hospital expenses, Rule 409 (p. 99)
medical expenses, Rule 413 (p. 116)

HOSTILE WITNESS
Leading questions, Rule 611 Note 10 (p. 200)

HUSBAND-WIFE PRIVILEGE
Generally, Rule 501 Note 8 (p. 139)
Child abuse or neglect, exception to applicability of privilege, Rule 501 Note 8 (p. 139)
Comment on exercise of privilege, Rule 501 Notes 4 (p. 122) & 8 (p. 136)
Communications, Rule 501 Note 8 (p. 139)
Confidentiality, Rule 501 Note 8 (p. 139)
Conversation with or for third party, Rule 501 Note 8 (p. 139)
Crime against spouse, Rule 501 Note 8 (p. 139)
Dead man's statute, Rule 601 Note 5 (p. 157)
Death of spouse, effect of, Rule 501 Note 8 (p. 139)
Divorce, effect of, Rule 501 Note 8 (p. 139)
Elements, Rule 501 Note 8 (p. 139)
Formal marriage required, Rule 501 Note 8 (p. 139)
Nonverbal communications, Rule 501 Note 8 (p. 139)
Survival of privilege, Rule 501 Note 8 (p. 139)
Third persons present, Rule 501 Note 8 (p. 139)
Uniform Reciprocal Enforcement of Support Act, privilege inapplicable, Rule 501 Note 8 (p. 139)
Waiver
generally, Rule 501 Note 8 (p. 139)
other bases of waiver, Rule 501 Note 8 (p. 139)

HYPNOSIS
Hypnotically refreshed memory, Rule 602 Note 2 (p. 163)

HYPOTHETICAL QUESTIONS
Generally, Rule 703 Note 3 (p. 260)
Cross examination, use during, Rule 705 Note 3 (p. 276)
Opinions based on reports of others, Rule 703 Note 5 (p. 261)
disclosure of hearsay information to jury, Rule 703 Note 6 (p. 262), Rule 705 Note 3 (p. 276)
Physician-patient privilege, Rule 501 Note 7 (p. 129)

IDENTIFICATION
Generally, Rule 901 (p. 374)
Ancient documents or data compilation, Rule 901 (p. 374)
Authentication
generally, Rule 901 (p. 374)
acknowledged documents, Rule 902 Note 7 (p. 401)
acts of legislature, Rule 902 Note 4 (p. 399)
admissibility a question for court, Rule 901 Note 1 (p. 376)

IDENTIFICATION—Cont'd
Authentication—Cont'd
affidavits, authentication of regularly kept business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
ancient documents or data compilation, Rule 901 Note 12 (p. 386), Rule 901 (p. 374)
appearance of item as authentication, Rule 901 Note 8 (p. 383)
audio tapes and transcripts
generally, Rule 901 Note 9 (p. 384)
refreshing recollection, prior to authentication of audio tape, Rule 403 Note 7 (p. 63)
bills of lading, Rule 902 Note 8 (p. 402)
business records
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
hearsay exception, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
case reports, Rule 902 Note 4 (p. 399)
certificates
business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
dishonor, Rule 902 Note 8 (p. 402)
domestic public records, Rule 902 Note 2 (p. 397)
foreign public records, Rule 902 Note 3 (p. 399)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
weighers or inspectors, Rule 902 Note 8 (p. 402)
certified copy
domestic public records, Rule 902 Note 2 (p. 397)
foreign public records, Rule 902 Note 3 (p. 399)
chain of custody, Rule 901 Note 3 (p. 377)
circumstantial evidence
authentication, proof of, Rule 901 Note 1 (p. 376)
execution of writing, proof of, Rule 901 Note 8 (p. 383)
city ordinances and codes, Rule 902 Note 4 (p. 399)
commercial paper, Rule 902 Note 8 (p. 402)
common law reports, Rule 902 Note 4 (p. 399)
computer-based evidence, Rule 901 Note 4 (p. 379)
consular invoices, Rule 902 Note 8 (p. 402)
contents of writing as authentication, Rule 901 Note 8 (p. 383)
court records, Rule 902 Note 2 (p. 397)
custody, chain of, Rule 901 Note 3 (p. 377)
demonstrative evidence, photographs and videotapes, Rule 901 Note 13 (p. 388)
diagrams, Rule 611 Note 6 (p. 197)
distinctive characteristics, Rule 901 Note 8 (p. 383), Rule 901 (p. 374)
domestic public documents, self-authentication, Rule 902 (p. 394)

IDENTIFICATION—Cont'd
Authentication—Cont'd
electronic signatures, Rule 1001 Note 4 (p. 411)
entries in regular course of business
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
expert witness or trier, comparison by, Rule 901 (p. 374)
foreign public documents, Rule 902 Note 3 (p. 399)
general requirement, Rule 901 Note 1 (p. 376)
handwriting
expert witness, comparison by, Rule 901 Note 7 (p. 382)
nonexpert opinion or witness, Rule 901 Note 6 (p. 381), Rule 901 (p. 374)
trier of fact, comparison, Rule 901 Note 7 (p. 382)
witness familiar with person's writing, Rule 901 Note 6 (p. 381)
identification by witness with knowledge of object, Rule 901 Note 5 (p. 380)
inscriptions of trade, Rule 902 Note 6 (p. 401)
insurance policies, Rule 902 Note 8 (p. 402)
jury, authenticity as a question for, Rule 901 Note 1 (p. 376)
labels, trade inscriptions and the like, Rule 902 Note 6 (p. 401)
maps, Rule 611 Note 6 (p. 197)
methods provided by statute or rule, Rule 901 (p. 374)
municipal ordinances, Rule 902 Note 4 (p. 399)
negotiable instruments, signatures on, Rule 902 Note 8 (p. 402)
newspapers, Rule 902 Note 5 (p. 400)
nonexpert opinion on handwriting, Rule 901 (p. 374)
notary's certificate, Rule 902 Note 7 (p. 401)
official publications, Rule 902 Note 4 (p. 399)
ordinances, Rule 902 Note 4 (p. 399)
periodicals, Rule 902 Note 5 (p. 400)
personal knowledge, authentication of exhibit by witness with knowledge of object, Rule 901 Note 5 (p. 380)
photographs, Rule 901 Note 13 (p. 388)
preliminary questions of fact
generally, Rule 901 Note 1 (p. 376)
comparison with Federal Rule, Rule 901 Note 17 (p. 393)
contents of proffered exhibit, permissibility of considering in deciding admissibility, Rule 901 Note 1 (p. 376)
distinctive characteristics and the like, Rule 901 Note 8 (p. 383)
other Rules to consider, Rule 901 Note 16 (p. 393)
self-authentication, Rule 902 Note 1 (p. 396)
summary of issues affecting admissibility, Rule 901 Note 15 (p. 392)
probate proceedings, Rule 903 Note 2 (p. 407)
process or system, Rule 901 Note 13 (p. 388), Rule 901 (p. 374)
public records and reports
generally, Rule 902 Note 2 (p. 397)

IDENTIFICATION—Cont'd
Authentication—Cont'd
public records and reports—Cont'd
case reports, Rule 902 Note 4 (p. 399)
foreign public documents, Rule 902 Note 3 (p. 399)
municipal ordinances, Rule 902 Note 4 (p. 399)
self-authentication
generally, Rule 902 Notes 2 (p. 397) & 3 (p. 399)
attested records and records under seal, Rule 902 Note 2 (p. 397)
case reports, Rule 902 Note 4 (p. 399)
certified copies, Rule 902 Note 2 (p. 397)
custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
domestic public documents, Rule 902 Note 2 (p. 397)
foreign public documents, Rule 902 Note 3 (p. 399)
municipal ordinances, Rule 902 Note 4 (p. 399)
statute books, Rule 902 Note 4 (p. 399)
statutes, Rule 902 Note 4 (p. 399)
testimony, Rule 901 Note 11 (p. 385)
public records or reports, Rule 901 (p. 374)
real evidence
generally, Rule 901 Note 1 (p. 376)
chain of custody, Rule 901 Note 3 (p. 377)
computer records, Rule 901 Note 4 (p. 379)
distinctive characteristics, Rule 901 Note 8 (p. 383)
knowledge, testimony of witness with, Rule 901 Note 4 (p. 379)
newspapers and periodicals, Rule 902 Note 5 (p. 400)
photographs, Rule 901 Note 13 (p. 388)
trade inscriptions, signs, tags and labels, Rule 902 Note 6 (p. 401)
videotapes, Rule 901 Note 13 (p. 388)
voice identification, Rule 901 Note 8 (p. 383)
recordings, Rule 403 Note 7 (p. 63)
records of regularly conducted business activity
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
regularly kept business records
hearsay exception, Rule 803 Note 6 (p. 323)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
regularly kept records
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
regulations of administrative agencies, Rule 902 Note 4 (p. 399)

IDENTIFICATION—Cont'd
Authentication—Cont'd
relevancy, Rule 901 Note 1 (p. 376)
''reply doctrine,'' Rule 901 Note 8 (p. 383)
requirement of authentication or identification, Rule 901 (p. 374)
revised Rule 901, Rule 901 (p. 374)
revised Rule 903, Rule 903 Note 2 (p. 407)
rules and regulations, Rule 902 Note 4 (p. 399)
seal, Rule 902 Notes 2 (p. 397) & 7 (p. 401)
securities, Rule 902 Note 8 (p. 402)
self-authentication
generally, Rule 902 Note 1 (p. 396), Rule 902 Note 2 (p. 397)
acknowledged documents, Rule 902 (p. 394)
attested records and records under seal, Rule 902 Note 2 (p. 397)
bills of lading, Rule 902 Note 8 (p. 402)
business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
case reports, Rule 902 Note 4 (p. 399)
certificates of dishonor, Rule 902 Note 8 (p. 402)
certificates of weighers or inspectors, Rule 902 Note 8 (p. 402)
certified copies of public records, Rule 902 Note 2 (p. 397)
certified domestic records of regularly conducted activity, Rule 902 Note 10 (p. 402)
certified foreign records of regularly conducted activity, Rule 902 Note 11 (p. 404)
commercial paper and related documents, Rule 902 (p. 394)
comparison with Federal Rule, Rule 902 Note 13 (p. 406)
consular invoices, Rule 902 Note 8 (p. 402)
domestic public documents, Rule 902 Note 2 (p. 397), Rule 902 (p. 394)
foreign public documents, Rule 902 Note 3 (p. 399), Rule 902 (p. 394)
inscriptions, Rule 902 Note 6 (p. 401)
insurance policies, Rule 902 Note 8 (p. 402)
labels affixed in course of business, Rule 902 Note 6 (p. 401)
municipal ordinances, Rule 902 Note 4 (p. 399)
negotiable instruments, signatures on, Rule 902 Note 8 (p. 402)
newspapers, Rule 902 Note 5 (p. 400)
newspapers and periodicals, Rule 902 (p. 394)
official publications, Rule 902 Note 4 (p. 399), Rule 902 (p. 394)
other Rules to consider, Rule 902 Note 12 (p. 405)
pamphlets, Rule 902 Note 4 (p. 399)
periodicals, Rule 902 Note 5 (p. 400)
preliminary questions of fact, Rule 902 Note 1 (p. 396)
presumptions created by law, Rule 902 (p. 394)
public records and reports
generally, Rule 902 Notes 2 (p. 397) & 3 (p. 399)
custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
seal, document bearing, Rule 902 Note 2 (p. 397), Rule 902 Note 7 (p. 401)
securities, Rule 902 Note 8 (p. 402)

IDENTIFICATION—Cont'd
Authentication—Cont'd
self-authentication—Cont'd
signature requirements, Rule 902 Note 10 (p. 402)
signs affixed in course of business, Rule 902 Note 6 (p. 401)
statutes, Rule 902 Note 4 (p. 399)
tags affixed in course of business, Rule 902 Note 6 (p. 401)
trade inscriptions and the like, Rule 902 Note 6 (p. 401), Rule 902 (p. 394)
self-proved wills, Rule 903 Note 2 (p. 407)
"silent witness," photographs and videotapes, Rule 901 Note 13 (p. 388)
sound recordings, Rule 901 Note 9 (p. 384)
statutes, Rule 902 Note 4 (p. 399)
statutory methods of authentication, Rule 901 Note 14 (p. 391)
subscribing witness, Rule 903 Note 1 (p. 407), Rule 903 Note 2 (p. 407)
tags, Rule 902 Note 6 (p. 401)
tape recordings, Rule 901 Note 9 (p. 384)
telephone conversations, Rule 901 Note 9 (p. 384), Rule 901 Note 10 (p. 384), Rule 901 (p. 374)
trade inscriptions, Rule 902 Note 6 (p. 401)
videotape authentication
probate proceedings, Rule 903 Note 2 (p. 407)
process or system, Rule 901 Note 13 (p. 388)
voice identification, Rule 901 Note 9 (p. 384), Rule 901 Note 10 (p. 384), Rule 901 (p. 374)
wills, Rule 903 Note 2 (p. 407)
written instruments attached to pleadings, Rule 901 Note 14 (p. 391)
x-rays, Rule 901 Note 13 (p. 388)
Criminal actor, identity of
crimes or acts (extrinsic offenses) as proof of, Rule 404 Note 12 (p. 76)
motive as proof of, Rule 404 Note 14 (p. 78)
opinion testimony, Rule 701 Note 6 (p. 239)
Distinctive characteristics, Rule 901 (p. 374)
Domestic public documents, self-authentication, Rule 902 (p. 394)
Expert witness or trier, comparison by, Rule 901 (p. 374)
Handwriting
authentication
comparison by trier of fact, Rule 901 Note 7 (p. 382)
expert comparison, Rule 901 Note 7 (p. 382)
non-expert testimony, Rule 901 Note 6 (p. 381)
nonexpert opinion on, Rule 901 (p. 374)
opinion testimony, Rule 701 Note 6 (p. 239)
Hearsay: prior identification by witness, Rule 801 Note 8 (p. 290)
Informant's identity, Rule 501 Note 10 (p. 140)
Methods provided by statute or rule, Rule 901 (p. 374)
Nonexpert opinion on handwriting, Rule 901 (p. 374)
Other crimes and acts, as proof of criminal actor's identity
crimes or acts (extrinsic offenses) as proof of, Rule 404 Note 12 (p. 76)
motive as proof of, Rule 404 Note 14 (p. 78)

IDENTIFICATION—Cont'd
Prior statement as substantive evidence, Rule 801 Note 8 (p. 290)
Process or system, Rule 901 (p. 374)
Public records and reports, authentication
generally, Rule 901 (p. 374), Rule 902 Note 2 (p. 397)
case reports, Rule 902 Note 4 (p. 399)
certified copies, Rule 902 Note 2 (p. 397)
by custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
foreign public documents, Rule 902 Note 3 (p. 399)
municipal ordinances, Rule 902 Note 4 (p. 399)
self-authentication of attested records and records under seal, Rule 902 Note 2 (p. 397)
statutes, Rule 902 Note 4 (p. 399)
Requirement of authentication or identification, Rule 901 (p. 374)
Revised Rule 901, Rule 901 (p. 374)
Revised Rule 903, Rule 903 Note 2 (p. 407)
Self-authentication
acknowledged documents, Rule 902 (p. 394)
certified domestic records of regularly conducted activity, Rule 902 Note 10 (p. 402)
certified foreign records of regularly conducted activity, Rule 902 Note 11 (p. 404)
commercial paper and related documents, Rule 902 (p. 394)
domestic public documents, Rule 902 (p. 394)
foreign public documents, Rule 902 (p. 394)
newspapers and periodicals, Rule 902 (p. 394)
official publications, Rule 902 (p. 394)
presumptions created by law, Rule 902 (p. 394)
signature requirements, Rule 902 Note 10 (p. 402)
trade inscriptions and the like, Rule 902 (p. 394)
Subscribing witness' testimony unnecessary for authentication, Rule 903 Note 2 (p. 407)
Telephone conversations, Rule 901 Note 10 (p. 384), Rule 901 (p. 374)
Testimony of witness with knowledge, Rule 901 (p. 374)
Voice identification, Rule 901 Note 9 (p. 384), Rule 901 (p. 374)

IDENTITY OF CRIMINAL ACTOR
Crimes or acts (extrinsic offenses) as proof of, Rule 404 Note 12 (p. 76)
Motive as proof of, Rule 404 Note 14 (p. 78)
Opinion testimony, Rule 701 Note 6 (p. 239)

ILLNESS
Appearance or health, opinion testimony, Rule 701 Note 6 (p. 239)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Hearsay exceptions, then existing physical or mental illness, unavailability of declarant, Rule 804 (p. 345)
Locality of existing pain, Rule 803 Note 3 (p. 316)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)

ILLNESS—Cont'd
Opinion testimony, Rule 701 Note 6 (p. 239)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Symptoms of present illness, Rule 803 Notes 3 (p. 316) & 4 (p. 319)

IMMEDIATE COMPLETENESS
Generally, Rule 106 Note 1 (p. 28)
Comparison with Federal Rule, Rule 106 Note 8 (p. 33)
Evidence otherwise inadmissible, Rule 106 Note 3 (p. 29)
Hearsay, Rule 106 Note 3 (p. 29)
Inadmissible hearsay, Rule 106 Note 3 (p. 29)
Other Rules to consider, Rule 106 Note 7 (p. 32)
Otherwise inadmissible evidence, Rule 106 Note 3 (p. 29)
''Ought to be considered,'' Rule 106 Note 1 (p. 28)
Principle of completeness compared, Rule 106 Note 4 (p. 30)
Recordings, Rule 106 Note 3 (p. 29)
Requirements of fairness, Rule 106 Note 1 (p. 28)
Summary of issues affecting admissibility, Rule 106 Note 6 (p. 32)
Trial Court discretion, Rule 106 Note 2 (p. 29)
Unfair prejudice, Rule 106 Note 3 (p. 29)
Unrecorded statements of witness during custodial interrogation, Rule 617 Note 4 (p. 232)
Writings, Rule 106 Note 3 (p. 29)

IMPEACHMENT
Generally, Rule 616 Note 1 (p. 223)
Acts of misconduct
generally, Rule 608 Note 5 (p. 181)
ability to observe and recall, as proof of, Rule 608 Note 7 (p. 182)
bias, as proof of, Rule 608 Note 6 (p. 182)
character witnesses, cross examination of, Rule 608 Note 8 (p. 182)
Adverse witnesses, Rule 607 Note 1 (p. 175)
Alcohol usage, Rule 608 Note 7 (p. 182)
Anticipatory impeachment of own witness, Rule 607 Note 3 (p. 176)
Bias
right to show for impeachment
generally, Rule 616 Note 1 (p. 223)
bribery, Rule 616 Note 6 (p. 226)
compensation by adverse party, Rule 616 Note 3 (p. 225)
covenants not to execute or sue, Rule 616 Note 5 (p. 225)
interest in related litigation, Rule 616 Note 4 (p. 225)
loan receipt agreements, Rule 616 Note 5 (p. 225)
not collateral matter, Rule 616 Note 1 (p. 223)
partial settlement agreements, Rule 616 Note 5 (p. 225)
plea agreement with prosecution, Rule 616 Note 2 (p. 224)
relationship with party or witness, Rule 616 Note 7 (p. 226)

IMPEACHMENT—Cont'd
Bias—Cont'd
right to show for impeachment—Cont'd
specific acts as proof of, Rule 608 Note 6 (p. 182)
threats, Rule 616 Note 6 (p. 226)
ulterior motives, Rule 616 Note 8 (p. 226)
specific acts admissible to show, Rule 608 Note 6 (p. 182)
Character as impeachment evidence
cross examination
character witness, specific acts, Rule 608 Note 8 (p. 182)
impeaching witness, Rule 608 Note 8 (p. 182)
notice, Rule 405 Note 5 (p. 85), Rule 608 Note 8 (p. 182)
hearsay exception, Rule 803 Note 21 (p. 340)
impeachee's rebuttal reputation evidence, Rule 608 Note 4 (p. 181)
opinion testimony admissible, Rule 608 Note 3 (p. 180)
own witness, impeachment of, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
prior sexual allegations, Rule 608 Note 9 (p. 183)
religious belief or opinion, Rule 610 Note 1 (p.194)
reputation within a reasonable time before trial, Rule 608 Note 2 (p. 180)
sexual conduct or reputation
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
rape shield law, generally, Rule 412 Note 1 (p. 111)
specific acts generally inadmissible as proof of character, Rule 608 Note 5 (p. 181)
Character or reputation
generally, Rule 404 Note 17 (p. 79)
right to impeach own witness for, Rule 607 Note 1 (p. 175)
Character witnesses, impeachment of
generally, Rule 405 Note 4 (p. 84), Rule 608 Notes 3 (p. 180) & 8 (p. 182)
notice to accused, Rule 405 Note 5 (p. 85)
Collateral matters, Rule 613 Note 3 (p. 210), Rule 616 Note 1 (p. 223)
Confusion of jury, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Consistent statements, admissibility triggered by, Rule 801 Note 7 (p. 288)
Conviction of crime, Rule 609 Note 1 (p. 187)
crimes admissible, Rule 609 Note 2 (p. 188)
crimes inadmissible, Rule 609 Note 3 (p. 188)
extent of questioning, Rule 609 Note 7 (p. 190)
juvenile convictions, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 609 Note 9 (p. 191)
pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
pendency of appeal, Rule 609 Note 6 (p. 190)
remoteness: convictions more than ten years old, Rule 609 Note 10 (p. 191)
Covenant not to sue, Rule 616 Note 5 (p. 225)

IMPEACHMENT—Cont'd
Cross examination
accused's testimony on facts affecting admissibility, Rule 104 Note 5 (p. 22)
address and place of employment, Rule 616 Note 1 (p. 223)
agreement with prosecution, Rule 616 Note 2 (p. 224)
collateral matters, Rule 613 Note 3 (p. 210), Rule 616 Note 1 (p. 223)
confrontation: constitutional provisions, criminal cases, Rule 611 Note 9 (p. 200)
credibility generally, Rule 616 Note 1 (p. 223)
dead man's statute, effect on, Rule 601 Note 5 (p. 157)
expert witnesses, Rule 705 Note 3 (p. 276)
good faith basis for question, Rule 405 Note 4 (p. 84)
hypothetical questions, experts, Rule 705 Note 3 (p. 276)
leading questions, Rule 611 Note 10 (p. 200)
offers to prove during cross examination, Rule 103 Note 7 (p. 12)
opinions based on reports of others, Rule 705 Note 3 (p. 276)
scope
generally, Rule 611 Note 7 (p. 198)
redirect and recross examination, Rule 611 Note 8 (p. 199)
testing memory, Rule 611 Note 7 (p. 198)
Defendant's misconduct to impeach character witnesses
generally, Rule 405 Note 4 (p. 84), Rule 608 Notes 3 (p. 180) & 8 (p. 182)
notice to accused, Rule 405 Note 5 (p. 85)
Drug usage, Rule 608 Note 7 (p. 182)
Expert testimony, impeachment by attacking or explaining basis for opinion, Rule 703 Note 3 (p. 260)
Extrinsic evidence, prior inconsistent statements, Rule 613 Note 3 (p. 210)
''Have you heard,'' cross examination of character witness, Rule 405 Note 4 (p. 84)
Hearsay declarant, Rule 806 Note 1 (p. 371)
Indictment, impeachment of, Rule 606 Notes 2 (p. 171) & 3 (p. 172)
Interest, bias, prejudice
right to impeach own witness for, anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
right to show for impeachment
generally, Rule 616 Notes 1 (p. 223) & 4 (p. 225)
bribery, Rule 616 Note 6 (p. 226)
comparison with Federal Rule, Rule 616 Note 11 (p. 227)
compensation by adverse party, Rule 616 Note 3 (p. 225)
covenants not to execute or sue, Rule 616 Note 5 (p. 225)
interest in related litigation, Rule 616 Note 4 (p. 225)
loan receipt agreements, Rule 616 Note 5 (p. 225)
not collateral matter, Rule 616 Note 1 (p. 223)
other Rules to consider, Rule 616 Note 10 (p. 227)
partial settlement agreements, Rule 616 Note 5 (p. 225)
plea agreement with prosecution, Rule 616 Note 2 (p. 224)
relationship with party or witness, Rule 616 Note 7 (p. 226)
specific acts as proof of, Rule 608 Note 6 (p. 182)

IMPEACHMENT—Cont'd
Interest, bias, prejudice—Cont'd
right to show for impeachment—Cont'd
summary of issues affecting admissibility, Rule 616 Note 9 (p. 227)
threats, Rule 616 Note 6 (p. 226)
ulterior motives, Rule 616 Note 8 (p. 226)
specific acts admissible to show, Rule 608 Note 6 (p. 182)
Interest in related litigation, Rule 616 Note 4 (p. 225)
Jury confusion, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Loan receipt agreements, Rule 616 Note 5 (p. 225)
Own witness
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
limitations, Rule 607 Note 2 (p. 175)
Partial settlement agreement, Rule 616 Note 5 (p. 225)
Personal knowledge, Rule 602 Note 1 (p. 162)
Prior convictions
generally, Rule 609 Note 1 (p. 187)
age of conviction, Rule 609 Note 10 (p. 191)
annulment, effect of, Rule 609 Note 4 (p. 189)
appeal, pendency of, Rule 609 Note 6 (p. 190)
certificate of rehabilitation, effect of, Rule 609 Note 4 (p. 189)
extent of inquiry, Rule 609 Note 7 (p. 190)
facts of crime, Rule 609 Note 7 (p. 190)
juvenile adjudications, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 608 Note 10 (p. 184), Rule 609 Note 9 (p. 191)
pardon, effect of, Rule 609 Note 4 (p. 189)
pending charges, Rule 609 Note 1 (p. 187)
rehabilitation, certification of, effect of, Rule 609 Note 4 (p. 189)
remoteness in time, Rule 609 Note 10 (p. 191)
specific crimes
admissible, Rule 609 Note 2 (p. 188)
inadmissible, Rule 609 Note 3 (p. 188)
Prior inconsistent statements
generally, Rule 613 Note 1 (p. 208)
collateral matters, Rule 613 Note 3 (p. 210)
examination of witness being impeached, Rule 613 Note 2 (p. 209)
extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
limiting instruction, Rule 613 Note 5 (p. 212)
rehabilitation
rebuttal, after prior inconsistent statement, Rule 613 Note 4 (p. 211)
reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)
Prior sexual allegations, Rule 608 Note 9 (p. 183)
Prior statements, right to impeach own witness for
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
limitations, Rule 607 Note 2 (p. 175)

IMPEACHMENT—Cont'd
Rehabilitation
rebuttal, after prior inconsistent statement, Rule 613 Note 4 (p. 211)
reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)
Relationship with party or witness
generally, Rule 616 Note 7 (p. 226)
bribery, Rule 616 Note 6 (p. 226)
compensation by adverse party, Rule 616 Note 3 (p. 225)
covenants not to execute or sue, Rule 616 Note 5 (p. 225)
interest in related litigation, Rule 616 Note 4 (p. 225)
loan receipt agreements, Rule 616 Note 5 (p. 225)
not collateral matter, Rule 616 Note 1 (p. 223)
own witness, right to impeach for, Rule 607 Note 1 (p. 175)
partial settlement agreements, Rule 616 Note 5 (p. 225)
plea agreement with prosecution, Rule 616 Note 2 (p. 224)
ulterior motives, Rule 616 Note 8 (p. 226)
Religious belief or opinion, Rule 610 Note 1 (p.194)
Reputation
as proof of character, Rule 405 Note 2 (p. 83)
veracity of witness, Rule 608 Note 2 (p. 180)
witness, Rule 608 Notes 1 (p. 179) & 2 (p. 180)
of witness, Rule 404 Note 4 (p. 70)
Sex offenses, prior false accusations by victim, Rule 608 Note 5 (p. 181)
Ulterior motives, Rule 616 Note 8 (p. 226)
Verdict, impeachment of, general rule against, Rule 606 Note 2 (p. 171)
extraneous matters, Rule 606 Note 3 (p. 172)
hearing, procedure, Rule 606 Note 3 (p. 172)
hearsay from jurors to impeach verdict, Rule 606 Note 2 (p. 171)
impeaching verdict, Rule 606 Note 2 (p. 171)
supporting verdict, Rule 606 Note 3 (p. 172)
Voucher rule, impeaching own witness, Rule 607 Note 1 (p. 175)

IMPLIED ASSERTION
Conduct as hearsay, Rule 801 Note 1 (p. 282)

INCOMPETENCY
Competency of witnesses, generally, Rule 601 Note 1 (p. 154)

INCONSISTENT STATEMENTS
Generally, Rule 613 Note 1 (p. 208)
Admission by witness, effect on extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
Collateral matters, Rule 613 Note 3 (p. 210)
Completeness, principle of, Rule 106 Note 4 (p. 30)
Cross examination, foundation for prior inconsistent statement, Rule 613 Note 2 (p. 209)
Depositions
generally, Rule 613 Note 1 (p. 208)

INCONSISTENT STATEMENTS—Cont'd
Depositions—Cont'd
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 2 (p. 209), Rule 806 Note 2 (p. 371)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
Examination of witness being impeached, Rule 613 Note 2 (p. 209)
Explanation of prior statement, Rule 613 Note 3 (p. 210)
Extrinsic evidence, Rule 613 Note 3 (p. 210), Rule 613 (p. 208)
Foundation required, Rule 613 Note 2 (p. 209)
Hearsay declarant, prior statements of, Rule 806 Note 2 (p. 371)
Impeachment use distinguished from substantive use, Rule 613 Note 1 (p. 208)
Instructing the jury
admitted only for impeachment, Rule 613 Note 5 (p. 212)
substantive use when no instruction given, Rule 801 Note 6 (p. 287)
Limiting instruction, Rule 613 Note 5 (p. 212)
Oath, Rule 801 Note 6 (p. 287)
Opinion evidence of truthfulness, Rule 608 Note 3 (p. 180)
Principle of completeness, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211), Rule 801 Note 6 (p. 287)
Prior consistent statements as rehabilitation, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
Rehabilitation of impeached witness
generally, Rule 613 Note 4 (p. 211)
explanation of prior statement, Rule 613 Note 3 (p. 210)
opinion evidence of truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
prior consistent statements, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
rebuttal, Rule 613 Note 4 (p. 211)
remainder of writing, conversation, or deposition, Rule 613 Note 4 (p. 211)
reputation for truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
Remainder of, admissibility, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211)
Reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)
Reputation for truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
Substantive evidence, admissibility as
generally, Rule 801 Note 6 (p. 287)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
impeachment compared, Rule 801 Note 6 (p. 287)
''inconsistency,'' definition of, Rule 801 Note 6 (p. 287)
oath required, Rule 801 Note 6 (p. 287)
timing of introduction of proof, Rule 801 Note 5 (p. 286)
trial, hearing, other proceeding, or deposition, Rule 801 Note 6 (p. 287)
Witnesses
generally, Rule 613 Note 1 (p. 208)
examination of witness being impeached, Rule 613 Note 2 (p. 209)
extrinsic evidence of statement, Rule 613 Note 3 (p. 210)

INFERENCES
Distinguished from presumptions, Rule 301 Note 1 (p. 43)

INFLATION
Judicial notice, Rule 201 Note 3 (p. 36)

INFORMANT'S PRIVILEGE
Generally, Rule 501 Note 10 (p. 140)

INJURIES
Appearance or health, opinion testimony, Rule 701 Note 6 (p. 239)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Existing pain or suffering, Rule 803 Note 3 (p. 316)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Opinion testimony, Rule 701 Note 6 (p. 239)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Relevancy
hospital expenses, Rule 409 (p. 99)
medical expenses, Rule 413 (p. 116)

IN LIMINE, MOTIONS
Generally, Rule 103 Note 10 (p. 15)
Objection required when evidence tendered, Rule 103 Notes 2 (p. 9) & 10 (p. 15)

INSANITY
Appointment by the court of expert psychiatric witnesses, Rule 614 Note 1 (p. 214)
Competency of witnesses, Rule 601 Note 2 (p. 155)
Consulting psychiatrist, appointment, Rule 614 Note 1 (p. 214)
Dead man's statute, testator's sanity, Rule 601 Note 5 (p. 157)
Defendant's statements to psychiatrist
hearsay exception, Rule 803 Note 4 (p. 319)
opinion based on, Rule 703 Note 6 (p. 262)
Hearsay exceptions
defendant's statements to psychiatrist, Rule 803 Note 4 (p. 319)
then existing mental, emotional, or physical condition, Rule 803 (p. 308)
Opinion testimony, Rule 701 Note 6 (p. 239), Rule 704 Note 3 (p. 267)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Witnesses, competency of, Rule 601 Note 2 (p. 155)

INSEPARABLE CRIMES
Generally, Rule 404 Note 10 (p. 74)

INSTRUCTING THE JURY
Admonitions and in-trial instructions
generally, Rule 105 Notes 1-8 (p. 24)
form of limiting instruction, Rule 105 Note 4 (p. 26)
immediate admonition, Rule 105 Note 3 (p. 25)

INSTRUCTING THE JURY—Cont'd
Admonitions and in-trial instructions—Cont'd
multiple admissibility, generally, Rule 105 Note 1 (p. 24)
request for admonition, requirement of, Rule 105 Note 2 (p. 25)
requirement of, Rule 105 Note 1 (p. 24)
timing of instruction or admonition, Rule 105 Note 3 (p. 25)
Adoptive admission, Rule 801 Note 11 (p. 293)
Conviction for crime, admitted as impeachment evidence, Rule 609 Note 8 (p. 191)
Co-party's admissions, civil cases, Rule 801 Note 15 (p. 299)
Criminal convictions used to impeach, Rule 609 Note 8 (p. 191)
Depending on a fact, Rule 104 Note 2 (p. 20)
Dying declarations, careful scrutiny, Rule 804 Note 3 (p. 354)
Extrinsic offenses, Rule 404 Note 7 (p. 72)
Hearsay: statement not offered as proof of statement's truth, Rule 801 Note 2 (p. 284)
Inadmissible matter underlying expert's opinion, Rule 703 Note 6 (p. 262)
Judicial notice, Rule 201 Note 10 (p. 41), Rule 201 (p. 34)
Limiting instructions generally, Rule 105 Note 1 (p. 24)
Multiple admissibility, request for instruction, Rule 105 Note 2 (p. 25)
Offers of compromise, Rule 408 Note 1 (p. 95)
Other crimes and acts of accused, admissibility test, Rule 404 Note 7 (p. 72)
Polygraph evidence, Rule 702 Note 10 (p. 255)
Presumptions, Rule 301 Note 2 (p. 44)
Prior inconsistent statement
admitted only for impeachment, Rule 613 Note 5 (p. 212)
substantive use when no instruction given, Rule 801 Note 6 (p. 287)
Privileged communications, Rule 501 (p. 118)
Questions, form of, Rule 614 Note 2 (p. 215)
Relevancy, evidence of past sexual conduct, Rule 412 (p. 110)
Statement of co-parties, Rule 801 Note 15 (p. 299)
Statement of mental state or intention, Rule 803 Note 3 (p. 316)
Summaries, Rule 1006 Note 1 (p. 426)
Tacit admission, Rule 801 Note 11 (p. 293)
Timing of instruction, Rule 105 Note 3 (p. 25)

INSURANCE
Absence of insurance, Rule 411 Note 1 (p. 107)
Admissible on issues other than fault, Rule 411 Note 2 (p. 107)
Competency of witnesses, dead man's statutes, Rule 601 Note 5 (p. 157)
Credibility of witnesses, Rule 411 Note 2 (p. 107), Rule 616 Note 3 (p. 225)
Inadmissible on issue of fault, Rule 411 Note 1 (p. 107)
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Proof of agency, Rule 411 Note 2 (p. 107)
Proof of scope of employment, Rule 411 Note 2 (p. 107)

INSURED'S PRIVILEGE
Privileged communications, Rule 501 Note 6 (p. 124)

INTENT
Accident or mistake, other crimes to prove absence of, Rule 404 Note 16 (p. 79)
Admissibility and notice requirements concerning prior batteries in certain criminal cases, Rule 404 Note 9 (p. 74)
Extrinsic evidence as proof of
generally, Rule 404 Note 11 (p. 75)
intent at issue, Rule 404 Note 7 (p. 72)
similarity, Rule 404 Note 11 (p. 75)
Intent at issue, Rule 404 Note 7 (p. 72)
Motive as proof of intent, Rule 404 Note 14 (p. 78)
Notice of intent to use evidence of extrinsic offense, Rule 404 Note 10 (p. 74)
Opinion testimony concerning, criminal cases, Rule 704 Note 3 (p. 267)

INTEREST
''Admissions against interest,'' Rule 801 Note 9 (p. 291)
Declarations against interest, hearsay exception, Rule 804 Note 4 (p. 355)
against declarant's interest, generally, Rule 804 Note 4 (p. 355)
declarant's unavailability, requirement of, Rule 804 Note 4 (p. 355)
pecuniary interest, statement against, Rule 804 Note 4 (p. 355)
penal interest, statement against, Rule 804 Note 4 (p. 355)
personal knowledge, Rule 804 Note 4 (p. 355)
statement partly against interest, severability of, Rule 804 Note 4 (p. 355)
Deeds
acknowledged instruments, Rule 902 Note 7 (p. 401)
ancient documents
authentication, Rule 901 Note 12 (p. 386)
hearsay exception, Rule 803 Note 16 (p. 336)
authentication generally, Rule 902 Notes 1 (p. 396) & 2 (p. 397)
best evidence rule, Rule 1005 Note 1 (p. 424)
Hearsay
boundaries
judgment as to, Rule 803 Note 23 (p. 342)
reputation concerning, Rule 803 Note 20 (p. 339)
records of documents affecting interest in property, Rule 803 Note 14 (p. 335)
statements in documents affecting interest in property, Rule 803 Note 15 (p. 335)
Impeachment
generally, Rule 616 Note 1 (p. 223)
bribery, Rule 616 Note 6 (p. 226)
compensation by adverse party, Rule 616 Note 3 (p. 225)
covenants not to execute or sue, Rule 616 Note 5 (p. 225)
interest in related litigation, Rule 616 Note 4 (p. 225)
liability insurance, Rule 411 (p. 107)
loan receipt agreements, Rule 616 Note 5 (p. 225)
not collateral matter, Rule 616 Note 1 (p. 223)
own witness, right to impeach for, Rule 607 Note 1 (p. 175)
partial settlement agreements, Rule 616 Note 5 (p. 225)
plea agreement with prosecution, Rule 616 Note 2 (p. 224)

INTEREST—Cont'd
Impeachment—Cont'd
relationship with party or witness, Rule 616 Note 7 (p. 226)
specific acts admissible to show, Rule 608 Note 6 (p. 182)
threats, Rule 616 Note 6 (p. 226)
ulterior motives, Rule 616 Note 8 (p. 226)
Opinion testimony, ownership as justifying opinion on value, Rule 701 Note 6 (p. 239)

INTERPRETERS
Comparison with Federal Rule, Rule 604 Note 5 (p. 167)
Comparison with other Rules, Rule 604 Note 5 (p. 167)
Constitutional requirement, criminal cases, Rule 604 Note 2 (p. 166)
Oath, Rule 604 Note 1 (p. 166)
Other rules to consider, Rule 604 Note 4 (p. 167)
Particular interpreter, wishes of party or witness, Rule 604 Note 2 (p. 166)
Qualification of interpreter, Rule 604 Note 1 (p. 166)
Revised Rule 604, Rule 604 (p. 166)
Right of party or witness to interpreter, Rule 604 Note 2 (p. 166)
Summary of issues affecting admissibility, Rule 604 Note 3 (p. 167)
Witnesses, experts, Rule 604 (p. 166)

INTOXICATING BEVERAGES
Blood alcohol content, expert testimony, Rule 702 Notes 7 (p. 249) & 9 (p. 254)
Competency of witness, Rule 601 Note 4 (p. 156)
Expert testimony, blood alcohol content, Rule 702 Notes 7 (p. 249) & 9 (p. 254)
Impeachment, Rule 608 Note 7 (p. 182)
Opinion testimony, intoxication, Rule 701 Note 6 (p. 239)
Witnesses
competency of witness, Rule 601 Note 4 (p. 156)
juror's use of alcohol, competency of other juror as witness, Rule 606 (p. 170)

INTOXICATING LIQUORS
Alcohol. See index heading ALCOHOL

INVADING PROVINCE OF JURY
Topics forbidden
generally, Rule 704 Note 2 (p. 267)
guilt or innocence, criminal case, Rule 704 Note 4 (p. 268)
intent, criminal case, Rule 704 Note 3 (p. 267)
legal conclusions, Rule 704 Note 7 (p. 271)
truthfulness of witness's testimony, Rule 704 Note 5 (p. 268)
truth or falsity of allegations, Rule 704 Note 2 (p. 267)

JOINT TRIALS
Confession by co-defendant, Rule 105 Note 5 (p. 26)
Co-party's admissions, Rule 801 Note 15 (p. 299)

JUDGE AND JURY
Generally, Rule 104 Notes 1 & 2 (p. 20)
Best evidence rule, functions of court and jury, Rule 1008 Note 1 (p. 432)

JUDGE AND JURY—Cont'd
Functions
generally, Rule 1008 Note 1 (p. 432)
comparison with Federal Rule, Rule 1008 Note 4 (p. 433)
other Rules to consider, Rule 1008 Note 3 (p. 433)
summary of issues affecting admissibility, Rule 1008 Note 2 (p. 433)
Hearing of jury
accused's testimony on preliminary matters, Rule 104 Note 4 (p. 21)
availability of child victim/witness in criminal case, Rule 804 Note 7 (p. 361)
confessions, Rule 104 Note 4 (p. 21)
privilege, claim of, Rule 501 Note 4 (p. 122)
unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)
Offer of compromise, Rule 408 Note 1 (p. 95)
Preliminary questions of fact
generally, Rule 104 Note 1 (p. 20)
accused's testimony on facts affecting admissibility, Rule 104 Note 5 (p. 22)
admissibility, questions of generally, Rule 104 Note 1 (p. 20)
adoptive admission, Rule 801 Note 11 (p. 293)
ancient documents, Rule 803 Note 16 (p. 336)
applicability of evidence rules
admissibility questions, Rule 104 Note 1 (p. 20)
depending on a fact, Rule 104 Note 2 (p. 20)
attorney-Client Privilege, applicability, Rule 501 Note 6 (p. 124)
authentication
generally, Rule 901 Note 1 (p. 376)
comparison with Federal Rule, Rule 901 Note 17 (p. 393)
contents of proffered exhibit, permissibility of considering in deciding admissibility, Rule 901 Note 1 (p. 376)
distinctive characteristics and the like, Rule 901 Note 8 (p. 383)
other Rules to consider, Rule 901 Note 16 (p. 393)
self-authentication, Rule 902 Note 1 (p. 396)
summary of issues affecting admissibility, Rule 901 Note 15 (p. 392)
co-conspirator's statement, existence of conspiracy, Rule 801 Note 14 (p. 297)
competency of witnesses, Rule 601 Note 1 (p. 154)
confessions, hearing of jury, Rule 104 Note 4 (p. 21)
dying declarant's belief in imminence of death, Rule 804 Note 3 (p. 354)
evidence rules inapplicable, Rule 104 Note 1 (p. 20)
excited utterances, Rule 803 Note 2 (p. 314)
fact, relevancy conditioned on, Rule 104 Note 1 (p. 20)
hearing of jury, preliminary matters, Rule 103 Note 10 (p. 15), Rule 104 Note 4 (p. 21)
hearsay
business records, generally, Rule 803 Note 6 (p. 323)
co-conspirator's statement, existence of conspiracy, Rule 801 Note 14 (p. 297)
conduct intended as an assertion, Rule 801 Note 1 (p. 282)
dying declarations, belief in imminence of death, Rule 804 Note 3 (p. 354)
excited utterance, stress of event, Rule 803 Note 2 (p. 314)

JUDGE AND JURY—Cont'd
Preliminary questions of fact—Cont'd
hearsay—Cont'd
learned treatise, authoritativeness, Rule 803 Note 18 (p. 337)
past recollection recorded, Rule 803 Note 5 (p. 321)
prior statement by witness
Memory of statement, Rule 801 Note 5 (p. 286)
Whether consistent statement made before motive to fabricate, Rule 801 Note 7 (p. 288)
regularly conducted activity, records of, generally, Rule 803 Note 6 (p. 323)
tacit adoption by party-opponent of another's statement, Rule 801 Note 11 (p. 293)
unavailability of declarant, generally, Rule 804 Note 1 (p. 347)
Evidence rules inapplicable, Rule 804 Note 1 (p. 347)
inapplicability of rules of evidence, Rule 104 Note 1 (p. 20)
learned treatises, Rule 803 Note 18 (p. 337)
opinion testimony
expert witnesses
Opinion based on hearsay or others' reports, Rule 703 Note 5 (p. 261)
Qualification of expert witness, Rule 702 Note 3 (p. 246)
Scientific principles, reliability, Rule 702 Note 8 (p. 254)
lay witness
Comparison with Federal Rule, Rule 701 Note 9 (p. 242)
Generally, Rule 701 Note 2 (p. 237)
Helpfulness, Rule 701 Note 4 (p. 238)
Other Rules to consider, Rule 701 Note 8 (p. 242)
Personal perception, Rule 701 Note 3 (p. 237)
Summary of issues affecting admissibility, Rule 701 Note 7 (p. 242)
other crimes, wrongs, or acts, sufficiency of proof of, Rule 404 Note 8 (p. 74)
past recollection recorded, Rule 803 Note 5 (p. 321)
personal knowledge of witness, Rule 602 Note 1 (p. 162)
physician-patient privilege, applicability, Rule 501 Note 7 (p. 129)
preliminary questions of fact, Evidence Rules inapplicable, Rule 101 Note 3 (p. 3)
questions of admissibility generally, Rule 104 Note 1 (p. 20)
recorded recollection, Rule 803 Note 5 (p. 321)
relevancy that depends on a fact, Rule 104 Note 2 (p. 20)
scientific expert testimony, Rule 702 Note 8 (p. 254)
unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)
Relevancy, that depends on a fact, Rule 104 Note 2 (p. 20)
Writings, contents, Rule 1008 Note 1 (p. 432)

JUDGES
Appointment of expert witness, generally, Rule 614 Note 1 (p. 214)
Calling of witnesses, Rule 614 Note 1 (p. 214)
Competency as witness, Rule 605 Note 1 (p. 168), Rule 605 (p. 168)
Discretion, Rule 102 Note 2 (p. 7)
Extrajudicial knowledge, use of, Rule 605 Note 1 (p. 168)

JUDGES—Cont'd
Objections, Rule 614 Note 3 (p. 215)
Questioning of witnesses, Rule 614 Note 2 (p. 215)
Revised Rule 605, Rule 605 (p. 168)
Witnesses, competency of judge as, Rule 605 (p. 168)

JUDGMENTS
Authentication
self-authentication
domestic public documents, Rule 902 Note 2 (p. 397)
foreign public documents, Rule 902 Note 3 (p. 399)
testimony, public records, Rule 901 Note 11 (p. 385)
Civil judgments, hearsay exception, Rule 803 Note 23 (p. 342)
Collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
Conviction of crime
authentication of court records, Rule 902 Note 2 (p. 397)
best evidence rule, Rule 1005 Note 1 (p. 424)
civil action on same facts, admissibility in, Rule 410 Notes 6 & 7 (pp. 105)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
impeachment by showing of conviction, generally, Rule 609 Note 1 (p. 187)
Criminal judgments, hearsay exception, Rule 803 Note 22 (p. 340)
Judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
self-authentication
domestic public documents, Rule 902 Note 2 (p. 397)
foreign public documents, Rule 902 Note 3 (p. 399)
testimony, public records, Rule 901 Note 11 (p. 385)
Judicial notice of, Rule 201 Note 4 (p. 37)
Public records and reports
absence of record following diligent search, Rule 803 Note 10 (p. 333)
exception to hearsay rule, Rule 803 Note 8 (p. 327)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)

JUDICIAL ADMISSIONS
Generally, Rule 801 Note 13 (p. 296)
Attorneys' statement, Rule 801 Notes 13 (p. 296) & 14 (p. 297)
Co-party's admissions, Rule 801 Note 15 (p. 299)
Guilty pleas and related statements, Rule 410 (p. 102)
Opening statement, Rule 801 Note 13 (p. 296)
Stipulations, Rule 801 Note 13 (p. 296)
Traffic offenses, Rule 410 Note 7 (p. 105)
Withdrawn guilty pleas, Rule 410 Note 1 (p. 102)
Withdrawn pleadings, Rule 801 Note 13 (p. 296)

JUDICIALLY ADMITTED FACTS
Judicial admissions, Rule 801 Note 13 (p. 296)

JUDICIAL NOTICE
Generally, Rule 201 Note 1 (p. 35)
Adjudicative facts, Rule 201 Note 1 (p. 35)
Administrative rules and regulations, Rule 201 Note 6 (p. 38), Rule 902 Note 4 (p. 399)
Annuity tables, Rule 201 Note 3 (p. 36)
Attorney fees, reasonableness, Rule 201 Note 5 (p. 38)
Comparison with Federal Rule, Rule 201 Note 13 (p. 42)
Conclusiveness of taking of notice, Rule 201 Note 10 (p. 41)
Contrary evidence to rebut noticed fact, Rule 201 Note 10 (p. 41)
Court records
generally, Rule 201 Note 4 (p. 37)
records in same case, Rule 201 Note 4 (p. 37)
Discretionary, Rule 201 Note 7 (p. 40)
Discretion of trial court, Rule 201 Notes 7 & 8 (p. 40)
Effect, Rule 201 Note 10 (p. 41)
Elements of crime charged, Rule 201 Note 2 (p. 36)
Facts capable of accurate and ready determination, Rule 201 Note 3 (p. 36)
Facts commonly known, Rule 201 Note 2 (p. 36)
Foreign law, Rule 201 Note 6 (p. 38)
General facts v. specific facts, Rule 201 Note 2 (p. 36)
Historical facts, Rule 201 Notes 2 & 3 (p. 36)
Inflation, Rule 201 Note 3 (p. 36)
Instructions concerning, Rule 201 Note 10 (p. 41)
Interest tables, Rule 201 Note 3 (p. 36)
Known generally, commonly accepted, Rule 201 Note 2 (p. 36)
Law, judicial notice of, Rule 201 Note 6 (p. 38)
Legislative facts, Rule 201 Note 1 (p. 35)
Mandatory, Rule 201 Note 8 (p. 40)
Mortality tables, Rule 201 Note 3 (p. 36)
Municipal ordinances, Rule 201 Note 6 (p. 38)
Opportunity to be heard, Rule 201 Note 9 (p. 40)
Other rules to consider, Rule 201 Note 12 (p. 42)
Other state's law, Rule 201 Note 6 (p. 38)
Personal knowledge of judge, Rule 201 Note 5 (p. 38)
Procedure for taking, Rule 201 Note 9 (p. 40)
Revised Rule 201, Rule 201 Note 1 (p. 35)
Rules and regulations of administrative agencies, Rule 201 Note 6 (p. 38)
Summary of issues affecting admissibility, Rule 201 Note 11 (p. 41)
Time of taking, Rule 201 Note 9 (p. 40)
Verifiable facts, Rule 201 Note 3 (p. 36)

JURY AND JURY TRIAL
Absence of jury, hearing in
accused's testimony on preliminary matters, Rule 104 Note 5 (p. 22)
availability of child victim/witness in criminal case, Rule 804 Note 7 (p. 361)
claim of privilege, Rule 501 Note 4 (p. 122)
confessions, Rule 104 Note 3 (p. 21)

JURY AND JURY TRIAL—Cont'd
Absence of jury, hearing in—Cont'd
identification testimony, challenge to, Rule 104 Note 4 (p. 21)
privilege, claim of, Rule 501 Note 4 (p. 122)
unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)
Accused's testimony on preliminary matters, Rule 104 Note 5 (p. 22)
Affidavits, competency of juror as witness, Rule 606 (p. 170)
Attorney-client privilege, hearing in absence of jury, Rule 501 Note 4 (p. 122)
Calling and questioning of witnesses by court and jury, Rule 614 (p. 214)
Child victim/witness in criminal case, availability of, Rule 804 Note 7 (p. 361)
Claim of privilege, hearing in absence of jury, Rule 501 Note 4 (p. 122)
Competency of witnesses
affidavits, competency of juror as witness, Rule 606 (p. 170)
after trial
generally, Rule 606 Notes 2 (p. 171) & 3 (p. 172)
exceptions, Rule 606 Note 3 (p. 172)
extraneous matters, Rule 606 Note 3 (p. 172)
hearing, procedure, Rule 606 Note 3 (p. 172)
hearsay from jurors to impeach verdict, Rule 606 Note 2 (p. 171)
impeaching verdict, Rule 606 Note 2 (p. 171)
supporting verdict or indictment, Rule 606 Note 3 (p. 172)
alcohol use by juror, competency of juror as witness, Rule 606 (p. 170)
competency, general rule, Rule 601 (p. 154)
drug use by juror, competency of juror as witness, Rule 606 (p. 170)
extraneous prejudicial information, competency of juror as witness, Rule 606 (p. 170)
inquiry into validity of verdict or indictment, competency of juror as witness, Rule 606 (p. 170)
judge as witness, Rule 605 (p. 168)
outside influence, competency of juror as witness, Rule 606 (p. 170)
revised Rule 601, Rule 601 (p. 154)
revised Rule 605, Rule 605 (p. 168)
during trial
generally, Rule 606 Note 1 (p. 170)
comparison with Federal Rule, Rule 606 Note 7 (p. 174)
inaccurate voir dire responses, Rule 606 Note 4 (p. 173)
other Rules to consider, Rule 606 Note 6 (p. 174)
publicity, Rule 606 Note 1 (p. 170)
summary of issues affecting admissibility, Rule 606 Note 5 (p. 173)
validity of verdict or indictment, inquiry into, competency of juror as witness, Rule 606 (p. 170)
verdict or indictment, inquiry into validity of, competency of juror as witness, Rule 606 (p. 170)
Confessions, hearing in absence of jury, Rule 104 Note 3 (p. 21)
Confusion of jury
audio tapes and transcripts, Rule 403 Note 7 (p. 63)
exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
relevant evidence, grounds for exclusion of, Rule 403 Note 6 (p. 62)

JURY AND JURY TRIAL—Cont'd
Confusion of jury—Cont'd
striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Exclusion of relevant evidence on grounds of confusion of jury, Rule 403 (p. 59)
Extraneous matters, post-trial, Rule 606 Note 3 (p. 172)
Form of limiting instruction, Rule 105 Note 4 (p. 26)
Handwriting, comparison to determine genuineness of, Rule 901 Note 7 (p. 382)
Hearings
preliminary questions of fact, Rule 104 (p. 18)
procedure after trial, Rule 606 Note 3 (p. 172)
Hearsay from jurors to impeach verdict, Rule 606 Note 2 (p. 171)
Identification testimony, challenge to, Rule 104 Note 4 (p. 21)
Immediate admonition, Rule 105 Note 3 (p. 25)
Impeaching verdict or indictment, general rule against
generally, Rule 606 Note 2 (p. 171)
extraneous matters, Rule 606 Note 3 (p. 172)
hearing, procedure, Rule 606 Note 3 (p. 172)
hearsay from jurors to impeach verdict, Rule 606 Note 2 (p. 171)
supporting verdict, Rule 606 Note 3 (p. 172)
voir dire responses, inaccuracy of, Rule 606 Note 4 (p. 173)
Inadmissible evidence, revised rule on preventing jury from hearing, Rule 103 (p. 8)
Instructing the jury, admonitions and in-trial instructions
generally, Rule 105 Notes 1-8 (p. 24), Rule 501 Note 4 (p. 122)
form of limiting instruction, Rule 105 Note 4 (p. 26)
immediate admonition, Rule 105 Note 3 (p. 25)
judicial notice, Rule 201 (p. 34)
multiple admissibility, generally, Rule 105 Note 1 (p. 24)
past sexual conduct, evidence of, Rule 412 (p. 110)
privileged communications, Rule 501 (p. 118)
relevancy, evidence of past sexual conduct, Rule 412 (p. 110)
request for admonition, requirement of, Rule 105 Note 2 (p. 25)
requirement of, Rule 105 Note 1 (p. 24)
sexual conduct, evidence of past, Rule 412 (p. 110)
timing of instruction or admonition, Rule 105 Note 3 (p. 25)
Invading province of jury. See index heading INVADING PROVINCE OF JURY
Judicial notice, instructing the jury, Rule 201 (p. 34)
Jurors as witnesses, generally, Rule 606 Notes (p. 170)
Knowledge of jury, claiming privilege without knowledge of jury, Rule 501 (p. 118)
Misleading the jury, exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
Motions in limine, applicability of, Rule 103 Note 10 (p. 15)
Multiple admissibility, generally, Rule 105 Note 1 (p. 24)
Objections, calling and questioning of witnesses by court and jury, Rule 614 (p. 214)
Past sexual conduct, evidence of, Rule 412 (p. 110)
Photographs, functions of court and jury, Rule 1008 Note 1 (p. 432)

JURY AND JURY TRIAL—Cont'd
Preliminary questions of fact, hearing of jury, Rule 104 (p. 18)
Presence of jury
accused's testimony on preliminary matters, Rule 104 Note 4 (p. 21)
availability of child victim/witness in criminal case, Rule 804 Note 7 (p. 361)
confessions, Rule 104 Note 4 (p. 21)
privilege, claim of, Rule 501 Note 4 (p. 122)
unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)
Privilege, claim of, hearing in absence of jury, Rule 501 Note 4 (p. 122)
Privileged communications, claiming privilege without knowledge of jury, Rule 501 (p. 118)
Province of jury, invading. See index heading INVADING PROVINCE OF JURY
Questioning of witnesses by court and jury, calling and, Rule 614 (p. 214)
Questions by jurors, Rule 614 Note 4 (p. 216)
Recordings, functions of court and jury, Rule 1008 Note 1 (p. 432)
Relevancy
confusion of jury, exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
past sexual conduct, evidence of, Rule 412 (p. 110)
Revised Rule 614, Rule 614 (p. 214)
Rulings on evidence, hearing of jury, Rule 103 (p. 8)
Selection, applicability of motions in limine, Rule 103 Note 10 (p. 15)
Sexual conduct, evidence of past, Rule 412 (p. 110)
''Silent witness'' photographs or videotapes to jury room during deliberations, Rule 901 Note 13 (p. 388)
Summary of issue affecting admissibility, Rule 501 Note 5 (p. 124)
Supporting verdict or indictment, Rule 606 Note 3 (p. 172)
Timing of instruction or admonition, Rule 105 Note 3 (p. 25)
Unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)
Validity of verdict or indictment, inquiry into, competency of juror as witness, Rule 606 (p. 170)
Verdict, impeaching, general rule against, Rule 606 Note 2 (p. 171)
exceptions, Rule 606 Note 3 (p. 172)
extraneous matters, Rule 606 Note 3 (p. 172)
hearing, procedure, Rule 606 Note 3 (p. 172)
hearsay from jurors to impeach verdict, Rule 606 Note 2 (p. 171)
supporting verdict, Rule 606 Note 3 (p. 172)
voir dire responses, inaccuracy of, Rule 606 Note 4 (p. 173)
Videotapes to jury room during deliberations, ''silent witness,'' Rule 901 Note 13 (p. 388)
Writings, functions of court and jury, Rule 1008 (p. 432)

JUVENILE MATTERS
Applicability of Evidence Rules
generally, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)
Child hearsay exception, Rule 804 Note 7 (p. 361)

KIDNAPPING
Conviction of crime, Rule 609 (p. 186)
Impeachment use of conviction for, Rule 609 Note 2 (p. 188)

KNOWLEDGE
See index heading NOTICE OR KNOWLEDGE

LABELS
Authentication of trade inscriptions and the like, Rule 902 Note 6 (p. 401)

LACK OF MEMORY
Cross examination testing memory, Rule 611 Note 7 (p. 198)
Hearsay exceptions, unavailability of declarant due to lack of memory, Rule 804 (p. 345)
Hypnosis affecting memory, Rule 602 Note 2 (p. 163)
Past recollection recorded, Rule 803 Note 5 (p. 321)
Prior statement offered as substantive evidence, lack of memory of, Rule 801 Note 5 (p. 286)
Refreshing recollection, Rule 612 Note 1 (p. 204)
Unavailability of declarant, Rule 804 Note 1 (p. 347)
Writing used to refresh memory prior to testifying, Rule 612 (p. 203)

LAND
Boundaries, reputation concerning, Rule 803 Note 20 (p. 339)
Value, opinion testimony, Rule 701 Note 6 (p. 239)

LAW
Administrative regulations, Rule 902 Note 4 (p. 399)
Common law, proof of, Rule 902 Note 4 (p. 399)
Judicial notice of, Rule 201 Note 6 (p. 38)
Municipal ordinances, proof of, Rule 902 Note 4 (p. 399)
Official publications as proof of, Rule 902 Note 4 (p. 399)
Opinion testimony, question of, Rule 704 Note 7 (p. 271)

LAWYERS
Admissions by, Rule 801 Notes 13 (p. 296) & 14 (p. 297)
Attorney-client privilege, generally, Rule 501 Note 6 (p. 124)
Competency as witnesses, generally, Rule 605 Note 2 (p. 168)
Will, attorney's witnessing as waiver of attorney-client privilege, Rule 501 Note 6 (p. 124)

LEADING QUESTIONS
Generally, Rule 611 Note 10 (p. 200)

LEARNED TREATISES
Expert testimony, basis for, Rule 703 Note 6 (p. 262)
Hearsay rule, Rule 803 Note 18 (p. 337)

LIABILITY INSURANCE
Absence of insurance, Rule 411 Note 1 (p. 107)
Admissible on issues other than fault, Rule 411 Note 2 (p. 107)
Comparison with Federal Rule, Rule 411 Note 5 (p. 109)

LIABILITY INSURANCE—Cont'd
Credibility of witnesses, Rule 411 Note 2 (p. 107)
Inadmissible on issue of fault, Rule 411 Note 1 (p. 107)
Other Rules to consider, Rule 411 Note 4 (p. 108)
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Proof of agency, Rule 411 Note 2 (p. 107)
Proof of scope of employment, Rule 411 Note 2 (p. 107)
Summary of issues affecting admissibility, Rule 411 Note 3 (p. 108)

LIE DETECTOR
Admissibility of polygraph evidence, Rule 702 Note 10 (p. 255)

LIFE EXPECTANCY
Judicial notice, Rule 201 Note 3 (p. 36)

LIMITED ADMISSIBILITY
Generally, Rule 105 Note 1 (p. 24)
Bruton Rule, Rule 105 Note 5 (p. 26)

LIMITING INSTRUCTION
Admonitions and in-trial instructions
form of limiting instruction, Rule 105 Note 4 (p. 26)
immediate admonition, Rule 105 Note 3 (p. 25)
multiple admissibility, generally, Rule 105 Note 1 (p. 24)
request for admonition, requirement of, Rule 105 Note 2 (p. 25)
requirement of, Rule 105 Note 1 (p. 24)
timing of instruction or admonition, Rule 105 Note 3 (p. 25)
Adoptive admission, Rule 801 Note 11 (p. 293)
Conditional relevancy, Rule 104 Note 2 (p. 20)
Conviction for crime, admitted as impeachment evidence, Rule 609 Note 8 (p. 191)
Co-party's admissions, civil cases, Rule 801 Note 15 (p. 299)
Criminal convictions used to impeach, Rule 609 Note 8 (p. 191)
Dying declarations, careful scrutiny, Rule 804 Note 3 (p. 354)
Extrinsic offenses, Rule 404 Note 7 (p. 72)
Hearsay: statement not offered as proof of statement's truth, Rule 801 Note 2 (p. 284)
Inadmissible matter underlying expert's opinion, Rule 703 Note 6 (p. 262)
Limiting instructions generally, Rule 105 Note 1 (p. 24)
Multiple admissibility, request for instruction, Rule 105 Note 2 (p. 25)
Offers of compromise, Rule 408 Note 2 (p. 96)
Other crimes and acts of accused, Rule 404 Note 7 (p. 72)
Polygraph evidence, Rule 702 Note 10 (p. 255)
Prior inconsistent statement
admitted only for impeachment, Rule 613 Note 5 (p. 212)
substantive use when no instruction given, Rule 801 Note 6 (p. 287)
Statement of co-parties, Rule 801 Note 15 (p. 299)
Statement of mental state or intention, Rule 803 Note 3 (p. 316)
Summaries, Rule 1006 Note 1 (p. 426)

LIMITING INSTRUCTION—Cont'd
Tacit admission, Rule 801 Note 11 (p. 293)
Timing of instruction, Rule 105 Note 3 (p. 25)
Unfair prejudice, considering efficacy of instruction in weighing, Rule 403 Note 2 (p. 61)

LOAN RECEIPT AGREEMENTS
Admissibility, Rule 616 Note 5 (p. 225)

MALICIOUS TRESPASS
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)

MAPS
Admissibility of maps and diagrams, Rule 611 Note 6 (p. 197)

MARITAL COMMUNICATIONS
Generally, Rule 501 Note 8 (p. 136)
Child abuse or neglect, exception to applicability of privilege, Rule 501 Note 8 (p. 136)
Comment on exercise of privilege, Rule 501 Notes 4 (p. 122) & 8 (p. 136)
Communications, Rule 501 Note 8 (p. 136)
Confidentiality, Rule 501 Note 8 (p. 136)
Conversation with or for third party, Rule 501 Note 8 (p. 136)
Crime against spouse, Rule 501 Note 8 (p. 136)
Dead man's statute, Rule 601 Note 5 (p. 157)
Death of spouse, effect of, Rule 501 Note 8 (p. 136)
Divorce, effect of, Rule 501 Note 8 (p. 136)
Elements, Rule 501 Note 8 (p. 136)
Formal marriage required, Rule 501 Note 8 (p. 136)
Marital relationship, Rule 501 Note 8 (p. 136)
Nonverbal communications, Rule 501 Note 8 (p. 136)
Summary of issues affecting admissibility, Rule 501 Note 8 (p. 136)
Survival of privilege, Rule 501 Note 8 (p. 136)
Third persons present, Rule 501 Note 8 (p. 136)
Uniform Reciprocal Enforcement of Support Act, privilege inapplicable, Rule 501 Note 8 (p. 136)
Waiver
generally, Rule 501 Note 8 (p. 136)
other bases of waiver, Rule 501 Note 8 (p. 136)

MARKET REPORTS
Exception to hearsay rule, Rule 803 Note 17 (p. 337)

MARRIAGE
Certificates. See index heading CERTIFICATES
Communications, generally, Rule 501 Note 8 (p. 136)
Family history, hearsay exception
family records, Rule 803 Note 13 (p. 334)
judgment as to, Rule 803 Note 23 (p. 342)
pedigree, Rule 804 Note 5 (p. 358)
religious organization records, Rule 803 Note 11 (p. 333)

MARRIAGE—Cont'd
Family history, hearsay exception—Cont'd
reputation, Rule 803 Note 19 (p. 339)
Husband-wife privilege
generally, Rule 501 Note 8 (p. 139)
marriage required, Rule 501 Note 8 (p. 139)
Pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)

MARRIAGE AND FAMILY THERAPISTS
Privileged communications, Rule 501 Note 13 (p. 143)

MARRIAGE CERTIFICATES
Hearsay exception, Rule 803 Note 12 (p. 334)

MARY CARTER AGREEMENT
Loan receipt agreements, admissibility, Rule 616 Note 5 (p. 225)

MEDICAL CONDITION, DIAGNOSIS OR TREATMENT
Appearance or health, opinion testimony, Rule 701 Note 6 (p. 239)
Business records, opinions and diagnoses, Rule 803 Note 6 (p. 323)
Child victim/witness in criminal case, Rule 804 Note 7 (p. 361)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Existing pain or suffering, Rule 803 Note 3 (p. 316)
Medical history
hearsay exception, Rule 803 Note 4 (p. 319)
no longer admissible only as basis for expert opinion, Rule 703 Note 6 (p. 262), Rule 803 Note 4 (p. 319)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Opinion testimony, Rule 701 Note 6 (p. 239)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Statements concerning
existing pain or suffering, Rule 803 Note 3 (p. 316)
expert opinion, basis for, Rule 703 Note 6 (p. 262)
statements for diagnosis or treatment, hearsay exception, Rule 803 Note 4 (p. 319)
statements of existing physical or mental condition, Rule 803 Note 3 (p. 316)
Statements for diagnosis or treatment, hearsay exception, Rule 803 Note 4 (p. 319)
Statements of existing physical or mental condition, Rule 803 Note 3 (p. 316)

MEDICAL EXPENSES OR BILLS
Admissibility, Rule 413 Note 1 (p. 116)
Admissions (party-opponent's statements), Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Comparison with Federal Rule, Rule 413 Note 5 (p. 117)
Compromise, Rule 410 Notes 1 (p. 101) & 2 (p. 102)
Offer to pay medical or other expenses, Rule 409 (p. 99)
Other Rules to consider, Rule 413 Note 4 (p. 117)

MEDICAL EXPENSES OR BILLS—Cont'd
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Presumption of reasonableness, Rule 413 Note 2 (p. 116)
Prima facie evidence of reasonableness, Rule 413 Note 2 (p. 116)
Reasonableness, prima facie evidence of, Rule 413 Note 2 (p. 116)
Relevancy, Rule 413 Note 1 (p. 116)
Revised Rule 413, Rule 413 (p. 116)
Rule 408, compared, Rule 409 Note 2 (p. 99)
Summary of issues affecting admissibility, Rule 413 Note 3 (p. 117)

MEDICAL MALPRACTICE
Review panel's opinion, Rule 702 Note 6 (p. 249)

MEDICAL REPORTS
Business records, opinions and diagnoses, Rule 803 Note 6 (p. 323)

MEDICAL REVIEW PANEL OPINION
Hearsay, Rule 803 Note 25 (p. 343)

MEMORANDUM
Past recollection recorded, Rule 803 Note 5 (p. 321)
Refreshing recollection, Rule 612 Note 1 (p. 204)

MEMORY
Cross examination testing memory, Rule 611 Note 7 (p. 198)
Hypnosis affecting memory, Rule 602 Note 2 (p. 163)
Past recollection recorded, Rule 803 Note 5 (p. 321)
Prior statement offered as substantive evidence, lack of memory of, Rule 801 Note 5 (p. 286)
Refreshing recollection, Rule 612 Note 1 (p. 204)
Unavailability of declarant, Rule 804 Note 1 (p. 347)

MENTAL CAPACITY OR STATE
Appointment by the court of expert psychiatric witnesses, Rule 614 Note 1 (p. 214)
Character evidence in criminal cases as proof of, state of mind, self-defense, Rule 404 Note 3 (p. 69)
Dead man's statute, testator's capacity, Rule 601 Note 5 (p. 157)
Hearsay exception, Rule 803 Note 3 (p. 316), Rule 804 (p. 345)
Impeachment, Rule 608 Note 7 (p. 182)
Opinion testimony
  generally, Rule 701 Note 6 (p. 239)
  intent in criminal case, Rule 704 Note 3 (p. 267)
  sanity, Rule 701 Note 6 (p. 239), Rule 704 Note 3 (p. 267)
Plea bargaining, Rule 410 Note 4 (p. 104)
Witnesses
  children, Rule 601 Note 2 (p. 155)
  insane persons, Rule 601 Note 3 (p. 155)
  intoxicated witnesses, Rule 601 Note 4 (p. 156)
Witness's own, Rule 701 Note 6 (p. 239)

MENTAL HEALTH COUNSELORS
Privileged communications, Rule 501 Note 13 (p. 143)

MENTAL PROCESS
Opinion testimony concerning
expert, Rule 702 Note 6 (p. 249)
intent of accused, Rule 704 Note 3 (p. 267)
non-expert, Rule 701 Note 6 (p. 239)

MICROSCOPIC EXAMINATION
Opinion testimony based on, Rule 702 Note 7 (p. 249)

MINISTERS
Clergyman's privilege, Rule 501 Note 9 (p. 139)

MINUTE BOOKS
Business records, Rule 803 Note 6 (p. 323)

MISCELLANEOUS PROCEEDINGS
Applicability of Evidence Rules
generally, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

MISTAKE
Other crimes and acts as proof of absence of, Rule 404 Note 16 (p. 79)

MODE OF EXAMINATION
Generally, Rule 611 Note 1 (p. 195)
Comparison with Federal Rule, Rule 611 Note 13 (p. 202)
Narrative answers, Rule 611 Note 4 (p. 197)
Other Rules to consider, Rule 611 Note 12 (p. 202)
Questions by jury, Rule 614 Note 4 (p. 216)
Summary of issues affecting admissibility, Rule 611 Note 11 (p. 201)
Written direct examination, Rule 611 Note 4 (p. 197)

MODUS OPERANDI
Character or reputation, Rule 404 Note 13 (p. 77)

MORTALITY TABLES
Judicial notice, Rule 201 Note 3 (p. 36)

MOTION IN LIMINE
Generally, Rule 103 Note 10 (p. 15)
Objection required when evidence tendered, Rule 103 Note 10 (p. 15)

MOTION PICTURES
Admissibility, generally, Rule 403 Note 7 (p. 63)
Clarity of recordings used as evidence, Rule 403 Note 7 (p. 63)

MOTIONS TO STRIKE
Generally, Rule 103 Note 6 (p. 11)
Answer to objectionable question, Rule 103 Note 4 (p. 11)
"Connecting up," Rule 104 Note 3 (p. 21)
Narrative testimony, Rule 611 Note 4 (p. 197)

MOTIONS TO STRIKE—Cont'd
Personal knowledge, testimony not based on, Rule 602 Note 1 (p. 162)
Required to preserve claim of error, Rule 103 Note 6 (p. 11)
Specificity, Rule 103 Note 6 (p. 11)
Unresponsive answers, Rule 103 Note 6 (p. 11)

MOTION TO SUPPRESS
Objection required when evidence tendered, Rule 103 Note 2 (p. 9)

MOTIVE
Other crimes and acts of accused as proof of, Rule 404 Note 14 (p. 78)

MOTOR VEHICLES
Best evidence rule, Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)

MUG SHOTS
Admissibility, Rule 403 Note 4 (p. 61)

MULTIPLE ADMISSIBILITY
Generally, Rule 105 Note 1 (p. 24)
Admonitions
form of limiting instruction, Rule 105 Note 4 (p. 26)
immediate admonition, Rule 105 Note 3 (p. 25)
request for admonition, requirement of, Rule 105 Note 2 (p. 25)
requirement of, Rule 105 Note 1 (p. 24)
timing of instruction or admonition, Rule 105 Note 3 (p. 25)
Co-defendant's statements, joint trials, Rule 105 Note 5 (p. 26)

MUNICIPAL ORDINANCES
Authentication, Rule 902 Note 4 (p. 399)
Judicial notice, Rule 201 Note 6 (p. 38)

MURDER
Conviction of crime, Rule 609 (p. 186)
Impeachment use of conviction for, Rule 609 Note 2 (p. 188)

NARRATIVE TESTIMONY
Court's discretion to allow, Rule 611 Note 4 (p. 197)

NEGLIGENCE
Similar accidents, acts or occurrences, Rule 401 Note 5 (p. 53)
Subsequent remedial measures, Rule 407 Note 3 (p. 93)
negligence, Rule 407 Notes 1 (p. 92) & 2 (p. 93)

NEGOTIABLE INSTRUMENTS
Authentication, Rule 902 Note 8 (p. 402)

NEGOTIATIONS FOR SETTLEMENT
Guilty pleas and related statements, Rule 410 Note 1 (p. 102)
Offers of compromise, generally, Rule 408 (p. 95)
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)

NEGOTIATIONS FOR SETTLEMENT—Cont'd
Preliminary fact questions, compromise, Rule 408 Note 7 (p. 97)
Statements of fact admissible, Rule 408 Note 6 (p. 97)
Statements related to plea discussions, Rule 410 Note 4 (p. 104)
offering party, as affecting admissibility, Rule 410 Note 5 (p. 105)

NEUTRON ACTIVATION ANALYSIS
Degree of certainty required, Rule 702 Note 4 (p. 248)
Expert testimony, Rule 702 Note 7 (p. 249)

NEWSPAPERS
Authentication, Rule 902 Note 5 (p. 400)

NOLO CONTENDERE
Admissibility of evidence of plea, Rule 410 Notes 1 (p. 101) & 2 (p. 102)
Plea bargaining, Rule 410 Note 1 (p. 102)
Traffic offenses, Rule 410 Note 7 (p. 105)

NONVERBAL CONDUCT
Conduct as hearsay, Rule 801 Note 1 (p. 282)

NOTARY PUBLIC
Self-authentication of acknowledged documents, Rule 902 Note 7 (p. 401)

NOTES
Commercial paper, authentication, Rule 902 Note 8 (p. 402)
Court reporter's, proof of former testimony, Rule 804 Note 2 (p. 350)
Past recollection recorded, Rule 803 Note 5 (p. 321)
Refreshing recollection, Rule 612 Note 1 (p. 204)

NOTICE OR KNOWLEDGE
Character or reputation. See index heading CHARACTER OR REPUTATION
Extrinsic offenses, as proof of, Rule 404 Note 15 (p. 78)
Personal knowledge
generally, Rule 602 Note 1 (p. 162)
admissions, Rule 801 Note 9 (p. 291)
admissions (party-opponent's statements)
adoptive or tacit admission, Rule 801 Note 11 (p. 293)
agents, personal knowledge not required, Rule 801 Note 12 (p. 294)
adoptive admissions, Rule 801 Note 11 (p. 293)
ancient documents, Rule 803 Note 16 (p. 336)
best evidence rule, writing containing facts known to witness, Rule 1002 Note 2 (p. 414)
business records, Rule 803 Note 6 (p. 323)
comparison with Federal Rule, Rule 602 Note 6 (p. 164)
competency of witnesses
opinions, Rule 602 Note 3 (p. 163)
requirement of, Rule 602 Note 1 (p. 162)
testimony induced by hypnosis, Rule 602 Note 2 (p. 163)
declarations against interest, Rule 804 Note 4 (p. 355)
determination by court, Rule 602 Note 1 (p. 162)

NOTICE OR KNOWLEDGE—Cont'd
Personal knowledge—Cont'd
dying declarations, Rule 804 Note 3 (p. 354)
excited utterance, Rule 803 Note 2 (p. 314)
expert witnesses, Rule 602 Note 3 (p. 163), Rule 602 (p. 162), Rule 703 Note 1 (p. 259), Rule 703 Note 2 (p. 259)
hearsay declarant, Rule 805 Note 1 (p. 368)
hypnosis, testimony induced by, Rule 602 Note 2 (p. 163)
lay opinions, Rule 602 Note 3 (p. 163), Rule 701 Note 3 (p. 237)
motion to strike, Rule 602 Note 1 (p. 162)
official records, Rule 803 Note 8 (p. 327)
opinion testimony
expert witnesses, Rule 703 Note 2 (p. 259)
non-expert witnesses, Rule 701 Notes 2 & 3 (p. 237)
other Rules to consider, Rule 602 Note 5 (p. 164)
public records and reports, official records, Rule 803 Note 8 (p. 327)
refreshing recollection, Rule 612 Note 1 (p. 204)
regularly kept records, Rule 803 Note 6 (p. 323)
required for opinion testimony not offered by expert, Rule 602 Note 3 (p. 163), Rule 701 Note 3 (p. 237)
revised Rule 602, Rule 602 (p. 162)
statement of party-opponent, Rule 801 Note 9 (p. 291)
summary of issues affecting admissibility, Rule 602 Note 4 (p. 164)
tacit admissions, Rule 801 Note 11 (p. 293)
testimony of witness with, Rule 901 Note 5 (p. 380)
witnesses, expert testimony, Rule 602 (p. 162)
Privileged communications, claiming privilege without knowledge of jury, Rule 501 (p. 118)
Qualifications of expert
hypothetical questions, Rule 703 Note 3 (p. 260)
knowledge based upon reports or hearsay, Rule 703 Note 5 (p. 261)
qualification of expert witness, Rule 702 Note 3 (p. 246)
Similar acts, accidents or occurrences, as proof of, Rule 401 Note 5 (p. 53)
Uncharged misconduct as proof of, Rule 404 Note 15 (p. 78)

NOT RESPONSIVE
Motion to strike answer, Rule 103 Note 6 (p. 11)

NURSES
Physician-patient privilege, Rule 501 Note 7 (p. 129)

OATH
Affirmations, Rule 603 Note 1 (p. 165)
Comparison with Federal Rule, Rule 603 Note 4 (p. 165)
Interpreters, Rule 604 Note 1 (p. 166), Rule 604 (p. 166)
Other Rules to consider, Rule 603 Note 3 (p. 165)
Prior inconsistent sworn testimony, Rule 801 Note 6 (p. 287)
Revised Rule 603, Rule 603 (p. 165)
Revised Rule 604, Rule 604 (p. 166)

OATH—Cont'd
Summary of issues affecting admissibility, Rule 603 Note 2 (p. 165)
Testimony given at earlier proceeding
testifying declarant
consistent statement, Rule 801 Note 7 (p. 288)
inconsistent statement, Rule 801 Note 6 (p. 287)
unavailable declarant, hearsay exception, Rule 804 Note 2 (p. 350)
Witnesses, Rule 603 Note 1 (p. 165), Rule 603 (p. 165)

OBJECTIONS
Basis, statement of, Rule 103 Note 3 (p. 10)
Calling and questioning of witnesses by court and jury, Rule 614 (p. 214)
Continuing objection, Rule 103 Note 5 (p. 11)
Court's statement about ruling, directing offer of proof, revised rule, Rule 103 (p. 8)
Dead man's statutes, Rule 601 Note 5 (p. 157)
Erroneous ruling on evidence, Rule 103 (p. 8)
Final argument, Rule 103 Note 8 (p. 13)
Fundamental error, Rule 103 Note 11 (p. 17)
General objections, Rule 103 Note 3 (p. 10)
Inadmissible evidence, revised rule preventing jury from hearing, Rule 103 (p. 8)
Inconsistent verdict, Rule 103 Note 8 (p. 13)
Jury instructions, Rule 103 Note 8 (p. 13)
Jury separation during deliberations, Rule 103 Note 8 (p. 13)
Motions in limine, Rule 103 Note 10 (p. 15)
Motion to strike answer after objection sustained, Rule 103 Note 4 (p. 11)
Narrative testimony, Rule 611 Note 4 (p. 197)
Necessity for, Rule 103 Note 2 (p. 9)
Oath, absence of, Rule 603 Note 1 (p. 165)
Questions, form of, jurors questions, Rule 614 Note 4 (p. 216)
Questions by court, Rule 614 Note 3 (p. 215)
Recordings, specific objections to, Rule 403 Note 7 (p. 63)
Renewal of objection or offer of proof, revised rule, Rule 103 (p. 8)
Requirement of objection, generally, Rule 103 Note 2 (p. 9)
Requirement of specificity, Rule 103 Note 3 (p. 10)
Requirement of timeliness, Rule 103 Note 4 (p. 11)
Revised Rule 103, Rule 103 (p. 8)
Revised Rule 614, Rule 614 (p. 214)
Specificity
generally, Rule 103 Note 3 (p. 10)
evidence admissible in part, Rule 103 Note 3 (p. 10)
following denial of motion in limine or motion to suppress, Rule 103 Note 3 (p. 10)
relevancy, Rule 402 Note 2 (p. 57)
Tape recordings, specific objections to, Rule 403 Note 7 (p. 63)
Testimony by judge, Rule 605 Note 1 (p. 168)
Timeliness
generally, Rule 103 Note 4 (p. 11)

OBJECTIONS—Cont'd
Timeliness—Cont'd
continuing objection, Rule 103 Note 5 (p. 11)
objection after answer given, Rule 103 Note 4 (p. 11)
questions by court, Rule 614 Note 3 (p. 215)
Verdict forms, Rule 103 Note 8 (p. 13)
Voir dire, Rule 103 Note 8 (p. 13)

OBJECT TO REFRESH RECOLLECTION
Generally, Rule 612 Note 1 (p. 204)
Admissibility of writing used, Rule 612 Note 3 (p. 205)
Comparison with Federal Rule, Rule 612 Note 6 (p. 207)
Cross examination on writing used, Rule 612 Note 3 (p. 205)
Nature of writing used, Rule 612 Note 1 (p. 204)
Other Rules to consider, Rule 612 Note 5 (p. 206)
Past recollection recorded distinguished, Rule 612 Note 1 (p. 204)
Privileged material, production of, Rule 612 Note 2 (p. 205)
Production of writing, Rule 612 Note 2 (p. 205)
Summary of issues affecting production and admissibility, Rule 612 Note 4 (p. 206)
Witness must testify from memory, Rule 612 Note 1 (p. 204)

OBSERVATION, PERSONAL
Opinions, Rule 602 Note 3 (p. 163)
Requirement of, Rule 602 Note 1 (p. 162)
Testimony induced by hypnosis, Rule 602 Note 2 (p. 163)

OBSTRUCTION OF JUSTICE
As evidence of consciousness of guilt, Rule 401 Note 6 (p. 54)

OFFER OF COMPROMISE
Generally, Rule 408 Note 1 (p. 95)
Admissions, Rule 408 Note 6 (p. 97)
Alternative dispute resolution, Rule 408 Note 5 (p. 97)
Guilty pleas and related statements
generally, Rule 410 Note 1 (p. 102)
statements related to plea discussions, Rule 410 Notes 4 (p. 104) & 5 (p. 105)
Inadmissibility, general rule of, Rule 408 Note 1 (p. 95)
Non-parties, offers to, Rule 408 Note 8 (p. 97)
Offers of judgment, Rule 408 Note 5 (p. 97)
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Proof of matters other than offeror's belief in his liability, Rule 408 Note 2 (p. 96)
Small claims cases, Rule 101 Note 4 (p. 4)
Statements of fact admissible, Rule 408 Note 6 (p. 97)

OFFER OF JUDGMENT
Offers of compromise, Rule 408 Note 5 (p. 97)

OFFER OF PROOF
Offer to prove, generally, Rule 103 Note 7 (p. 12)

OFFER TO PAY
Medical or other expenses, Rule 409 (p. 99)

OFFER TO PLEAD GUILTY
Generally inadmissible, Rule 410 Note 1 (p. 102)
Statements related to plea discussions
generally, Rule 410 Note 4 (p. 104)
offering party, as affecting admissibility, Rule 410 Note 5 (p. 105)

OFFER TO PROVE
Generally, Rule 103 Note 7 (p. 12)
Competency of witnesses, Rule 601 Note 2 (p. 155)
Cross examination, Rule 103 Note 7 (p. 12)
Dead man's statutes, Rule 601 Note 5 (p. 157)
Form of, Rule 103 Note 7 (p. 12)
Hearing of jury, Rule 103 Note 10 (p. 15)
Method of making offer, Rule 103 Note 7 (p. 12)
Motion in limine, following, Rule 103 Note 10 (p. 15)
Question-and-answer, Rule 103 Note 7 (p. 12)
Requirement of, Rule 103 Note 7 (p. 12)
Specificity, Rule 103 Note 7 (p. 12)
Timeliness, Rule 103 Note 7 (p. 12)

OFFICERS AND EMPLOYEES
Admissions, Rule 801 Note 12 (p. 294)
Dead man's statute, competency as witnesses, Rule 601 Note 5 (p. 157)

OPENING STATEMENT
Motions in limine, Rule 103 Note 10 (p. 15)

OPENING THE DOOR
Character as impeachment evidence, Rule 608 Note 10 (p. 184)
Conviction of crime, Rule 609 Note 9 (p. 191)
Polygraph evidence, Rule 702 Note 10 (p. 255)
Prior consistent statements, Rule 801 Note 7 (p. 288)
Relevancy, Rule 401 Note 2 (p. 51)

OPERATIVE FACTS
Not hearsay, Rule 801 Note 4 (p. 286)

OPINIONS AND EXPERT OPINIONS
Generally, Rule 701 (p. 236)
Bases of opinion testimony by experts, Rule 703 (p. 259)
Disclosure of facts or data underlying expert opinion, Rule 705 (p. 274)
Expert testimony, Rule 702 (p. 244)
Lay witnesses, Rule 701 (p. 236)
Limitations on testimony of lay witnesses, Rule 701 (p. 236)
Revised Rule 701, Rule 701 (p. 236)
Revised Rule 702, Rule 702 (p. 244)

OPINIONS AND EXPERT OPINIONS—Cont'd
Revised Rule 703, Rule 703 (p. 259)
Revised Rule 704, Rule 704 (p. 266)
Revised Rule 705, Rule 705 (p. 274)
Scientific expert testimony, Rule 702 (p. 244)
Testimony by experts, Rule 702 (p. 244)
Ultimate issue, opinion on, Rule 704 (p. 266)
Underlying expert opinion, disclosure of facts or data, Rule 705 (p. 274)

OPINION TESTIMONY
Generally, Rule 701 (p. 236)
Article VII, Rule 701 Note 1 (p. 236)
Bases of opinion testimony by experts, Rule 703 (p. 259)
Business records, opinions and diagnoses in, Rule 803 Note 6 (p. 323)
Character of accused, Rule 404 Note 2 (p. 68)
Disclosure of facts
generally, Rule 705 (p. 274)
experts
generally need not be disclosed before stating opinion, Rule 705 Note 1 (p. 274)
comparison with Federal Rule, Rule 705 Note 6 (p. 278)
other Rules to consider, Rule 705 Note 5 (p. 278)
summary of issues affecting admissibility, Rule 705 Note 4 (p. 277)
testimony of hearsay on which opinion is based, Rule 703 Note 6 (p. 262)
trial court's discretion to require disclosure before stating opinion, Rule 705 Note 2 (p. 275)
non-experts, Rule 701 Note 3 (p. 237)
revised Rule 705, Rule 705 (p. 274)
Expert witnesses
generally, Rule 702 Note 1 (p. 244), Rule 702 (p. 244)
appointment by court, Rule 614 Note 1 (p. 214)
basis of opinion, Rule 705 Note 1 (p. 274)
generally, Rule 703 Note 1 (p. 259)
comparison with Federal Rule, Rule 703 Note 9 (p. 265)
listening to testimony, Rule 703 Note 4 (p. 261)
other Rules to consider, Rule 703 Note 8 (p. 264)
patient's statements, Rule 703 Note 6 (p. 262)
personal knowledge, Rule 703 Note 2 (p. 259)
reports of others
Disclosure of underlying facts, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
Generally, Rule 703 Note 5 (p. 261)
summary of issues affecting admissibility, Rule 703 Note 7 (p. 263)
cross examination, Rule 705 Note 3 (p. 276)
degree of certainty, Rule 702 Note 4 (p. 248)
disclosure of facts, above in this group
facts perceived by expert, Rule 703 Note 2 (p. 259)
helpfulness of testimony, Rule 702 Note 2 (p. 245)

OPINION TESTIMONY—Cont'd
Expert witnesses—Cont'd
hypothetical questions
generally, Rule 703 Note 3 (p. 260)
on cross examination, Rule 705 Note 3 (p. 276)
medical malpractice review cases, Rule 702 Note 6 (p. 249)
qualification of expert witness, Rule 702 Note 3 (p. 246)
scientific testimony, Rule 702 Note 8 (p. 254)
topic of testimony
generally, Rule 702 Note 7 (p. 249)
prohibited topics, Rule 704 Note 2 (p. 267)
ultimate issues, Rule 704 Note 1 (p. 266)
without opinion, Rule 702 Note 5 (p. 248)
Habit of individual as proof of conduct, Rule 406 Note 3 (p. 89)
Lay witnesses, Rule 701 (p. 236)
Limitations
generally, Rule 701 Note 1 (p. 236)
lay witness testimony, Rule 701 (p. 236)
Opinion on ultimate issue
generally permissible, Rule 704 Note 1 (p. 266)
comparison with Federal Rule, Rule 704 Note 10 (p. 273)
other Rules to consider, Rule 704 Note 9 (p. 273)
summary of issues affecting admissibility, Rule 704 Note 8 (p. 272)
topics forbidden, Rule 704 Note 2 (p. 267)
Opinion rule, generally, Rule 701 Note 2 (p. 237)
Particular subjects
adult's ability to recount events without exaggeration, Rule 704 Note 5 (p. 268)
age of person, Rule 701 Note 6 (p. 239)
atomic absorption testing, Rule 702 Note 7 (p. 249)
blood alcohol content, breathalyzers, Rule 702 Note 9 (p. 254)
blood grouping tests, Rule 702 Note 7 (p. 249)
bodily condition of another, Rule 701 Note 6 (p. 239)
child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
child's tendency to exaggerate, Rule 704 Note 5 (p. 268)
footprints, Rule 701 Note 6 (p. 239)
guilt in criminal case, Rule 704 Note 4 (p. 268)
handwriting, Rule 701 Note 6 (p. 239), Rule 901 Note 6 (p. 381)
health, Rule 701 Note 6 (p. 239)
identity, Rule 701 Note 6 (p. 239)
innocence in criminal case, Rule 704 Note 4 (p. 268)
insanity, nonexpert opinion, Rule 701 Note 6 (p. 239)
intent in criminal case, Rule 704 Note 3 (p. 267)
intoxication, Rule 701 Note 6 (p. 239)
legal conclusions, Rule 704 Note 7 (p. 271)
medical condition, Rule 701 Note 6 (p. 239)
medical malpractice review panel's opinion, Rule 702 Note 6 (p. 249)
mental processes, Rule 701 Note 6 (p. 239)

OPINION TESTIMONY—Cont'd
Particular subjects—Cont'd
microscopic inspection, opinion based on, Rule 702 Note 7 (p. 249)
property, value, Rule 701 Note 6 (p. 239)
rape trauma syndrome, Rule 702 Note 7 (p. 249)
skilled witnesses, Rule 701 Note 5 (p. 238)
speed of vehicle, Rule 701 Note 6 (p. 239)
state of mind, Rule 701 Note 6 (p. 239)
testimony, truthfulness of, Rule 704 Note 5 (p. 268)
value of property, Rule 701 Note 6 (p. 239)
witness's mental processes or state of mind, Rule 701 Note 6 (p. 239)
Personal knowledge required, Rule 701 Note 3 (p. 237)
Public records, opinions in, Rule 803 Note 8 (p. 327)
Rape trauma syndrome, Rule 704 Note 5 (p. 268)
Revised Rule 701, Rule 701 (p. 236)
Revised Rule 702, Rule 702 (p. 244)
Revised Rule 703, Rule 703 (p. 259)
Revised Rule 704, Rule 704 (p. 266)
Revised Rule 705, Rule 705 (p. 274)
Scientific expert testimony, Rule 702 (p. 244)
Skilled witnesses, Rule 701 Note 5 (p. 238)
Testimony by experts, Rule 702 (p. 244)
Ultimate issue, opinion on
generally, Rule 704 (p. 266)
generally admissible, Rule 704 Note 1 (p. 266)
comparison with Federal Rule, Rule 704 Note 10 (p. 273)
other Rules to consider, Rule 704 Note 9 (p. 273)
revised Rule 704, Rule 704 (p. 266)
summary of issues affecting admissibility, Rule 704 Note 8 (p. 272)
topics forbidden
generally, Rule 704 Note 2 (p. 267)
guilt or innocence, criminal case, Rule 704 Note 4 (p. 268)
intent, criminal case, Rule 704 Note 3 (p. 267)
legal conclusions, Rule 704 Note 7 (p. 271)
truthfulness of witness's testimony, Rule 704 Note 5 (p. 268)
truth or falsity of allegations, Rule 704 Note 6 (p. 270)
Underlying expert opinion, disclosure of facts or data, Rule 705 (p. 274)
Verbal recital of facts inadequate, Rule 701 Note 4 (p. 238)
When facts cannot be stated, Rule 701 Note 4 (p. 238)

ORDER IN LIMINE
Generally, Rule 103 Note 10 (p. 15)
Objection required when evidence tendered, Rule 103 Note 2 (p. 9)

ORDER OF EXAMINATION
Generally, Rule 611 Note 1 (p. 195)
Comparison with Federal Rule, Rule 611 Note 13 (p. 202)
Narrative answers, Rule 611 Note 4 (p. 197)
Other Rules to consider, Rule 611 Note 12 (p. 202)

ORDER OF EXAMINATION—Cont'd
Questions by jury, Rule 614 Note 4 (p. 216)
Summary of issues affecting admissibility, Rule 611 Note 11 (p. 201)
Written direct examination, Rule 611 Note 4 (p. 197)

ORDINANCES
Authentication, Rule 902 Note 4 (p. 399)
Judicial notice, Rule 201 Note 6 (p. 38)

ORGANIZATIONS
Routine practice of organization, as proof of conduct
generally, Rule 406 Note 2 (p. 88)
method of proving, Rule 406 Note 3 (p. 89)

ORIGINAL DOCUMENTS RULE
Generally, Rule 1001 Note 1 (p. 411)
Admission of party, Rule 1007 Note 1 (p. 430)
Audio tapes, Rule 1001 Note 2 (p. 411), Rule 1002 Note 1 (p. 413)
Best evidence rule. See index heading BEST EVIDENCE RULE
Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)
Carbon copies, Rule 1001 Note 4 (p. 411)
Collateral matters, Rule 1004 Note 5 (p. 422)
Comparison with Federal Rule, Rule 1001 Note 8 (p. 412), Rule 1003 Note 4 (p. 418)
Completeness principle of, duplicates, Rule 1003 Note 1 (p. 417)
Computer-generated evidence, Rule 1001 Note 4 (p. 411)
Copies, executed, Rule 1001 Note 4 (p. 411)
Destroyed original, Rule 1004 Note 2 (p. 420)
Destruction of writing by party, Rule 1004 Note 2 (p. 420)
Duplicates, Rule 1001 Note 5 (p. 412), Rule 1003 Note 1 (p. 417)
Function of court and jury, Rule 1008 Note 1 (p. 432)
Hearsay evidence to show diligent search for writing, Rule 1004 Note 2 (p. 420)
Judgments and judicial proceedings, Rule 1005 Note 1 (p. 424)
Jury's role, Rule 1008 Note 1 (p. 432)
Legibility of duplicate, Rule 1003 Note 1 (p. 417)
Lost original, Rule 1004 Note 2 (p. 420)
Materiality of writing, Rule 1002 Note 2 (p. 414)
Notice to produce, Rule 1004 Note 4 (p. 421)
Opponent's possession, Rule 1004 Note 4 (p. 421)
Original documents rule, Rule 1002 Note 1 (p. 413)
Original lost or destroyed, Rule 1004 Note 2 (p. 420)
Original not obtainable, Rule 1004 Note 3 (p. 421)
Originals, defined, Rule 1001 Note 4 (p. 411)
Other Rules to consider, Rule 1001 Note 7 (p. 412), Rule 1003 Note 3 (p. 417)
Party's admission as proof of writing's contents, Rule 1007 Note 1 (p. 430)
Personal knowledge of witness, writing containing, Rule 1002 Note 2 (p. 414)
Photographs, Rule 1001 Note 3 (p. 411)
Possession of person beyond jurisdiction of court, Rule 1004 Note 3 (p. 421)

ORIGINAL DOCUMENTS RULE—Cont'd
Public records, Rule 1005 Note 1 (p. 424)
Recordings defined, Rule 1001 Note 2 (p. 411)
Request for production and inspection, Rule 1004 Note 4 (p. 421)
Role of court and jury, Rule 1007 Note 1 (p. 430)
Rule stated, Rule 1002 Note 1 (p. 413)
Secondary evidence of writing's contents, generally, Rule 1004 Note 1 (p. 419)
Sounds, Rule 1001 Note 2 (p. 411)
Summaries of voluminous records
generally, Rule 1006 Note 1 (p. 426)
comparison with Federal Rule, Rule 1006 Note 5 (p. 429)
other Rules to consider, Rule 1006 Note 4 (p. 429)
pedagogical summaries, Rule 1006 Note 2 (p. 428)
summary of issues affecting admissibility, Rule 1006 Note 3 (p. 428)
Summary of issues affecting admissibility, Rule 1001 Note 6 (p. 412), Rule 1003 Note 2 (p. 417)
Transcripts, of audio tapes
generally, Rule 1002 Note 1 (p. 413)
definition of "recordings," Rule 1001 Note 2 (p. 411)
materiality of recording, Rule 1002 Note 2 (p. 414)
Videotapes, Rule 1002 Note 3 (p. 414)
Voluminous records, summaries of
generally, Rule 1006 Note 1 (p. 426)
comparison with Federal Rule, Rule 1006 Note 5 (p. 429)
other Rules to consider, Rule 1006 Note 4 (p. 429)
pedagogical summaries, Rule 1006 Note 2 (p. 428)
summary of issues affecting admissibility, Rule 1006 Note 3 (p. 428)
Writings, defined, Rule 1001 Note 2 (p. 411)
X-rays, Rule 1002 Note 3 (p. 414)

OTHER CRIMES AND ACTS
Generally, Rule 404 Note 6 (p. 71)
Accident, to prove absence of, Rule 404 Note 16 (p. 79)
Acts not amounting to crimes, Rule 404 Note 6 (p. 71)
Balancing danger of unfair prejudice, Rule 404 Note 7 (p. 72)
Character evidence not admissible to prove conduct, Rule 404 (p. 67)
Common scheme or plan, other crimes or acts to prove
generally, Rule 404 Note 13 (p. 77)
notice of intent to use evidence of extrinsic offense, Rule 404 Note 9 (p. 74)
Conduct not constituting a crime, Rule 404 Note 6 (p. 71)
Conviction of crime, impeachment by
generally, Rule 609 Note 1 (p. 187)
age of conviction, Rule 609 Note 10 (p. 191)
effect of pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
extent of questioning, Rule 609 Note 7 (p. 190)
juvenile adjudications, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)

OTHER CRIMES AND ACTS—Cont'd
Conviction of crime, impeachment by—Cont'd
opening the door, Rule 609 Note 9 (p. 191)
pendency of appeal, Rule 609 Note 6 (p. 190)
specific admissible crimes, Rule 609 Note 2 (p. 188)
specific inadmissible crimes, Rule 609 Note 3 (p. 188)
Cross examination of character witness
generally, Rule 405 Note 4 (p. 84)
notice to accused, Rule 405 Note 5 (p. 85)
'Forbidden inference,' Rule 404 Note 6 (p. 71)
Identity, as proof of
generally, Rule 404 Note 12 (p. 76)
motive as proof of, Rule 404 Note 14 (p. 78)
notice of intent to use evidence of extrinsic offense, Rule 404 Note 9 (p. 74)
Inseparable crimes, Rule 404 Note 10 (p. 74)
Intent, proof of accused's when intent at issue
generally, Rule 404 Note 11 (p. 75)
intent at issue, Rule 404 Note 7 (p. 72)
similarity, Rule 404 Note 11 (p. 75)
Knowledge of accused, as proof of, Rule 404 Note 15 (p. 78)
Limiting instruction, Rule 404 Note 7 (p. 72)
Mistake, to prove absence of, Rule 404 Note 16 (p. 79)
Motive of accused, as proof of, Rule 404 Note 14 (p. 78)
Mug shots, references to, Rule 403 Note 4 (p. 61)
Notice of intent to use evidence of extrinsic offense, Rule 404 Note 9 (p. 74)
Plan
generally, Rule 404 Note 13 (p. 77)
notice of intent to use evidence of extrinsic offense, Rule 404 Note 9 (p. 74)
Prejudice, exclusion for unfair danger of, Rule 404 Note 7 (p. 72)
Proof, sufficiency of, Rule 404 Note 8 (p. 74)
Propensity rule regarding character, Rule 404 Note 6 (p. 71)
Relevancy, character evidence not admissible to prove conduct, Rule 404 (p. 67)
''Res gestae,'' Rule 404 Note 10 (p. 74)
Sexual conduct or reputation, rape shield law
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
certain criminal cases, Rule 412 Note 2 (p. 112)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
notice and hearing, Rule 412 Note 4 (p. 114)
other cases, Rule 412 Note 2 (p. 112)
Similarity between charged crime and uncharged act
general requirement, Rule 404 Note 7 (p. 72)
proof of identity, Rule 404 Note 12 (p. 76)
proof of intent, Rule 404 Note 11 (p. 75)
Subsequent to charged crime, Rule 404 Note 6 (p. 71)
Sufficiency of proof of other crime or act, Rule 404 Note 8 (p. 74)
Test for admissibility, Rule 404 Note 7 (p. 72)

OTHER CRIMES AND ACTS—Cont'd
Victim's character
''in issue,'' Rule 404 Note 5 (p. 70)
as proof of accused's state of mind, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
as proof of victim's conduct, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
sexual conduct or reputation, Rule 412 Note 1 (p. 111)

OTHER PENDING CRIMINAL CHARGES
Generally inadmissible as impeachment evidence, Rule 608 Note 5 (p. 181), Rule 609 Note 1 (p. 187)

OWN WITNESS
Impeachment, Rule 607 Note 1 (p. 175)

PAIN AND SUFFERING
Appearance, opinion testimony, Rule 701 Note 6 (p. 239)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Existing pain or suffering, Rule 803 Note 3 (p. 316)
Locality of existing pain, Rule 803 Note 3 (p. 316)
Medical history no longer admissible only as basis for expert opinion, Rule 703 Note 6 (p. 262)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Opinion testimony, Rule 701 Note 6 (p. 239)
Physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)

PAMPHLETS
Commercial publications, hearsay exception, Rule 803 Note 17 (p. 337)
Learned treatises, Rule 803 Note 18 (p. 337)
Newspapers and periodicals, self-authentication, Rule 902 Note 5 (p. 400)
Official publications, self-authentication, Rule 902 Note 4 (p. 399)

PAPERS
Newspapers and periodicals, authentication, Rule 902 Note 5 (p. 400)

PARDON, EFFECT OF
Conviction of crime, Rule 609 (p. 186)

PARENT AND CHILD
Communications not privileged, Rule 501 Note 15 (p. 144)
Paternity
blood grouping tests, Rule 702 Note 7 (p. 249)
pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)

PARTNERSHIPS
Attorney-client privilege, Rule 501 Note 6 (p. 124)

PART OF CONVERSATION OR WRITING
Principle of completeness
best evidence rule, duplicates, Rule 1003 Note 1 (p. 417)

PART OF CONVERSATION OR WRITING—Cont'd
Principle of completeness—Cont'd
common law principle, generally, Rule 106 Note 4 (p. 30)
immediate completeness
general rule, Rule 106 Note 1 (p. 28)
otherwise inadmissible evidence, Rule 106 Note 3 (p. 29)
requirements of fairness, Rule 106 Note 1 (p. 28)
prior consistent statement, Rule 801 Note 7 (p. 288)
prior inconsistent statement, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211), Rule 801 Note 6 (p. 287)
timing of production of remainder, Rule 106 Note 1 (p. 28)

PAST RECOLLECTION RECORDED
Exception to hearsay rule, Rule 803 Note 5 (p. 321)

PATERNITY
Blood grouping tests, Rule 702 Note 7 (p. 249)
Pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)

PATIENT, STATEMENTS BY
Hearsay exception, Rule 803 Note 4 (p. 319)
Physician-patient privilege, Rule 501 Note 7 (p. 129)

PAYMENT OF MEDICAL AND SIMILAR EXPENSES
By adverse party, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Comparison with Federal Rule, Rule 409 Note 6 (p. 101)
Liability insurance, Rule 411 Notes 1 & 2 (pp. 107)
Other Rules to consider, Rule 409 Note 5 (p. 100)
By party or one on party's behalf
medical bills admissible, Rule 413 Note 1 (p. 116)
presumption of bills' reasonableness, Rule 413 Note 2 (p. 116)
Summary of issues affecting admissibility, Rule 409 Note 4 (p. 100)

PEACEFULNESS
Of crime victim, Rule 404 Note 3 (p. 69)

PEDIGREE
Exception to hearsay rule, Rule 804 Note 5 (p. 358)

PENDENCY OF APPEAL
Conviction of crime, Rule 609 (p. 186)

PENDING CRIMINAL CHARGES
Generally inadmissible as impeachment evidence, Rule 608 Note 5 (p. 181), Rule 609 Note 1 (p. 187)

PERIODICALS
Authentication, Rule 902 Note 5 (p. 400)
Publications
commercial publications, hearsay exception, Rule 803 Note 17 (p. 337)
learned treatises, Rule 803 Note 18 (p. 337)
newspapers and periodicals, self-authentication, Rule 902 Note 5 (p. 400)

PERIODICALS—Cont'd
Publications—Cont'd
official publications, self-authentication, Rule 902 Note 4 (p. 399)

PERJURY
Conviction of crime, Rule 609 (p. 186)
Impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Impeachment use of conviction for, Rule 609 Note 2 (p. 188)
Relevancy, withdrawn pleas and offers, Rule 410 (p. 102)

PERSONAL HISTORY
Hearsay exception, Rule 803 Note 13 (p. 334)
Pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)
Reputation concerning personal or family history, Rule 803 Note 19 (p. 339)

PERSONAL INJURIES
Advance payments by defendant, Rule 409 Note 3 (p. 100)
Appearance or health, opinion testimony, Rule 701 Note 6 (p. 239)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Existing pain or suffering, Rule 803 Note 3 (p. 316)
Medical and similar expenses, payment of, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Medical history no longer admissible only as basis for expert opinion, Rule 703 Note 6 (p. 262)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Opinion testimony, Rule 701 Note 6 (p. 239)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Statements of sympathy, Rule 409 Note 3 (p. 100)

PERSONAL KNOWLEDGE
Generally, Rule 602 Note 1 (p. 162)
Admissions, Rule 801 Note 9 (p. 291)
Admissions (party-opponent's statements)
adoptive or tacit admission, Rule 801 Note 11 (p. 293)
agents, personal knowledge not required, Rule 801 Note 12 (p. 294)
Adoptive admissions, Rule 801 Note 11 (p. 293)
Ancient documents, Rule 803 Note 16 (p. 336)
Authentication of exhibit by witness with knowledge of object, Rule 901 Note 5 (p. 380)
Best evidence rule, writing containing facts known to witness, Rule 1002 Note 2 (p. 414)
Business records, Rule 803 Note 6 (p. 323)
Competency of witnesses
comparison with Federal Rule, Rule 602 Note 6 (p. 164)
opinions, Rule 602 Note 3 (p. 163)
other Rules to consider, Rule 602 Note 5 (p. 164)
requirement of, Rule 602 Note 1 (p. 162)
summary of issues affecting admissibility, Rule 602 Note 4 (p. 164)
testimony induced by hypnosis, Rule 602 Note 2 (p. 163)

PERSONAL KNOWLEDGE—Cont'd
Declarations against interest, Rule 804 Note 4 (p. 355)
Determination by court, Rule 602 Note 1 (p. 162)
Dying declarations, Rule 804 Note 3 (p. 354)
Excited utterance, Rule 803 Note 2 (p. 314)
Expert testimony, Rule 602 Note 3 (p. 163), Rule 602 (p. 162), Rule 703 Note 1 (p. 259), Rule 703 Note 2 (p. 259)
Hearsay declarant, Rule 805 Note 1 (p. 368)
Hypnosis, testimony induced by, Rule 602 Note 2 (p. 163)
Lay opinions, Rule 602 Note 3 (p. 163), Rule 701 Note 3 (p. 237)
Motion to strike, Rule 602 Note 1 (p. 162)
Official records, Rule 803 Note 8 (p. 327)
Opinion testimony
  expert witnesses, Rule 703 Note 2 (p. 259)
  non-expert witnesses, Rule 701 Notes 2 & 3 (p. 237)
Public records and reports, official records, Rule 803 Note 8 (p. 327)
Refreshing recollection, Rule 612 Note 1 (p. 204)
Regularly kept records, Rule 803 Note 6 (p. 323)
Required for opinion testimony not offered by expert, Rule 602 Note 3 (p. 163), Rule 701 Note 3 (p. 237)
Statement of party-opponent, Rule 801 Note 9 (p. 291)
Tacit admissions, Rule 801 Note 11 (p. 293)
Witnesses, expert testimony, Rule 602 (p. 162)

PERSONAL PROPERTY
Opinion on value, Rule 701 Note 6 (p. 239)

PERSONAL REPRESENTATIVE
Dead man's statutes, Rule 601 Note 5 (p. 157)
Physician-patient privilege, Rule 501 Note 7 (p. 129)

PHOTOGRAPHS
Authentication, Rule 901 Note 13 (p. 388)
Autopsy photographs, Rule 403 Note 3 (p. 61)
Best evidence rule, Rule 1001 Note 3 (p. 411)
Changes prior to taking of photograph, Rule 901 Note 13 (p. 388)
Contents, Rule 1001 (p. 410)
Defined, Rule 1001 (p. 410)
Discrepancies, explanation of, Rule 901 Note 13 (p. 388)
Functions of court and jury, Rule 1008 (p. 432)
Gruesome photographs, Rule 403 Note 3 (p. 61)
Homicide victims, pre-autopsy photographs, Rule 403 Note 3 (p. 61)
Mug shots, Rule 403 Note 4 (p. 61)
Pre-autopsy photographs of homicide victims, Rule 403 Note 3 (p. 61)
Relevancy, Rule 403 Note 3 (p. 61)
"Silent witness" photographs, Rule 901 Note 13 (p. 388)
X-rays
  authentication, Rule 901 Note 13 (p. 388)
  best evidence rule, Rule 1002 Note 3 (p. 414)

PHYSICAL CONDITION
Appearance, opinion testimony, Rule 701 Note 6 (p. 239)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Existing pain or suffering, Rule 803 Note 3 (p. 316)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Opinion testimony, Rule 701 Note 6 (p. 239)
Physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)

PHYSICAL EXAMINATION
At behest of patient, opinion based on, Rule 803 Note 4 (p. 319)
At behest of patient's adversary, not privileged, Rule 501 Note 7 (p. 129)
Child victim/witness in criminal cases, Rule 804 Note 7 (p. 361)

PHYSICAL THERAPISTS
Physician-patient privilege, Rule 501 Note 7 (p. 129)

PHYSICIAN-PATIENT PRIVILEGE
Generally, Rule 501 Note 7 (p. 129)
Autopsies, Rule 501 Note 7 (p. 129)
Chemical blood tests, privilege inapplicable, Rule 501 Note 7 (p. 129)
Child abuse or neglect, privilege inapplicable, Rule 501 Note 7 (p. 129)
Chiropractors, Rule 501 Note 7 (p. 129)
Civil commitment proceedings, Rule 501 Note 7 (p. 129)
Commenting upon exercise of privilege, Rule 501 Note 7 (p. 129)
Comment on exercise of privilege prohibited, Rule 501 Notes 3 (p. 122) & 7 (p. 129)
Communications necessary for treatment, Rule 501 Note 7 (p. 129)
Construction of privilege, Rule 501 Note 7 (p. 129)
Consulting physicians, Rule 501 Note 7 (p. 129)
Crime, communications in furtherance of, Rule 501 Note 7 (p. 129)
Date services were rendered, Rule 501 Note 7 (p. 129)
Death certificates, Rule 501 Note 7 (p. 129)
Death of patient, privilege survives, Rule 501 Note 7 (p. 129)
Disclosures by physicians, Rule 501 Note 7 (p. 129)
Employee assistance professionals, privileged communications, Rule 501 Note 13 (p. 143)
Examination on adversary's motion under Trial Rule 35, waiver of privilege, Rule 501 Note 7 (p. 129)
Express waiver, Rule 501 Note 7 (p. 129), Rule 501 Notes 2 (p. 120) & 7 (p. 129)
Eye doctors, Rule 501 Note 7 (p. 129)
Fact of employment, Rule 501 Note 7 (p. 129)
Hospital records, Rule 501 Note 7 (p. 129)
Hypothetical questions, Rule 501 Note 7 (p. 129)
Implied waiver, Rule 501 Note 7 (p. 129)
Jury's knowledge, right to claim without, Rule 501 Note 4 (p. 122)
Jury's presence during claim, Rule 501 Notes 3 (p. 122) & 7 (p. 129)

PHYSICIAN-PATIENT PRIVILEGE—Cont'd
Malpractice cases, waiver of privilege, Rule 501 Note 7 (p. 129)
Mental health counselors, Rule 501 Note 13 (p. 143)
Nonverbal communications, Rule 501 Note 7 (p. 129)
Nurses, Rule 501 Note 7 (p. 129)
Physical therapists, Rule 501 Note 7 (p. 129)
Physician procured by third party, Rule 501 Note 7 (p. 129)
Professional relationship, Rule 501 Note 7 (p. 129)
Psychiatrists, Rule 501 Note 7 (p. 129)
Psychologists, Rule 501 Note 7 (p. 129)
Statement by patient in response to physician's question, Rule 501 Note 7 (p. 129)
Summary of issue affecting admissibility, Rule 501 Note 5 (p. 124)
Technicians, Rule 501 Note 7 (p. 129)
Testimony as waiver, Rule 501 Notes 2 (p. 120) & 7 (p. 129)
Third parties present, Rule 501 Note 7 (p. 129)
Waiver
generally, Rule 501 Note 7 (p. 129)
after patient's death, Rule 501 Note 7 (p. 129)
claim of malpractice, Rule 501 Note 7 (p. 129)
compelled disclosure, Rule 501 Note 3 (p. 122)
disclosure without opportunity to claim, Rule 501 Note 3 (p. 122)
discovery, Rule 501 Note 7 (p. 129)
as to examination under Trial Rule 35, Rule 501 Note 7 (p. 129)
failure to object, Rule 501 Note 7 (p. 129)
implied waiver, generally, Rule 501 Note 7 (p. 129)
insanity defense, Rule 501 Note 7 (p. 129)
insurance contracts, Rule 501 Notes 2 (p. 120) & 7 (p. 129)
other evidence of privileged matter, Rule 501 Notes 3 (p. 122) & 7 (p. 129)
patient's right to waive, generally, Rule 501 Note 7 (p. 129)
placing condition in issue, Rule 501 Note 7 (p. 129)
testimony, Rule 501 Notes 2 (p. 120) & 7 (p. 129)
voluntary disclosure, Rule 501 Note 2 (p. 120)

PHYSICIANS
Autopsies
photographs, Rule 403 Note 3 (p. 61)
physician-patient privilege, Rule 501 Note 7 (p. 129)
public records exception to hearsay rule, Rule 803 Note 9 (p. 332)
Blood tests
chain of custody, Rule 901 Note 3 (p. 377)
physician-patient privilege, Rule 501 Note 7 (p. 129)
Bodily condition, statements concerning
diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
existing pain or suffering, Rule 803 Note 3 (p. 316)
medical history no longer admissible only as basis for expert opinion, Rule 703 Note 6 (p. 262)
physician-patient privilege, Rule 501 Note 7 (p. 129)

PHYSICIANS—Cont'd
Bodily condition, statements concerning—Cont'd
physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Child abuse or neglect, privilege inapplicable, Rule 501 Note 7 (p. 129)
Chiropractors, physician-patient privilege, Rule 501 Note 7 (p. 129)
Civil commitment proceedings, physician-patient privilege, Rule 501 Note 7 (p. 129)
Death
certificate, physician-patient privilege, Rule 501 Note 7 (p. 129)
dying declarations, Rule 804 Note 3 (p. 354)
physician-patient privilege, effect on, Rule 501 Note 7 (p. 129)
records of deaths, hearsay exception, Rule 803 Note 9 (p. 332)
Expert testimony
generally, Rule 702 Note 1 (p. 244)
degree of certainty, Rule 702 Note 4 (p. 248)
helpfulness of testimony, Rule 702 Note 2 (p. 245)
hypothetical questions on cross examination, Rule 705 Note 3 (p. 276)
topic of testimony, Rule 702 Note 7 (p. 249)
Eye doctors, physician-patient privilege, Rule 501 Note 7 (p. 129)
Hospital records
business records, Rule 803 Note 6 (p. 323)
physician-patient privilege, Rule 501 Note 7 (p. 129)
Medical diagnosis and treatment
business records, opinions and diagnoses, Rule 803 Note 6 (p. 323)
medical history, hearsay exception, Rule 803 Note 4 (p. 319)
questions, answers to, presently existing condition, Rule 803 Note 3 (p. 316)
statements concerning
existing pain or suffering, Rule 803 Note 3 (p. 316)
statements for diagnosis or treatment, hearsay exception, Rule 803 Note 4 (p. 319)
statements of existing physical or mental condition, Rule 803 Note 3 (p. 316)
symptoms of present illness, Rule 803 Note 3 (p. 316)
Nurses, physician-patient privilege, Rule 501 Note 7 (p. 129)
Physical therapists, physician-patient privilege, Rule 501 Note 7 (p. 129)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Psychiatrists and psychologists
appointment by court, Rule 614 Note 1 (p. 214)
privilege, Rule 501 Note 7 (p. 129)

PLAIN ERROR
Fundamental error, Rule 103 Note 11 (p. 17)

PLAN
Other crimes or acts as proof, Rule 404 Note 13 (p. 77)
notice of intent to use evidence of, Rule 404 Note 9 (p. 74)

PLEA BARGAINING
Generally, Rule 410 Note 1 (p. 102)
Guilty plea
admissible if not withdrawn, Rule 410 Note 6 (p. 105)
proof of underlying conduct, Rule 410 Note 7 (p. 105), Rule 803 Note 22 (p. 340)
Hearsay, statements related to plea discussions, Rule 410 Note 5 (p. 105)
Mental state of defendant, Rule 410 Note 4 (p. 104)
Nolo contendere, Rule 410 Note 1 (p. 102)
Perjury, admissibility of statements at guilty plea later withdrawn, Rule 410 Notes 1 (p. 101) & 2 (p. 102)
Plea bargaining, evidence of, generally inadmissible, Rule 410 Note 4 (p. 104)
Police officers, statements made to, Rule 410 Note 4 (p. 104)
Sentencing hearing, admissibility of statements made in plea negotiations, Rule 410 Note 2 (p. 102)
Statements related to plea discussions
generally, Rule 410 Note 4 (p. 104)
hearsay, Rule 410 Note 5 (p. 105)
offering party, as affecting admissibility, Rule 410 Note 5 (p. 105)
Traffic offenses, Rule 410 Note 7 (p. 105)
Withdrawn guilty pleas generally inadmissible, Rule 410 Note 1 (p. 102)

PLEADINGS
As admission of party-opponent, Rule 801 Note 13 (p. 296)

PLEAS
False statements, Rule 410 (p. 102)
Guilty plea
not withdrawn, Rule 410 Note 6 (p. 105)
proof of underlying conduct, Rule 410 Note 7 (p. 105), Rule 803 Note 22 (p. 340)
withdrawn, Rule 410 Note 1 (p. 102)
Traffic offenses, Rule 410 Note 7 (p. 105)

POLICE AND POLICE OFFICERS
Accident reports
business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 6 (p. 323)
trustworthiness, Rule 803 Note 8 (p. 327)
Expert testimony as to conduct of drug dealers, Rule 704 Note 3 (p. 267)
Hearsay, police investigative reports not exception to hearsay rule, Rule 803 (p. 308)
Mug shots, Rule 403 Note 4 (p. 61)
Physical exhibits, Rule 901 Note 1 (p. 376)
Plea bargaining, statements made to police officers, Rule 410 Note 4 (p. 104)
Police investigation, reasons for, Rule 801 Note 2 (p. 284)
Pre-autopsy photographs of homicide victim, Rule 403 Note 3 (p. 61)

POLICE AND POLICE OFFICERS—Cont'd
Unrecorded statements during custodial interrogation, Rule 617 (p. 228)

POLICE REPORTS
Accidents. See index heading ACCIDENTS
Business records. See index heading business records

POLYGRAPHS
Expert testimony, Rule 702 Note 10 (p. 255)

PRELIMINARY QUESTIONS OF FACT
Generally, Rule 104 Note 1 (p. 20), Rule 104 (p. 18)
Accused's testimony on facts affecting admissibility, Rule 104 Note 5 (p. 22)
Admissibility, questions of generally, Rule 104 Note 1 (p. 20)
Adoptive admission, Rule 801 Note 11 (p. 293)
Ancient documents, Rule 803 Note 16 (p. 336)
Applicability of evidence rules
admissibility questions, Rule 104 Note 1 (p. 20)
conditional relevancy, Rule 104 Note 2 (p. 20)
Attorney-client privilege, applicability, Rule 501 Note 6 (p. 124)
Authentication
generally, Rule 901 Note 1 (p. 376)
contents of proffered exhibit, permissibility of considering in deciding admissibility, Rule 901 Note 1 (p. 376)
distinctive characteristics and the like, Rule 901 Note 8 (p. 383)
self-authentication, Rule 902 Note 1 (p. 396)
Best evidence rule
generally, Rule 1008 Note 1 (p. 432)
exceptions, Rule 1004 Notes 2 (p. 415)-5 (p. 417)
original lost or destroyed, Rule 1004 Note 2 (p. 420)
unavailable originals, generally, Rule 1004 Notes 2 (p. 415)-4 (p. 416)
Co-conspirator's statement, existence of conspiracy, Rule 801 Note 14 (p. 297)
Comparison with Federal Rule, Rule 104 Note 9 (p. 23)
Competency of witnesses
generally, Rule 601 Note 1 (p. 154)
children, Rule 601 Note 2 (p. 155)
Confessions, hearing of jury, Rule 104 Note 4 (p. 21)
Cross-examination of defendant in criminal case, Rule 104 (p. 18)
Dying declarant's belief in imminence of death, Rule 804 Note 3 (p. 354)
Evidence rules inapplicable, Rule 104 Note 1 (p. 20)
Excited utterances, Rule 803 Note 2 (p. 314)
Extrinsic offense, sufficiency of proof of, Rule 404 Note 8 (p. 74)
Fact, relevancy conditioned on, Rule 104 Note 2 (p. 20)
Hearing of jury, Rule 103 Note 10 (p. 15), Rule 104 Note 4 (p. 21), Rule 104 (p. 18)
Hearsay
business records, generally, Rule 803 Note 6 (p. 323)
co-conspirator's statement, existence of conspiracy, Rule 801 Note 14 (p. 297)
conduct intended as an assertion, Rule 801 Note 1 (p. 282)

PRELIMINARY QUESTIONS OF FACT—Cont'd
Hearsay—Cont'd
dying declarations, belief in imminence of death, Rule 804 Note 3 (p. 354)
excited utterance, stress of event, Rule 803 Note 2 (p. 314)
learned treatise, authoritativeness, Rule 803 Note 18 (p. 337)
past recollection recorded, Rule 803 Note 5 (p. 321)
prior statement by witness
memory of statement, Rule 801 Note 5 (p. 286)
whether consistent statement made before motive to fabricate, Rule 801 Note 7 (p. 288)
regularly conducted activity, records of, generally, Rule 803 Note 6 (p. 323)
tacit adoption by party-opponent of another's statement, Rule 801 Note 11 (p. 293)
unavailability of declarant, generally, Rule 804 Note 1 (p. 347)
evidence rules inapplicable, Rule 804 Note 1 (p. 347)
Inapplicability of rules of evidence, Rule 104 Note 2 (p. 20)
Jury, hearing of preliminary matters, Rule 103 Note 10 (p. 15), Rule 104 Note 4 (p. 21)
Learned treatises, Rule 803 Note 18 (p. 337)
Offer of compromise, statement of fact, Rule 408 Note 6 (p. 97)
Opinion testimony
expert witnesses
opinion based on hearsay or others' reports, Rule 703 Note 5 (p. 261)
qualification of expert witness, Rule 702 Note 3 (p. 246)
scientific principles, reliability, Rule 702 Note 8 (p. 254)
sufficiency of support for opinion, Rule 702 Note 4 (p. 248)
lay witness
generally, Rule 701 Note 2 (p. 237)
comparison with Federal Rule, Rule 701 Note 9 (p. 242)
helpfulness, Rule 701 Note 4 (p. 238)
other Rules to consider, Rule 701 Note 8 (p. 242)
personal perception, Rule 701 Note 3 (p. 237)
summary of issues affecting admissibility, Rule 701 Note 7 (p. 242)
Other crimes, wrongs, or acts, sufficiency of proof of, Rule 404 Note 8 (p. 74)
Other rules to consider, Rule 104 Note 8 (p. 23)
Past recollection recorded, Rule 803 Note 5 (p. 321)
Personal knowledge of witness, Rule 602 Note 1 (p. 162)
Physician-patient privilege, applicability, Rule 501 Note 7 (p. 129)
Preliminary questions of fact, Evidence Rules inapplicable, Rule 101 Note 3 (p. 3)
Questions of admissibility, generally, Rule 104 Note 1 (p. 20), Rule 104 (p. 18)
Recorded recollection, Rule 803 Note 5 (p. 321)
Relevancy conditioned on fact, Rule 104 (p. 18)
Relevancy that depends on a fact, Rule 104 Note 2 (p. 20)
Scientific expert testimony, Rule 702 Note 8 (p. 254)
Summary of issues affecting admissibility, Rule 104 Note 7 (p. 22)
Testimony by accused, Rule 104 (p. 18)
Unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)

PRELIMINARY QUESTIONS OF FACT—Cont'd
Weight and credibility, Rule 104 Note 6 (p. 22), Rule 104 (p. 18)

PRESCRIPTIONS
Privileged communications, Rule 501 Note 7 (p. 129)

PRESENCE
See index heading ABSENCE OR PRESENCE

PRESENCE OF DEFENDANT
Adoptive admissions, Rule 801 Note 11 (p. 293)

PRESENCE OF WITNESS
Prior statements as substantive evidence
generally, Rule 801 Note 5 (p. 286)
consistent with declarant's trial testimony, Rule 801 Note 7 (p. 288)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
identification of a person, statement of, Rule 801 Note 8 (p. 290)
inconsistent sworn statements, Rule 801 Note 6 (p. 287)
timing of introduction of proof, Rule 801 Note 5 (p. 286)

PRESENT MEMORY REFRESHED
Past recollection recorded distinguished, Rule 612 Note 1 (p. 204)
Refreshing recollection, Rule 612 Note 1 (p. 204)
admissibility of writing used, Rule 612 Note 3 (p. 205)
cross examination on writing used, Rule 612 Note 3 (p. 205)
hypnosis to refresh memory, Rule 602 Note 2 (p. 163)
nature of writing used, Rule 612 Note 1 (p. 204)
privileged material, production of, Rule 612 Note 2 (p. 205)
production of writing, Rule 612 Note 2 (p. 205)
witness must testify from memory, Rule 612 Note 1 (p. 204)

PRESENT SENSE IMPRESSION
Hearsay exception, Rule 803 Note 1 (p. 314)

PRESERVING ERROR FOR APPEAL
Appeal
cumulative evidence, Rule 403 Note 5 (p. 62)
fundamental error, Rule 103 Note 11 (p. 17)
motions in limine, Rule 103 Note 10 (p. 15)
motions to suppress, Rule 103 Note 2 (p. 9)
preserving error, Rule 103 Note 1 (p. 9)
preserving error for appellate review in
motion in limine, Rule 103 Notes 2 (p. 9) & 10 (p. 15)
motion to suppress, Rule 103 Note 2 (p. 9)
Harmless error, Rule 103 Note 9 (p. 14)
Objections
basis, statement of, Rule 103 Note 3 (p. 10)
continuing objection, Rule 103 Note 5 (p. 11)
dead man's statutes, Rule 601 Note 5 (p. 157)

PRESERVING ERROR FOR APPEAL—Cont'd
Objections—Cont'd
erroneous admission of evidence, prejudice requirement, Rule 103 Note 9 (p. 14)
Federal Rule, compared, Rule 103 Note 15 (p. 17)
final argument, Rule 103 Note 8 (p. 13)
fundamental error, Rule 103 Note 11 (p. 17)
general objections, Rule 103 Note 3 (p. 10)
harmless error, Rule 103 Note 9 (p. 14)
motions in limine, Rule 103 Note 10 (p. 15)
motion to strike answer after objection sustained, Rule 103 Note 4 (p. 11)
narrative testimony, Rule 611 Note 4 (p. 197)
necessity for, Rule 103 Note 2 (p. 9)
oath, absence of, Rule 603 Note 1 (p. 165)
prejudice requirement, Rule 103 Note 9 (p. 14)
questions by court, Rule 614 Note 3 (p. 215)
requirement of objection, generally, Rule 103 Note 2 (p. 9)
rule 101, Rule 103 Note 14 (p. 17)
rule 611(a), Rule 103 Note 14 (p. 17)
rule 104(c)(1), Rule 103 Note 14 (p. 17)
specificity
generally, Rule 103 Note 3 (p. 10)
evidence admissible in part, Rule 103 Note 3 (p. 10)
following denial of motion in limine or motion to suppress, Rule 103 Note 2 (p. 9)
relevancy, Rule 402 Note 2 (p. 57)
testimony by judge, Rule 605 Note 1 (p. 168)
timeliness
generally, Rule 103 Note 4 (p. 11)
continuing objection, Rule 103 Note 5 (p. 11)
objection after answer given, Rule 103 Note 4 (p. 11)
questions by court, Rule 614 Note 3 (p. 215)
voir dire, Rule 103 Note 8 (p. 13)
Offer to prove
generally, Rule 103 Note 7 (p. 12)
competency of witnesses, Rule 601 Note 3 (p. 155)
cross examination, Rule 103 Note 7 (p. 12)
dead man's statutes, Rule 601 Note 5 (p. 157)
form of, Rule 103 Note 7 (p. 12)
hearing of jury, Rule 103 Note 10 (p. 15)
method of making offer, Rule 103 Note 7 (p. 12)
motion in limine, following, Rule 103 Note 10 (p. 15)
question-and-answer, Rule 103 Note 7 (p. 12)
requirement of, Rule 103 Note 7 (p. 12)
specificity, Rule 103 Note 7 (p. 12)
timeliness, Rule 103 Note 7 (p. 12)
Prejudice requirement, Rule 103 Note 9 (p. 14)
Revised Rule 103, Rule 103 (p. 8)

PRESERVING ERROR FOR APPEAL—Cont'd
Standard of proof for admission of evidence, Rule 103 Note 12 (p. 17)
Summary off issues affecting admissibility, Rule 103 Note 13 (p. 17)

PRESUMPTIONS
Generally, Rule 301 (p. 43)
Burden of proof does not shift, Rule 301 Note 2 (p. 44)
''Bursting bubble,'' Rule 301 Note 2 (p. 44)
Civil actions and proceedings, Rule 301 (p. 43)
Comparison with Federal Rule, Rule 301 Note 8 (p. 47)
Criminal cases, Rule 301 Note 4 (p. 46)
Cross-references, Rule 301 Note 5 (p. 47)
Definition of presumption, Rule 301 Note 1 (p. 43)
Effect of presumption, Rule 301 Note 2 (p. 44)
Inferences distinguished, Rule 301 Note 1 (p. 43)
Instructing the jury, Rule 301 Note 2 (p. 44)
Other rules to consider, Rule 301 Note 7 (p. 47)
Personal knowledge, no presumption of, Rule 602 Note 1 (p. 162)
Res ipsa loquitur, Rule 301 Note 3 (p. 46)
Revised Rule 301, Rule 301 (p. 43)
Standard of care, res ipsa loquitur, Rule 301 Note 3 (p. 46)
Summary of issues affecting admissibility, Rule 301 Note 6 (p. 47)

PRIEST-PENITENT PRIVILEGE
Generally, Rule 501 Note 9 (p. 139)

PRINCIPLE OF COMPLETENESS
Best evidence rule, duplicates, Rule 1003 Note 1 (p. 417)
Common law principle, generally, Rule 106 Note 4 (p. 30)
Doctrine of completeness, Rule 106 Note 4 (p. 30)
Immediate completeness
generally, Rule 106 Note 1 (p. 28)
evidence otherwise inadmissible, Rule 106 Note 3 (p. 29)
hearsay, Rule 106 Note 3 (p. 29)
inadmissible hearsay, Rule 106 Note 3 (p. 29)
otherwise inadmissible evidence, Rule 106 Note 3 (p. 29)
''ought to be considered,'' Rule 106 Note 1 (p. 28)
principle of completeness compared, Rule 106 Note 4 (p. 30)
recordings, Rule 106 Note 3 (p. 29)
requirements of fairness, Rule 106 Note 1 (p. 28)
trial Court discretion, Rule 106 Note 2 (p. 29)
unfair prejudice, Rule 106 Note 3 (p. 29)
unrecorded statements of witness during custodial interrogation, Rule 617 Note 4 (p. 232)
writings, Rule 106 Note 3 (p. 29)
Prior consistent statement, Rule 801 Note 7 (p. 288)
Prior inconsistent statement, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211), Rule 801 Note 6 (p. 287)
Tape recordings, Rule 106 Note 4 (p. 30)

PRINCIPLE OF COMPLETENESS—Cont'd
Timing of production of remainder, Rule 106 Note 1 (p. 28)

PRIOR ACCIDENTS
Relevancy, Rule 401 Note 5 (p. 53), Rule 406 Note 4 (p. 90)

PRIOR CONSISTENT STATEMENTS
Admissibility, general rule, Rule 801 Note 7 (p. 288)
Improper motive, recent charge of, Rule 801 Note 7 (p. 288)
Recent fabrication, recent charge of, Rule 801 Note 7 (p. 288)
Rehabilitation
cross examination concerning statement, Rule 801 Note 5 (p. 286)
rebuttal, Rule 613 Note 4 (p. 211)
timing
charge and statement, Rule 801 Note 7 (p. 288)
introduction of proof, Rule 801 Note 5 (p. 286)
use as substantive evidence, Rule 801 Note 7 (p. 288)
Substantive evidence, Rule 801 Note 7 (p. 288)

PRIOR CRIMES OR MISCONDUCT
Conviction of crime
best evidence rule, Rule 1005 Note 1 (p. 424)
civil action on same facts, admissibility in, Rule 410 Notes 6 & 7 (pp. 105)
guilty pleas
pleas not withdrawn, Rule 410 Note 6 (p. 105)
traffic offenses, Rule 410 Note 7 (p. 105)
withdrawn pleas, Rule 410 Note 1 (p. 102)
impeachment by showing of conviction
generally, Rule 609 Note 1 (p. 187)
age of conviction, Rule 609 Note 1 (p. 187)
effect of pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
extent of questioning, Rule 609 Note 7 (p. 190)
juvenile adjudications, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 609 Note 9 (p. 191)
pendency of appeal, Rule 609 Note 6 (p. 190)
specific admissible crimes, Rule 609 Note 2 (p. 188)
specific inadmissible crimes, Rule 609 Note 3 (p. 188)
proof as same facts, hearsay rule, Rule 803 Note 22 (p. 340)
Extrinsic offense; uncharged misconduct, Rule 404 Note 6 (p. 71)
balancing probative value and unfair prejudice, uncharged crimes, Rule 404 Note 7 (p. 72)
character in issue
CHINS Proceedings, Rule 405 Note 6 (p. 86)
civil cases, Rule 404 Note 5 (p. 70)
criminal cases, Rule 404 Note 3 (p. 69)
common scheme or plan, generally, Rule 404 Note 13 (p. 77)
general rule of inadmissibility, Rule 404 Note 1 (p. 68)

PRIOR CRIMES OR MISCONDUCT—Cont'd
Extrinsic offense; uncharged misconduct, Rule 404 Note 6 (p. 71)—Cont'd
identity, Rule 404 Note 12 (p. 76)
inseparable crimes, Rule 404 Note 10 (p. 74)
intent, proof of accused's
generally, Rule 404 Note 11 (p. 75)
intent at issue, Rule 404 Note 7 (p. 72)
similarity, Rule 404 Note 11 (p. 75)
knowledge of accused, as proof of, Rule 404 Note 15 (p. 78)
motive of accused, as proof of, Rule 404 Note 14 (p. 78)
mug shots, references to, Rule 403 Note 4 (p. 61)
notice in criminal cases, uncharged crimes, Rule 404 Note 9 (p. 74)
other crimes and acts by accused, general rule, Rule 404 Note 6 (p. 71)
plan, generally, Rule 404 Note 13 (p. 77)
''res gestae,'' Rule 404 Note 10 (p. 74)
self-defense cases, Rule 404 Note 3 (p. 69)
sexual conduct or reputation
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
burden of proof, Rule 412 Note 2 (p. 112)
certain criminal cases, Rule 412 Note 2 (p. 112)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
other cases, Rule 412 Note 2 (p. 112)
subsequent to charged crime, Rule 404 Note 6 (p. 71)
sufficiency of proof of extrinsic offense, Rule 404 Note 8 (p. 74)
test for admissibility, Rule 404 Note 7 (p. 72)
victim's character
''in issue,'' Rule 404 Note 5 (p. 70)
as proof of accused's state of mind, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
as proof of victim's conduct, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
sexual conduct or reputation, Rule 412 Note 1 (p. 111)
'Forbidden inference,' Rule 404 Note 6 (p. 71)
Propensity rule regarding character, Rule 404 Note 6 (p. 71)

PRIOR HEARING
Former testimony, Rule 804 Note 2 (p. 350)
Pleadings in, as admissions, Rule 801 Note 13 (p. 296)
Testimony in, as waiver of dead man's statute, Rule 601 Note 5 (p. 157)

PRIOR IDENTIFICATIONS BY WITNESS
Hearsay rule, Rule 801 Note 8 (p. 290)

PRIOR INCONSISTENT STATEMENTS
Generally, Rule 613 Note 1 (p. 208)
Admission by witness, effect on extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
Collateral matters, Rule 613 Note 3 (p. 210)

PRIOR INCONSISTENT STATEMENTS—Cont'd
Completeness, principle of, Rule 106 Note 4 (p. 30)
Contradiction
depositions
comparison with Federal Rule, Rule 613 Note 8 (p. 213)
other Rules to consider, Rule 613 Note 7 (p. 213)
summary of issues affecting admissibility, Rule 613 Note 6 (p. 212)
rehabilitation and rebuttal, Rule 613 Notes 3 (p. 210) & 4 (p. 211)
Cross examination, foundation for prior inconsistent statement, Rule 613 Note 2 (p. 209)
Depositions
generally, Rule 613 Note 1 (p. 208)
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 2 (p. 209), Rule 806 Note 2 (p. 371)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
Examination of witness being impeached, Rule 613 Note 2 (p. 209)
Explanation of prior statement, Rule 613 Note 3 (p. 210)
Extrinsic evidence, Rule 613 Note 3 (p. 210), Rule 613 (p. 208)
Foundation required, Rule 613 Note 2 (p. 209)
Hearsay declarant, prior statements of, Rule 806 Note 2 (p. 371)
Impeachment use distinguished from substantive use, Rule 613 Note 1 (p. 208)
Instructing the jury
admitted only for impeachment, Rule 613 Note 5 (p. 212)
substantive use when no instruction given, Rule 801 Note 6 (p. 287)
Limiting instruction, Rule 613 Note 5 (p. 212)
Oath, Rule 801 Note 6 (p. 287)
Opinion evidence of truthfulness, Rule 608 Note 3 (p. 180)
Principle of completeness, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211), Rule 801 Note 6 (p. 287)
Prior consistent statements as rehabilitation, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
Rehabilitation of impeached witness
explanation of prior statement, Rule 613 Note 3 (p. 210)
opinion evidence of truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
prior consistent statements, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
rebuttal, Rule 613 Note 4 (p. 211)
remainder of writing, conversation, or deposition, Rule 613 Note 4 (p. 211)
reputation for truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
Remainder of, admissibility, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211)
Reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)
Reputation for truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
Substantive evidence, admissibility as
generally, Rule 801 Note 6 (p. 287)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
impeachment compared, Rule 801 Note 6 (p. 287)

PRIOR INCONSISTENT STATEMENTS—Cont'd
Substantive evidence, admissibility as—Cont'd
"inconsistency," definition of, Rule 801 Note 6 (p. 287)
oath required, Rule 801 Note 6 (p. 287)
timing of introduction of proof, Rule 801 Note 5 (p. 286)
trial, hearing, other proceeding, or deposition, Rule 801 Note 6 (p. 287)
Witnesses
generally, Rule 613 Note 1 (p. 208)
examination of witness being impeached, Rule 613 Note 2 (p. 209)
extrinsic evidence of statement, Rule 613 Note 3 (p. 210)

PRIOR TESTIMONY
Former testimony exception to hearsay rule, Rule 804 Note 2 (p. 350)
confrontation clause, Rule 804 Note 2 (p. 350)
cross examination
motive to develop, Rule 804 Note 2 (p. 350)
opportunity for, Rule 804 Note 2 (p. 350)
depositions
generally, Rule 804 Note 2 (p. 350)
prior inconsistent statement as substantive evidence, Rule 801 Note 7 (p. 288)
exception to hearsay rule, Rule 804 Note 2 (p. 350)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
method of proof, Rule 804 Note 2 (p. 350)
predecessor in interest, Rule 804 Note 2 (p. 350)
prior inconsistent statements as substantive evidence, Rule 801 Note 7 (p. 288)
proceeding, testimony given at, Rule 804 Note 2 (p. 350)
remainder, admissibility, Rule 106 Notes 4 (p. 30) & 5 (p. 32)
Unavailability of declarant, Rule 804 Notes 1 (p. 347) & 2 (p. 350)
Witness's prior inconsistent statement
impeachment use
generally, Rule 613 Note 1 (p. 208)
admission by witness, effect on extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
collateral matters, Rule 613 Note 3 (p. 210)
deposition, rehabilitation and rebuttal of witness impeached by prior statement contained in, Rule 613 Note 4 (p. 211)
explanation of prior statement, Rule 613 Note 3 (p. 210)
foundation required, Rule 613 Note 2 (p. 209)
hearsay declarant, prior statements of, Rule 806 Note 2 (p. 371)
impeachment use distinguished from substantive use, Rule 613 Note 1 (p. 208)
limiting instruction, Rule 613 Note 5 (p. 212)
opinion evidence of truthfulness, Rule 608 Note 4 (p. 181)
prior consistent statements as rehabilitation, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
prior consistent statements of party-witness, Rule 613 Note 4 (p. 211)

PRIOR TESTIMONY—Cont'd
Witness's prior inconsistent statement—Cont'd
impeachment use—Cont'd
rehabilitation of impeached witness
Explanation of prior statement, Rule 613 Note 3 (p. 210)
Prior consistent statements, Rule 613 Note 4 (p. 211), Rule 801 Note 7 (p. 288)
rebuttal, Rule 613 Note 4 (p. 211)
Remainder of writing or deposition, Rule 613 Note 4 (p. 211)
Reputation for truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
remainder of, admissibility, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211)
reputation for truthfulness, Rule 608 Note 4 (p. 181), Rule 613 Note 4 (p. 211)
substantive use, Rule 801 Note 6 (p. 287)

PRIVILEGED COMMUNICATIONS
Generally, Rule 501 Note 1 (p. 120), Rule 501 (p. 118)
Accountant-client privilege, Rule 501 Note 11 (p. 142)
Alternative dispute resolution, Rule 408 Note 5 (p. 97)
Attorney-client privilege
generally, Rule 501 Note 6 (p. 124), Rule 502 (p. 146)
agents, presence of, Rule 501 Note 6 (p. 124)
attack on attorney's professional integrity as waiver, Rule 501 Note 6 (p. 124)
attorney fee contracts, Rule 501 Note 6 (p. 124)
In camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
comment on exercise of privilege, Rule 501 Note 4 (p. 122)
confidentiality required, Rule 501 Note 6 (p. 124)
consultation, fact of, Rule 501 Note 6 (p. 124)
corporations, Rule 501 Note 6 (p. 124)
court order, controlling effect of, Rule 502 (p. 146)
crime or fraud, Rule 501 Note 6 (p. 124)
discovery
comparison with Federal Rule, Rule 502 Note 7 (p. 150)
in camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
intentional disclosure, Rule 502 Note 1 (p. 147)
other rules to consider, Rule 502 Note 6 (p. 150)
'ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
summary of issues of admissibility, Rule 502 Note 5 (p. 149)
undisclosed communications or information, Rule 502 Note 1 (p. 147)
documents of client, Rule 501 Note 6 (p. 124)
fraud, Rule 501 Note 6 (p. 124)
identity of client, Rule 501 Note 6 (p. 124)
implied waiver, Rule 501 Note 6 (p. 124)
inadvertent disclosure
generally, Rule 502 (p. 146)

PRIVILEGED COMMUNICATIONS—Cont'd
Attorney-client privilege—Cont'd
inadvertent disclosure—Cont'd
copies, destruction upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
cost of discovery, reduction of, Rule 502 Note 2 (p. 148)
court order, effect of parties' agreement without, Rule 502 Note 3 (p. 149)
destruction of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
'drawback' provision, Rule 502 Note 3 (p. 149)
notice of claim of privilege, Rule 502 Note 2 (p. 148)
'quick peek' provision, Rule 502 Note 3 (p. 149)
reasonable steps to prevent disclosure, Rule 502 Note 2 (p. 148)
return of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
seal, presentation to court of material under, Rule 502 Note 2 (p. 148)
sequester of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
intentional disclosure
generally, Rule 502 Note 1 (p. 147), Rule 502 (p. 146)
in camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
'ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
undisclosed communications or information, Rule 502 Note 1 (p. 147)
jury, presence of during claim, Rule 501 Note 4 (p. 122)
limitations on waiver, Rule 502 (p. 146)
'ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
papers of client, Rule 501 Note 6 (p. 124)
parties' agreement, effect of court order incorporating, Rule 502 Note 4 (p. 149)
partnerships, Rule 501 Note 6 (p. 124)
party agreement, controlling effect of, Rule 502 (p. 146)
privileged communications, Rule 502 (p. 146)
professional consultation, Rule 501 Note 6 (p. 124)
question for court, Rule 501 Note 6 (p. 124)
scope of waiver, Rule 502 (p. 146)
suits between attorney and client, Rule 501 Note 6 (p. 124)
summary of issues affecting admissibility, Rule 501 Note 6 (p. 124)
testimony by client as waiver, Rule 501 Notes 2 (p. 120) & 6 (p. 124)
third person, presence of, Rule 501 Note 6 (p. 124)
waiver
implied waiver, Rule 501 Note 6 (p. 124)
inadvertent disclosure
copies, destruction upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
cost of discovery, reduction of, Rule 502 Note 2 (p. 148)

PRIVILEGED COMMUNICATIONS—Cont'd
Attorney-client privilege—Cont'd
waiver—Cont'd
inadvertent disclosure—Cont'd
court order, effect of parties' agreement without, Rule 502 Note 3 (p. 149)
destruction of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
'drawback' provision, Rule 502 Note 3 (p. 149)
notice of claim of privilege, Rule 502 Note 2 (p. 148)
'quick peek' provision, Rule 502 Note 3 (p. 149)
reasonable steps to prevent disclosure, Rule 502 Note 2 (p. 148)
return of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
seal, presentation to court of material under, Rule 502 Note 2 (p. 148)
Sequester of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
intentional disclosure
In camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
Generally, Rule 502 Note 1 (p. 147)
'ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
Undisclosed communications or information, Rule 502 Note 1 (p. 147)
limitations on, Rule 502 (p. 146)
voluntary disclosure, Rule 501 Note 2 (p. 120)
will, attorney's witnessing as waiver, Rule 501 Note 6 (p. 124)
work product, Rule 501 Note 6 (p. 124), Rule 502 (p. 146)
Bigamous marriage, Rule 501 Note 8 (p. 136)
Claiming outside hearing of jury, Rule 501 Note 4 (p. 122)
Claiming privilege, matter disclosed without opportunity for, Rule 501 (p. 118)
Clergyman's privilege, Rule 501 Note 9 (p. 139)
Clinical social workers, Rule 501 Note 13 (p. 143)
Comment on exercise of privilege, generally prohibited
generally, Rule 501 Note 4 (p. 122)
husband-wife, Rule 501 Note 8 (p. 139)
physician-patient, Rule 501 Note 7 (p. 129)
Comment or inference not permitted, Rule 501 Note 4 (p. 122), Rule 501 (p. 118)
Comment upon or inference from claim of privilege, Rule 501 (p. 118)
Common interest privilege, Rule 501 Note 2 (p. 120)
Communications in furtherance of crime or fraud
attorney-client, Rule 501 Note 6 (p. 124)
physician-patient, Rule 501 Note 7 (p. 129)
Comparison with Federal Rule, Rule 501 Note 18 (p. 145)
Compulsion, matter disclosed under, Rule 501 (p. 118)
Controlling effect
court order, Rule 502 (p. 146)
party agreement, Rule 502 (p. 146)

PRIVILEGED COMMUNICATIONS—Cont'd
Court order, controlling effect of, Rule 502 (p. 146)
Crime victim advocates and service providers, Rule 501 Note 14 (p. 144)
Cross-reference for other privileges, Rule 501 Note 16 (p. 145)
Declarant, unavailability of, due to claim of privilege, Rule 804 Note 1 (p. 347)
Disclosure
waiver of privilege by voluntary, Rule 501 (p. 118)
without ability to claim, Rule 501 Note 3 (p. 122)
Employee assistance professionals, Rule 501 Note 13 (p. 143)
Family therapists, Rule 501 Note 13 (p. 143)
General rule, Rule 501 (p. 118)
Governmental privilege, not to reveal informant's identity, Rule 501 Note 10 (p. 140)
Guilty pleas, related statements
statements made in plea bargaining, Rule 410 Note 4 (p. 104)
offering party, effect on admissibility, Rule 410 Note 5 (p. 105)
sentencing hearings, Rule 410 Note 2 (p. 102)
withdrawn pleas, Rule 410 Note 1 (p. 102)
Husband-wife privilege
generally, Rule 501 Note 8 (p. 139)
bigamous marriage, Rule 501 Note 8 (p. 139)
child abuse or neglect, exception to applicability of privilege, Rule 501 Note 8 (p. 139)
comment on exercise of privilege, Rule 501 Notes 4 (p. 122) & 8 (p. 136)
communications, Rule 501 Note 8 (p. 139)
confidentiality, Rule 501 Note 8 (p. 139)
conversation with or for third party, Rule 501 Note 8 (p. 139)
crime against spouse, Rule 501 Note 8 (p. 139)
dead man's statute, Rule 601 Note 5 (p. 157)
death of spouse, effect of, Rule 501 Note 8 (p. 139)
divorce, effect of, Rule 501 Note 8 (p. 139)
elements, Rule 501 Note 8 (p. 139)
formal marriage required, Rule 501 Note 8 (p. 139)
jury, presence of during claim, Rule 501 Note 4 (p. 122)
nonverbal communications, Rule 501 Note 8 (p. 139)
post-divorce communications, Rule 501 Note 8 (p. 139)
summary of issue affecting admissibility, Rule 501 Note 5 (p. 124)
summary of issues affecting admissibility, Rule 501 Note 8 (p. 139)
survival of privilege, Rule 501 Note 8 (p. 139)
testimony by spouse as waiver, Rule 501 Note 1 (p. 136)
third persons present, Rule 501 Note 8 (p. 139)
uniform Reciprocal Enforcement of Support Act, privilege inapplicable, Rule 501 Note 8 (p. 139)
waiver
other bases of waiver, Rule 501 Note 8 (p. 139)
voluntary disclosure, Rule 501 Note 2 (p. 120)
Inadvertent disclosure of attorney-client privilege, Rule 502 (p. 146)
Informant's Privilege, Rule 501 Note 10 (p. 140)

PRIVILEGED COMMUNICATIONS—Cont'd
Instructions to jury, Rule 501 (p. 118)
Insured-liability insurer, Rule 501 Note 6 (p. 124)
Intentional disclosure and waiver of attorney-client privilege, Rule 502 (p. 146)
Involuntary disclosure, Rule 501 Note 3 (p. 122)
Jury, claiming privilege without knowledge of, Rule 501 (p. 118)
Jury instruction, Rule 501 (p. 118)
Jury's presence during argument, Rule 501 Note 4 (p. 122)
Limitations on waiver, Rule 502 (p. 146)
Marriage and family therapists, Rule 501 Note 13 (p. 143)
Mental health counselors, Rule 501 Note 13 (p. 143)
Opportunity to claim privilege, matter disclosed without, Rule 501 (p. 118)
Other Rules to consider, Rule 501 Note 17 (p. 145)
Party agreement, controlling effect of, Rule 502 (p. 146)
Physician-patient
  statutory exceptions, Rule 501 Note 7 (p. 129)
Physician-patient privilege
  generally, Rule 501 Note 7 (p. 129)
  autopsies, Rule 501 Note 7 (p. 129)
  chemical blood tests, privilege inapplicable, Rule 501 Note 7 (p. 129)
  child abuse or neglect, privilege inapplicable, Rule 501 Note 7 (p. 129)
  chiropractors, Rule 501 Note 7 (p. 129)
  civil commitment proceedings, Rule 501 Note 7 (p. 129)
  commenting upon exercise of privilege, Rule 501 Note 7 (p. 129)
  comment on exercise of privilege prohibited, Rule 501 Notes 3 (p. 122) & 7 (p. 129)
  comment upon exercise of privilege, Rule 501 Note 7 (p. 126)
  communications necessary for treatment, Rule 501 Note 7 (p. 129)
  construction of privilege, Rule 501 Note 7 (p. 129)
  consulting physicians, Rule 501 Note 7 (p. 129)
  crime, communications concerning, Rule 501 Note 7 (p. 129)
  date services were rendered, Rule 501 Note 7 (p. 129)
  death certificates, Rule 501 Note 7 (p. 129)
  death of patient, privilege survives, Rule 501 Note 7 (p. 129)
  disclosure by physicians, Rule 501 Note 7 (p. 129)
  elements of privilege, Rule 501 Note 7 (p. 129)
  employee assistance professionals, privileged communications, Rule 501 Note 13 (p. 143)
  examination on adversary's motion under Trial Rule 35, waiver of privilege, Rule 501 Note 7 (p. 129)
  express waiver, Rule 501 Note 7 (p. 129), Rule 501 Notes 2 (p. 120) & 7 (p. 129)
  eye doctors, Rule 501 Note 7 (p. 129)
  fact of employment, Rule 501 Note 7 (p. 129)
  facts and dates of medical services, Rule 501 Note 7 (p. 129)
  hospital records, Rule 501 Note 7 (p. 129)
  hypothetical questions, Rule 501 Note 7 (p. 129)
  implied waiver, Rule 501 Note 7 (p. 129)

PRIVILEGED COMMUNICATIONS—Cont'd
Physician-patient privilege—Cont'd
jury's presence during claim, Rule 501 Notes 3 (p. 122) & 7 (p. 129)
malpractice cases, waiver of privilege, Rule 501 Note 7 (p. 129)
mental health counselors, Rule 501 Note 13 (p. 143)
nonverbal communications, Rule 501 Note 7 (p. 129)
nurses, Rule 501 Note 7 (p. 129)
physical therapists, Rule 501 Note 7 (p. 129)
physician procured by third party, Rule 501 Note 7 (p. 129)
professional relationship, Rule 501 Note 7 (p. 129)
psychiatrists, Rule 501 Note 7 (p. 129)
psychologists, Rule 501 Note 7 (p. 129)
statement by patient in response to physician's question, Rule 501 Note 7 (p. 129)
summary of issues affecting admissibility, Rule 501 Note 7 (p. 129)
technicians, Rule 501 Note 7 (p. 129)
testimony as waiver, Rule 501 Notes 2 (p. 120) & 7 (p. 129)
third parties present, Rule 501 Note 7 (p. 129)
waiver
generally, Rule 501 Note 7 (p. 129)
after patient's death, Rule 501 Note 7 (p. 129)
claim of malpractice, Rule 501 Note 7 (p. 129)
compelled disclosure, Rule 501 Note 3 (p. 122)
disclosure without opportunity to claim, Rule 501 Note 3 (p. 122)
discovery, Rule 501 Note 7 (p. 129)
as to examination under Trial Rule 35, Rule 501 Note 7 (p. 129)
failure to object, Rule 501 Note 7 (p. 129)
implied waiver, generally, Rule 501 Note 7 (p. 129)
insanity defense, Rule 501 Note 7 (p. 129)
insurance contracts, Rule 501 Notes 2 (p. 120) & 7 (p. 129)
other evidence of privileged matter, Rule 501 Notes 3 (p. 122) & 7 (p. 129)
patient's right to waive, generally, Rule 501 Note 7 (p. 129)
placing condition in issue, Rule 501 Note 7 (p. 129)
testimony, Rule 501 Notes 2 (p. 120) & 7 (p. 129)
voluntary disclosure, Rule 501 Note 1 (p. 136)
Prescriptions, Rule 501 Note 7 (p. 129)
Priest-penitent privilege, Rule 501 Note 9 (p. 139)
Psychiatrists, Rule 501 Note 7 (p. 129)
Psychologist-patient privilege, Rule 501 Note 7 (p. 129)
Scope of waiver of attorney-client privilege, Rule 502 (p. 146)
Self-incrimination claims in civil cases
jury's knowledge, right to claim without, Rule 501 Note 4 (p. 122)
Small claims cases, applicability, Rule 101 Note 4 (p. 4)
Social workers, Rule 501 Note 13 (p. 143)
Statutory exceptions
husband-wife, Rule 501 Note 8 (p. 139)
physician-patient, Rule 501 Note 7 (p. 129)
Summary of issue affecting admissibility, Rule 501 Note 5 (p. 124)

PRIVILEGED COMMUNICATIONS—Cont'd
Unauthorized disclosure, Rule 501 Note 3 (p. 122)
Unavailability of declarant due to claim of privilege, Rule 804 Note 1 (p. 347)
Victim counselors, Rule 501 Note 14 (p. 144)
Voluntary disclosure
generally, Rule 501 Note 2 (p. 120)
waiver of privilege by, Rule 501 (p. 118)
Waiver
generally, Rule 501 Note 2 (p. 120)
implied waiver
attorney-client, Rule 501 Note 6 (p. 124)
physician-patient, Rule 501 Note 7 (p. 129)
limitations on, Rule 502 (p. 146)
unauthorized disclosure, Rule 501 Note 3 (p. 122)
voluntary disclosure, Rule 501 Note 2 (p. 120), Rule 501 (p. 118)
wrongly compelled disclosure, Rule 501 Note 3 (p. 122)
Work product, Rule 501 Note 6 (p. 124), Rule 502 (p. 146)

PRIVITY
Representative statements of party-opponent
attorneys, Rule 801 Notes 12 (p. 294) & 13 (p. 296)
co-conspirators, Rule 801 Note 14 (p. 297)

PROBABILITIES
Degree of certainty required for expert opinion, Rule 702 Note 4 (p. 248)

PROBATE PROCEEDINGS
Attorney-client privilege when attorney witnesses will, Rule 501 Note 6 (p. 124)
Authentication, Rule 903 Note 2 (p. 407)
Lost will, best evidence rule, Rule 1004 Note 2 (p. 420)
Videotape authentication, Rule 903 Note 2 (p. 407)
Will contests
opinion on testator's mental capacity
dead man's statute, Rule 601 Note 5 (p. 157)
lay opinion testimony, Rule 701 Note 6 (p. 239)
privileges
attorney-client privilege in, Rule 501 Note 6 (p. 124)
husband-wife privilege in, Rule 501 Note 8 (p. 139)
physician-patient privilege, Rule 501 Note 7 (p. 129)
subscribing witness's testimony unnecessary, Rule 903 Note 2 (p. 407)

PROBATION REVOCATION HEARINGS
Applicability of Evidence Rules, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

PROBATIVE VALUE
Confusion, exclusion of relevant evidence for other reasons, Rule 403 Note 6 (p. 62)
Hearsay admitted without objection, Rule 802 Note 1 (p. 303)

PROBATIVE VALUE—Cont'd
Prejudice, exclusion of relevant evidence for undue danger of, Rule 403 Notes 1 (p. 59) & 2 (p. 60)
Relevancy
balancing against probative value, Rule 403 Note 1 (p. 59)
defined, Rule 401 Note 1 (p. 51)
Time, exclusion of relevant evidence for undue consumption of, Rule 403 Note 5 (p. 62)
Uncharged misconduct, Incremental probative value, Rule 404 Note 7 (p. 72)

PROCESS OR SYSTEM
Authentication, Rule 901 Note 13 (p. 388)
Market reports, Rule 803 Note 17 (p. 337)
Mortality tables, Rule 201 Note 3 (p. 36)
Other crimes or acts as proof of defendant's scheme or plan, generally, Rule 404 Note 13 (p. 77)

PRODUCT LIABILITY
Subsequent remedial measures, evidence of, Rule 407 Note 3 (p. 93)

PROFESSIONAL CONSULTATION
Attorney-client privilege, Rule 501 Note 6 (p. 124)

PROMISCUITY
General rule of inadmissibility, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)

PROMISES
Offer of compromise, generally, Rule 408 Note 1 (p. 95)
Promise to pay medical or similar expenses, Rule 409 Note 1 (p. 99)

PROPENSITY RULE
Character, Rule 404 Note 6 (p. 71)
Reputation, Rule 404 Note 6 (p. 71)

PROPERTY
Affidavits concerning interest in, Rule 803 Note 15 (p. 335)
Boundaries
judgment as to, Rule 803 Note 23 (p. 342)
reputation evidence, Rule 803 Note 20 (p. 339)
Hearsay
records of documents affecting interest in, Rule 803 Note 14 (p. 335)
statements in documents affecting interest in, Rule 803 Note 15 (p. 335)
Opinion on value of, Rule 701 Note 6 (p. 239)

PROSECUTORS
Competency as witnesses, Rule 605 Note 2 (p. 168)

PROSTITUTION
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)

PSYCHIATRIC EXAMINATION
Child victim/witness in criminal case, Rule 601 Note 2 (p. 155)
Competency of witness, determination of, Rule 601 Note 3 (p. 155)

PSYCHIATRISTS AND PSYCHOLOGISTS
Appointment by court, Rule 614 Note 1 (p. 214)
Physician-patient privilege, Rule 501 Note 7 (p. 129)

PSYCHOLOGIST-PATIENT PRIVILEGE
Generally, Rule 501 Note 7 (p. 129)

PUBLICATIONS
Commercial publications, hearsay exception, Rule 803 Note 17 (p. 337)
Learned treatises, Rule 803 Note 18 (p. 337)
Newspapers and periodicals, self-authentication, Rule 902 Note 5 (p. 400)
Official publications, self-authentication, Rule 902 Note 4 (p. 399)

PUBLIC RECORDS AND REPORTS
Absence
  as evidence, Rule 803 Note 10 (p. 333)
  hearsay exception, Rule 803 (p. 308)
Affidavits concerning an interest in property, Rule 803 Note 15 (p. 335)
Authentication
  generally, Rule 901 (p. 374), Rule 902 Note 2 (p. 397)
  case reports, Rule 902 Note 4 (p. 399)
  foreign public documents, Rule 902 Note 3 (p. 399)
  municipal ordinances, Rule 902 Note 4 (p. 399)
  self-authentication
    generally, Rule 902 Notes 2 (p. 397) & 3 (p. 399)
    attested records and records under seal, Rule 902 Note 2 (p. 397)
    case reports, Rule 902 Note 4 (p. 399)
    certified copies, Rule 902 Note 2 (p. 397)
    custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
    domestic public documents, Rule 902 Note 2 (p. 397)
    foreign public documents, Rule 902 Note 3 (p. 399)
    municipal ordinances, Rule 902 Note 4 (p. 399)
    statutes, Rule 902 Note 4 (p. 399)
  statutes, Rule 902 Note 4 (p. 399)
  testimony, Rule 901 Note 11 (p. 385)
Baptismal certificates, Rule 803 Note 12 (p. 334)
Best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
Birth records, Rule 803 Note 9 (p. 332)
Business records. See index heading business records
Certificates. See index heading CERTIFICATES
Comparison with Federal Rule, Rule 1005 Note 4 (p. 425)
Data compilations
  public records generally, Rule 803 Note 8 (p. 327)
  records of vital statistics, Rule 803 Note 9 (p. 332)
Deaths, records of, Rule 803 Note 9 (p. 332)

PUBLIC RECORDS AND REPORTS—Cont'd
Deeds, recorded, Rule 803 Note 14 (p. 335)
Documents affecting an interest in property
records of, Rule 803 Note 14 (p. 335)
statements in, Rule 803 Note 15 (p. 335)
Exception to hearsay rule, Rule 803 Note 8 (p. 327)
Exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
Executory contracts, acknowledged, Rule 803 Note 14 (p. 335)
Factual findings, Rule 803 Note 8 (p. 327)
Foreign public documents, Rule 902 Note 3 (p. 399)
Investigative reports, Rule 803 Note 8 (p. 327)
Judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
self-authentication
domestic public documents, Rule 902 Note 2 (p. 397)
foreign public documents, Rule 902 Note 3 (p. 399)
testimony, public records, Rule 901 Note 11 (p. 385)
Marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
Marriages, records of, Rule 803 Note 9 (p. 332)
Matters observed and reported pursuant to legal duty, Rule 803 Note 8 (p. 327)
Other Rules to consider, Rule 1005 Note 3 (p. 425)
Parol evidence, Rule 1005 Note 1 (p. 424)
Personal knowledge, requirement of, Rule 803 Note 8 (p. 327)
Police reports
business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
exclusions from hearsay rule, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 8 (p. 327)
trustworthiness, Rule 803 Note 8 (p. 327)
Proof of contents by testimony, Rule 1005 Note 1 (p. 424)
Revised Rule 1005, Rule 1005 (p. 424)
Self-authentication
generally, Rule 902 Note 2 (p. 397)
attested records and records under seal, Rule 902 Note 2 (p. 397)
case reports, Rule 902 Note 4 (p. 399)
certified copies, Rule 902 Note 2 (p. 397)
by custodian or witness with knowledge of records' custody, Rule 901 Note 11 (p. 385)
foreign public documents, Rule 902 Note 3 (p. 399)
municipal ordinances, Rule 902 Note 4 (p. 399)
statutes, Rule 902 Note 4 (p. 399)
Summary of issues affecting admissibility, Rule 1005 Note 2 (p. 425)
Types, Rule 803 Note 8 (p. 327)
Vital statistics, records of, Rule 803 Note 9 (p. 332)

PUNITIVE DAMAGES
Offer of compromise, Rule 408 Note 3 (p. 96)

PURPOSE
Of evidence rules
generally, Rule 102 Note 1 (p. 6)
comparison with Federal Rule, Rule 102 Note 5 (p. 7)
other Rules to consider, Rule 102 Note 4 (p. 7)
summary of issues affecting admissibility, Rule 102 Note 3 (p. 7)

QUALIFICATIONS OF EXPERT
Generally, Rule 702 Note 3 (p. 246)
Burden of proving, Rule 702 Note 3 (p. 246)
Disclosure of opinion before testifying to, Rule 705 Note 2 (p. 275)
Experience alone, Rule 702 Note 3 (p. 246)
Licensing not required, Rule 702 Note 3 (p. 246)
Objection to opinion outside expertise, Rule 702 Note 3 (p. 246)
Past testimony as expert, Rule 702 Note 3 (p. 246)
Specialization not required, Rule 702 Note 3 (p. 246)
Voir dire, Rule 702 Note 3 (p. 246)

QUARRELS
Threats against accused, self-defense case, Rule 404 Note 3 (p. 69)
Threats against witness, Rule 616 Note 6 (p. 226)

QUESTIONS, FORM OF
Asked by judge
generally, Rule 614 Note 2 (p. 215)
objections, Rule 614 Note 3 (p. 215)
Assuming facts not in evidence, Rule 703 Note 3 (p. 260)
Control by court
generally, Rule 611 Note 1 (p. 195)
comparison with Federal Rule, Rule 611 Note 13 (p. 202)
cumulative testimony, Rule 611 Note 3 (p. 196)
narrative answers, Rule 611 Note 4 (p. 197)
order of proof, Rule 611 Note 5 (p. 197)
other Rules to consider, Rule 611 Note 12 (p. 202)
repetitive testimony, Rule 611 Note 3 (p. 196)
summary of issues affecting admissibility, Rule 611 Note 11 (p. 201)
written direct testimony, Rule 611 Note 4 (p. 197)
Hypothetical questions, as basis for expert opinion, Rule 703 Note 3 (p. 260)
cross examination, use during, Rule 705 Note 3 (p. 276)
Instructions to jury, Rule 614 Note 2 (p. 215)
Jurors, questions by, Rule 614 Note 4 (p. 216)
Leading questions, Rule 611 Note 10 (p. 200)
Narrative testimony, Rule 611 Note 4 (p. 197)
Objections
generally, Rule 103 Notes 1-5 (p. 9-11)
jurors questions, Rule 614 Note 4 (p. 216)

QUESTIONS, FORM OF—Cont'd
Repetitious questions, Rule 611 Note 3 (p. 196)
Unresponsive answer, Rule 103 Note 6 (p. 11)

RAPE
Character or reputation. See index heading CHARACTER OR REPUTATION
Conviction of crime, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Impeachment use of conviction for, Rule 609 Note 2 (p. 188)
Prior false allegations, impeachment, Rule 608 Note 9 (p. 183)
Rape trauma syndrome, Rule 702 Note 7 (p. 249)
Victim's sexual history, general rule of inadmissibility in sex offense prosecutions, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
Witnesses, impeachment by evidence of conviction of crime, Rule 609 (p. 186)

RAPE SHIELD LAW
Generally, Rule 412 Note 1 (p. 111)
Balancing probative value and risk of unfair prejudice, Rule 412 Note 5 (p. 114)
Civil cases, Rule 412 Note 2 (p. 112)
Conduct between victim and defendant, Rule 412 Note 1 (p. 111)
Hearing, Rule 412 Note 4 (p. 114)
Impeachment evidence, Rule 412 Note 1 (p. 111)
Notice and hearing, Rule 412 Note 4 (p. 114)
Prior false allegations, Rule 608 Note 9 (p. 183)
Someone else committed charged crime, proof of, Rule 412 Note 1 (p. 111)

RAPE TRAUMA SYNDROME
Expert opinion testimony, Rule 702 Note 7 (p. 249)

REAL ESTATE
Affidavits concerning interest in, Rule 803 Note 15 (p. 335)
Boundaries
judgment as to, Rule 803 Note 23 (p. 342)
reputation evidence, Rule 803 Note 20 (p. 339)
Hearsay
records of documents affecting interest in, Rule 803 Note 14 (p. 335)
statements in documents affecting interest in, Rule 803 Note 15 (p. 335)
Opinion on value, Rule 701 Note 6 (p. 239)

REAL EVIDENCE
Authentication
generally, Rule 901 Note 1 (p. 376)
chain of custody, Rule 901 Note 3 (p. 377)
computer records, Rule 901 Note 4 (p. 379)
distinctive characteristics, Rule 901 Note 8 (p. 383)
handwriting
comparison by trier of fact or expert, Rule 901 Note 7 (p. 382)
nonexpert opinion, Rule 901 Note 6 (p. 381)

REAL EVIDENCE—Cont'd
Authentication—Cont'd
knowledge, testimony of witness with, Rule 901 Note 4 (p. 379)
newspapers and periodicals, Rule 902 Note 5 (p. 400)
photographs, Rule 901 Note 13 (p. 388)
trade inscriptions, signs, tags and labels, Rule 902 Note 6 (p. 401)
videotapes, Rule 901 Note 13 (p. 388)
voice identification, Rule 901 Note 8 (p. 383)
Best evidence rule
generally, Rule 1002 Note 1 (p. 413)
duplicates, admissibility of, Rule 1003 Note 1 (p. 417)
exceptions to requirement of original
collateral matters, Rule 1004 Note 5 (p. 422)
lost or destroyed original, Rule 1004 Note 2 (p. 420)
original not obtainable, Rule 1004 Note 3 (p. 421)
possession of opponent, Rule 1004 Note 4 (p. 421)
public records, Rule 1005 Note 1 (p. 424)
testimony or written admission of party, Rule 1007 Note 1 (p. 430)
functions of court and jury, Rule 1008 Note 1 (p. 432)
original required
generally, Rule 1002 Note 1 (p. 413)
comparison with Federal Rule, Rule 1002 Note 7 (p. 416)
materiality, Rule 1002 Note 2 (p. 414)
other Rules to consider, Rule 1002 Note 6 (p. 415)
photographs, Rule 1002 Note 3 (p. 414)
summary of issues affecting admissibility, Rule 1002 Note 5 (p. 415)
public records, Rule 1005 Note 1 (p. 424)
secondary evidence generally, Rule 1004 Note 1 (p. 419)
summaries, Rule 1006 Note 1 (p. 426)
Chain of custody, Rule 901 Note 3 (p. 377)
Demonstrative evidence
blood grouping tests, expert testimony, Rule 702 Note 7 (p. 249)
blood tests, physician-patient privilege, Rule 501 Note 7 (p. 129)
conditions, similarity of, Rule 611 Note 6 (p. 197)
demonstrations in courtroom, Rule 611 Note 6 (p. 197)
diagrams, Rule 611 Note 6 (p. 197)
dolls, use during child's testimony, Rule 611 Note 6 (p. 197)
experiments in courtroom, Rule 611 Note 6 (p. 197)
maps, Rule 611 Note 6 (p. 197)
photographs, Rule 901 Note 13 (p. 388)
summaries of voluminous records
generally, Rule 1006 Note 1 (p. 426)
pedagogical summaries, Rule 1006 Note 2 (p. 428)
videotapes
generally, Rule 901 Note 13 (p. 388)
best evidence rule, Rule 1002 Note 1 (p. 413)
x-rays, authentication, Rule 901 Note 13 (p. 388)

REAL EVIDENCE—Cont'd
Relevancy
autopsy photographs, Rule 403 Note 3 (p. 61)
gruesome photographs, Rule 403 Note 3 (p. 61)
mug shots, Rule 403 Note 4 (p. 61)
tapes and transcripts, Rule 403 Note 7 (p. 63)

REAL PROPERTY
Affidavits concerning interest in, Rule 803 Note 15 (p. 335)
Boundaries
judgment as to, Rule 803 Note 23 (p. 342)
reputation evidence, Rule 803 Note 20 (p. 339)
Hearsay
records of documents affecting interest in, Rule 803 Note 14 (p. 335)
statements in documents affecting interest in, Rule 803 Note 15 (p. 335)
Opinion on value, Rule 701 Note 6 (p. 239)

"REASONABLE MEDICAL CERTAINTY"
Expert testimony, Rule 702 Note 4 (p. 248)

REASONABLE RELIANCE BY EXPERT
Generally, Rule 703 Note 5 (p. 261)
Basis for opinion, disclosure of
generally need not be disclosed before stating opinion, Rule 705 Note 1 (p. 274)
comparison with Federal Rule, Rule 705 Note 6 (p. 278)
other Rules to consider, Rule 705 Note 5 (p. 278)
summary of issues affecting admissibility, Rule 705 Note 4 (p. 277)
testimony of hearsay on which opinion is based, Rule 703 Note 6 (p. 262)
trial court's discretion to require disclosure before stating opinion, Rule 705 Note 2 (p. 275)
Cross examination, Rule 705 Note 3 (p. 276)
Expertise of witness, Rule 703 Note 5 (p. 261)
Expert testimony based on reports of others, generally, Rule 703 Note 5 (p. 261)
Statements for purposes of medical diagnosis or treatment, Rule 703 Note 6 (p. 262), Rule 803 Note 4 (p. 319)

REBUTTAL EVIDENCE
Scope, discretion to allow, Rule 401 Note 3 (p. 52), Rule 611 Note 8 (p. 199)

RECEIPTS
Business records exception to hearsay rule, Rule 803 Note 6 (p. 323)
Medical bills, Rule 413 Note 1 (p. 116)

RECOLLECTION
Cross examination testing memory, Rule 611 Note 7 (p. 198)
Hypnosis affecting memory, Rule 602 Note 2 (p. 163)
Past recollection recorded, Rule 803 Note 5 (p. 321)
Prior statement offered as substantive evidence, lack of memory of, Rule 801 Note 5 (p. 286)

RECOLLECTION—Cont'd
Refreshing recollection
generally, Rule 612 Note 1 (p. 204)
admissibility of writing used, Rule 612 Note 3 (p. 205)
cross examination on writing used, Rule 612 Note 3 (p. 205)
hypnosis to refresh memory, Rule 602 Note 2 (p. 163)
nature of writing used, Rule 612 Note 1 (p. 204)
past recollection recorded distinguished, Rule 612 Note 1 (p. 204)
privileged material, production of, Rule 612 Note 2 (p. 205)
production of writing, Rule 612 Note 2 (p. 205)
witness must testify from memory, Rule 612 Note 1 (p. 204)
Unavailability of declarant, Rule 804 Note 1 (p. 347)

RECONSTRUCTIVE MEMORY
Expert opinion testimony, Rule 702 Note 7 (p. 249)
Hypnotically refreshed recollection, Rule 602 Note 2 (p. 163)

RECORDED INSTRUMENTS
Acknowledged instruments, Rule 902 Note 7 (p. 401)
Ancient documents
authentication, Rule 901 Note 12 (p. 386)
hearsay exception, Rule 803 Note 16 (p. 336)
Authentication generally, Rule 902 Notes 1 (p. 396) & 2 (p. 397)
Best evidence rule, Rule 1005 Note 1 (p. 424)
Hearsay
public records generally, Rule 803 Note 8 (p. 327)
records of documents affecting interest in property, hearsay exception, Rule 803 Note 14 (p. 335)
statements in documents affecting interest in property, hearsay exception, Rule 803 Note 15 (p. 335)
Judgment as to boundaries, Rule 803 Note 23 (p. 342)

RECORDED RECOLLECTION
Past recollection recorded, hearsay exception, Rule 803 Note 5 (p. 321)
Refreshing recollection distinguished, Rule 612 Note 1 (p. 204)

RECORDS AND RECORDING
Generally, Rule 1001 (p. 410)
Accountant-client privilege, Rule 501 Note 11 (p. 142)
Accuracy, Rule 403 Note 7 (p. 63)
Admissibility
generally, Rule 403 Note 7 (p. 63)
duplicates, Rule 1003 (p. 417)
other evidence of contents, Rule 1004 (p. 419)
revised Rule 1004, Rule 1004 (p. 419)
Admissions, testimony or written admission of party, Rule 1007 (p. 430)
Authentication
generally, Rule 901 Note 9 (p. 384)
business records, below
Best evidence rule, Rule 1002 Note 1 (p. 413)

RECORDS AND RECORDING—Cont'd
Business records
absence of record following diligent search, Rule 803 Note 7 (p. 327)
authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
police reports, Rule 803 Note 6 (p. 323)
Certified copy
attestation of public official
domestic, Rule 902 Note 2 (p. 397)
foreign, Rule 902 Note 3 (p. 399)
authentication of public records
domestic, Rule 902 Note 2 (p. 397)
foreign, Rule 902 Note 3 (p. 399)
business records, self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Church records, Rule 803 Note 11 (p. 333)
Collateral matters, originals, Rule 1004 (p. 419)
Committees, evidence rules review committee, Rule 1101 (p. 434)
Contents, generally, Rule 1001 (p. 410)
Conviction of crime
authentication of court records, Rule 902 Note 2 (p. 397)
best evidence rule, Rule 1005 Note 1 (p. 424)
civil action on same facts, admissibility in, Rule 410 Notes 6 & 7 (pp. 105)
impeachment by showing of conviction
age of conviction, Rule 609 Note 10 (p. 191)
extent of questioning, Rule 609 Note 7 (p. 190)
juvenile adjudications, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 609 Note 9 (p. 191)
proof as same facts, hearsay rule, Rule 803 Note 22 (p. 340)
Court, functions of, Rule 1008 (p. 432)
Court records
authentication, Rule 902 Note 2 (p. 397)
best evidence rule, exception for, Rule 1005 Note 1 (p. 424)
civil judgments, hearsay exception, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal judgments, hearsay exception, Rule 803 Note 22 (p. 340)
former testimony, impeachment use, Rule 804 Note 2 (p. 350)
judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)

RECORDS AND RECORDING—Cont'd
Court records—Cont'd
judgments—Cont'd
self-authentication
Domestic public documents, Rule 902 Note 2 (p. 397)
Foreign public documents, Rule 902 Note 3 (p. 399)
testimony, public records, Rule 901 Note 11 (p. 385)
judicial notice of, Rule 201 Note 4 (p. 37)
public records and reports
absence of record following diligent search, Rule 803 Note 10 (p. 333)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
Death
hearsay exception for records of, Rule 803 Note 9 (p. 332)
physician-patient privilege, death certificates, Rule 501 Note 7 (p. 129)
Definition of recordings, Rule 1001 (p. 410)
Duplicates
generally, Rule 1003 Note 1 (p. 417)
admissibility, Rule 1003 (p. 417)
comparison with Federal Rule, Rule 1003 Note 4 (p. 418)
defined, Rule 1001 Note 5 (p. 412), Rule 1001 (p. 410)
other Rules to consider, Rule 1003 Note 3 (p. 417)
summary of issues affecting admissibility, Rule 1003 Note 2 (p. 417)
Duress, testimony elicited free from, Rule 403 Note 7 (p. 63)
Electronically maintained records
generally, Rule 803 Note 6 (p. 323)
exception to hearsay rule, Rule 803 Note 6 (p. 323)
opinions contained in records, Rule 803 Note 6 (p. 323)
personal knowledge, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
''regularly conducted business'' defined, Rule 803 Note 6 (p. 323)
religious organizations, Rule 803 Note 11 (p. 333)
Evidence rules review committee, Rule 1101 (p. 434)
Family history, hearsay exception
family records, Rule 803 Note 13 (p. 334)
judgment as to, Rule 803 Note 23 (p. 342)
pedigree, Rule 804 Note 5 (p. 358)
religious organization records, Rule 803 Note 11 (p. 333)
Foreign records, authentication, Rule 902 Note 3 (p. 399)
Freely and voluntarily made requirement, Rule 403 Note 7 (p. 63)
Functions of court and jury, Rule 1008 (p. 432)
Hospital records
hearsay exception, Rule 803 Note 6 (p. 323)
privileged matters contained in, Rule 501 Note 7 (p. 129)
Judge and jury, functions
generally, Rule 1008 Note 1 (p. 432)
comparison with Federal Rule, Rule 1008 Note 4 (p. 433)
other Rules to consider, Rule 1008 Note 3 (p. 433)

RECORDS AND RECORDING—Cont'd
Judge and jury, functions—Cont'd
summary of issues affecting admissibility, Rule 1008 Note 2 (p. 433)
Jury, functions of, Rule 1008 (p. 432)
Lost or destroyed originals, Rule 1004 (p. 419)
Opponent's possession, original in, Rule 1004 (p. 419)
Originals
collateral matters, Rule 1004 (p. 419)
defined, Rule 1001 (p. 410)
lost or destroyed, Rule 1004 (p. 419)
not obtainable, Rule 1004 (p. 419)
opponent's possession, original in, Rule 1004 (p. 419)
requirement of, Rule 1002 (p. 413)
revised Rule 1002, Rule 1002 (p. 413)
Other evidence of contents, admissibility of, Rule 1004 (p. 419)
Past recollection recorded, Rule 803 Note 5 (p. 321)
Photographs
contents, Rule 1001 (p. 410)
defined, Rule 1001 (p. 410)
functions of court and jury, Rule 1008 (p. 432)
Police records
business records, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 8 (p. 327)
trustworthiness, Rule 803 Note 8 (p. 327)
Privileged communications
accountant-client privilege, Rule 501 Note 11 (p. 142)
death certificates, Rule 501 Note 7 (p. 129)
hospital records, Rule 501 Note 7 (p. 129)
Public records and reports
generally, Rule 803 Note 8 (p. 327), Rule 1005 (p. 424)
exclusions from hearsay rule, Rule 803 Note 8 (p. 327)
trustworthiness, Rule 803 Note 8 (p. 327)
types of records, Rule 803 Note 8 (p. 327)
Recorded instruments
acknowledged instruments, Rule 902 Note 7 (p. 401)
ancient documents
authentication, Rule 901 Note 12 (p. 386)
hearsay exception, Rule 803 Note 16 (p. 336)
authentication generally, Rule 902 Notes 1 (p. 396) & 2 (p. 397)
best evidence rule, Rule 1005 Note 1 (p. 424)
hearsay
public records generally, Rule 803 Note 8 (p. 327)
records of documents affecting interest in property, hearsay exception, Rule 803 Note 14 (p. 335)
statements in documents affecting interest in property, hearsay exception, Rule 803 Note 15 (p. 335)
judgment as to boundaries, Rule 803 Note 23 (p. 342)

RECORDS AND RECORDING—Cont'd
Records of regularly conducted business activity
absence of record following diligent search, Rule 803 Note 7 (p. 327)
authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
exception to hearsay rule, Rule 803 Note 6 (p. 323)
official records, Rule 803 Note 8 (p. 327)
opinions contained in records, Rule 803 Note 6 (p. 323)
personal knowledge, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323), Rule 803 Notes 6 (p. 323) & 8 (p. 327)
public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
''regularly conducted business'' defined, Rule 803 Note 6 (p. 323)
religious organizations, Rule 803 Note 11 (p. 333)
Remainder of, admissibility
common law principle of completeness, Rule 106 Note 4 (p. 30)
immediate admission, Rule 106 Note 1 (p. 28)
Requirement of original, Rule 1002 (p. 413)
Review, evidence rules review committee, Rule 1101 (p. 434)
Revised Rule 1002, Rule 1002 (p. 413)
Revised Rule 1004, Rule 1004 (p. 419)
Revised Rule 1005, Rule 1005 (p. 424)
Revised Rule 1007, Rule 1007 (p. 430)
Revised Rule 1101, Rule 1101 (p. 434)
Rulings on evidence, Rule 103 (p. 8)
Specific objections, Rule 403 Note 7 (p. 63)
Summaries, Rule 1006 (p. 426)
Tape recordings
admissibility, generally, Rule 403 Note 7 (p. 63)
authentication, Rule 901 Note 9 (p. 384)
best evidence rule
generally, Rule 1002 Note 1 (p. 413)
definition of ''recordings,'' Rule 1001 Note 2 (p. 411)
materiality of recording, Rule 1002 Note 2 (p. 414)
confessions, Rule 403 Note 7 (p. 63)
duplicates, Rule 1003 Note 1 (p. 417)
duress, testimony elicited free from, Rule 403 Note 7 (p. 63)
freely and voluntarily made requirement, Rule 403 Note 7 (p. 63)
remainder of, admissibility
common law principle of completeness, Rule 106 Note 4 (p. 30)

RECORDS AND RECORDING—Cont'd
Tape recordings—Cont'd
remainder of, admissibility—Cont'd
immediate admission, Rule 106 Note 1 (p. 28)
specific objections, Rule 403 Note 7 (p. 63)
transcripts as listening aid
generally, Rule 403 Note 7 (p. 63)
best evidence rule, Rule 1002 Note 1 (p. 413)
videotapes
child victims, hearsay exception, Rule 804 Note 7 (p. 361)
clarity, Rule 403 Note 7 (p. 63)
duplicates, Rule 1003 Note 1 (p. 417)
prerecorded trial testimony, Rule 804 Note 8 (p. 364)
wills, authentication of, Rule 903 Note 2 (p. 407)
warnings required for use of, Rule 403 Note 7 (p. 63)
Testimony or written admission of party, Rule 1007 (p. 430)
Transcripts as listening aid
admissibility, generally, Rule 403 Note 7 (p. 63)
best evidence rule, Rule 1002 Note 1 (p. 413)
Unrecorded statements during custodial interrogation, Rule 617 (p. 228)
generally, Rule 617 (p. 228)
authentication of recording, Rule 617 Note 3 (p. 231)
comparison with Federal Rule, Rule 617 Note 7 (p. 234)
control over premises by law enforcement officer, Rule 617 Note 1 (p. 229)
criminal cases, authentication of recordings
generally, Rule 617 Note 3 (p. 231)
Adequacy of proof, Rule 617 Note 3 (p. 231)
Affidavits and hearsay exception, Rule 617 Note 3 (p. 231)
Clarity, Rule 617 Note 3 (p. 231)
Due care of officials, Rule 617 Note 3 (p. 231)
Free and voluntarily elicited, Rule 617 Note 3 (p. 231)
Warnings and waivers prior to recording, Rule 617 Note 3 (p. 231)
custodial statement, requirement of
generally, Rule 617 Note 1 (p. 229)
control over premises by law enforcement officer, Rule 617 Note 1 (p. 229)
criminal cases, Rule 617 Note 1 (p. 229)
definition of place of detention, Rule 617 Note 1 (p. 229)
felony cases, Rule 617 Note 1 (p. 229)
law enforcement officers outside jurisdiction of Indiana, Rule 617 Note 1 (p. 229)
place of detention, Rule 617 Note 1 (p. 229)
police officers outside jurisdiction of Indiana, Rule 617 Note 1 (p. 229)
private residence or office, inapplicable to, Rule 617 Note 1 (p. 229)
exceptions to recording requirement
generally, Rule 617 Note 2 (p. 231)
good faith failure to operate equipment properly, Rule 617 Note 2 (p. 231)
outside jurisdiction of Indiana v. outside Indiana, Rule 617 Note 2 (p. 231)
spontaneous statements, Rule 617 Note 2 (p. 231)

RECORDS AND RECORDING—Cont'd
Unrecorded statements during custodial interrogation, Rule 617 (p. 228) —Cont'd
frequency of facility use for custodial interrogations, Rule 617 Note 1 (p. 229)
hearsay, accused's statement as, Rule 617 Note 4 (p. 232)
law enforcement officer, control over premises by, Rule 617 Note 1 (p. 229)
original documents rule, Rule 617 Note 4 (p. 232)
other evidence of statement and portions offered by accused, Rule 617 Note 4 (p. 232)
other rules to consider, Rule 617 Note 6 (p. 234)
portions offered by accused, Rule 617 Note 4 (p. 232)
rule of immediate completeness, Rule 617 Note 4 (p. 232)
summary of issues affecting admissibility, Rule 617 Note 5 (p. 233)
Videotapes
admissibility, generally, Rule 403 Note 7 (p. 63)
best evidence rule, Rule 1002 Note 1 (p. 413)
children, hearsay exception, Rule 804 Note 7 (p. 361), Rule 804 Note 8 (p. 364)
clarity, Rule 403 Note 7 (p. 63)
duplicates, Rule 1003 Note 1 (p. 417)
prerecorded trial testimony, Rule 804 Note 8 (p. 364)
relevancy, risk of prejudice, Rule 403 Note 7 (p. 63)
wills, authentication of, Rule 903 Note 2 (p. 407)
Warnings required for use of, Rule 403 Note 7 (p. 63)
Writings
contents, Rule 1001 (p. 410)
defined, Rule 1001 (p. 410)
written admission of party, Rule 1007 (p. 430)

RECORDS AND RECORDINGS
Party-opponent's statements. See index heading ADMISSIONS (PARTY-OPPONENT'S STATEMENTS)

RECROSS AND REDIRECT EXAMINATION
Scope of, Rule 611 Note 8 (p. 199)

REFERENCE BOOKS
Expert testimony, treatise as basis for, Rule 703 Note 6 (p. 262)
Hearsay rule, Rule 803 Note 18 (p. 337)

REFRESHING RECOLLECTION
Generally, Rule 612 Note 1 (p. 204)
Admissibility of writing used, Rule 612 Note 3 (p. 205)
Cross examination on writing used, Rule 612 Note 3 (p. 205)
Hypnosis to refresh memory, Rule 602 Note 2 (p. 163)
Nature of writing used, Rule 612 Note 1 (p. 204)
Opponent's right to examine writing used, Rule 612 Note 2 (p. 205)
Past recollection recorded distinguished, Rule 612 Note 1 (p. 204)
Privileged material, production of, Rule 612 Note 2 (p. 205)
Production of writing, Rule 612 Note 2 (p. 205)

REFRESHING RECOLLECTION—Cont'd
Witness must testify from memory, Rule 612 Note 1 (p. 204)

REFUSAL TO TESTIFY
Unavailability of witness for hearsay purposes, Rule 804 Note 1 (p. 347)

REGULARITY OF OFFICIAL ACTION
Public records exception to hearsay rule, Rule 803 Note 8 (p. 327)

REGULARLY KEPT RECORDS
Absence of record following diligent search, Rule 803 Note 7 (p. 327)
Authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
Certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
Electronically maintained records, Rule 803 Note 6 (p. 323)
Exception to hearsay rule, Rule 803 Note 6 (p. 323)
Official records, Rule 803 Note 8 (p. 327)
Opinions contained in records, Rule 803 Note 6 (p. 323)
Personal knowledge, Rule 803 Note 6 (p. 323)
Police reports, Rule 803 Note 6 (p. 323), Rule 803 Notes 6 (p. 323) & 8 (p. 327)
Public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
''Regularly conducted business'' defined, Rule 803 Note 6 (p. 323)
Religious organizations, Rule 803 Note 11 (p. 333)

REGULATIONS OF ADMINISTRATIVE AGENCIES
Authentication, Rule 902 Note 4 (p. 399)
Judicial notice, Rule 201 Note 6 (p. 38)

REHABILITATION
Contradiction of impeaching character witness, Rule 608 Note 4 (p. 181)
Explanation of prior inconsistent statement, Rule 613 Note 3 (p. 210)
Hearsay declarant, Rule 806 Note 2 (p. 371)
Prior consistent statement
rehabilitation and rebuttal, Rule 613 Note 4 (p. 211)
use as substantive evidence, Rule 801 Note 7 (p. 288)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
timing
Charge and statement, Rule 801 Note 7 (p. 288)
Introduction of proof, Rule 801 Note 5 (p. 286)
Remainder of writing containing prior consistent statement, Rule 613 Note 4 (p. 211)
Reputation of witness, Rule 613 Note 4 (p. 211)

RELEVANCY
Generally, Rule 401 (p. 50)

RELEVANCY—Cont'd
Accused's character, character evidence not admissible to prove, Rule 404 (p. 67)
Additional reasons, exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
Admissibility of relevant evidence, generally, Rule 402 Note 1 (p. 57), Rule 402 (p. 57)
Advance damage payments, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Alternative dispute resolution, Rule 408 (p. 95)
Audio tapes and transcripts, Rule 403 Note 7 (p. 63)
Authentication, Rule 901 Note 1 (p. 376)
Autopsy photographs, Rule 403 Note 3 (p. 61)
''Background facts,'' Rule 401 Note 4 (p. 52)
Balancing against probative value, Rule 403 Note 1 (p. 59)
Business custom, Rule 406 Note 2 (p. 88)
Chain of custody, Rule 901 Note 3 (p. 377)
Character
  accused, and prosecution's rebuttal, Rule 404 Note 2 (p. 68)
  crime victim, ''in issue,'' Rule 404 Note 5 (p. 70)
  crime victim, self-defense cases, Rule 404 Note 3 (p. 69)
  sexual reputation, Rule 412 Note 2 (p. 112)
Character evidence not admissible to prove conduct, Rule 404 (p. 67)
Collateral matters
  best evidence rule, exception to, Rule 1004 Note 5 (p. 422)
  impeachment, Rule 616 Note 1 (p. 223)
  prior inconsistent statement, Rule 613 Note 3 (p. 210)
Collateral source evidence, Rule 401 Note 5 (p. 53)
Comparison with Federal Rule, Rule 401 Note 9 (p. 56), Rule 402 Note 5 (p. 58)
Completed compromise, suit on, Rule 408 Note 4 (p. 97)
Compromise
  generally, Rule 408 (p. 95)
  offer to non-party, Rule 408 Note 8 (p. 97)
  offer to party inadmissible, Rule 408 Notes 1 (p. 95) & 2 (p. 96)
  statement of fact admissible, Rule 408 Note 6 (p. 97)
Concealing identity, Rule 401 Note 6 (p. 54)
Conduct, character evidence not admissible to prove, Rule 404 (p. 67)
Confusion of jury
  exclusion of relevant evidence for danger of, generally, Rule 403 Note 6 (p. 62)
  exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
Credibility evidence, Rule 401 Note 4 (p. 52)
Criminal conviction in related civil action, Rule 803 Note 22 (p. 340)
Cumulative evidence, Rule 403 Note 5 (p. 62)
Custom of a business or group, Rule 406 Note 2 (p. 88)
Definition, relevant evidence, Rule 401 (p. 50)
Demonstrations and experiments, Rule 611 Note 6 (p. 197)
Depending on a fact, Rule 104 Note 2 (p. 20)
Exceptions, character evidence not admissible to prove conduct, Rule 404 (p. 67)

RELEVANCY—Cont'd
Exclusion of relevant evidence
generally, Rule 403 Note 1 (p. 59), Rule 403 (p. 59)
based on remoteness, Rule 403 Note 9 (p. 65)
based on unfair surprise, Rule 403 Note 8 (p. 65)
comparison with Federal Rule, Rule 403 Note 10 (p. 66)
for danger of jury confusion, Rule 403 Note 6 (p. 62)
for danger of undue consumption of time, Rule 403 Note 5 (p. 62)
other Rules to consider, Rule 403 Note 10 (p. 66)
summary of issues affecting admissibility, Rule 403 Note 10 (p. 66)
False statements, withdrawn pleas and offers, Rule 410 (p. 102)
Flight of accused, Rule 401 Note 6 (p. 54)
Gang membership, Rule 404 Note 6 (p. 71)
Gruesome photographs, Rule 403 Note 3 (p. 61)
Guilty pleas
offering party, Rule 410 Note 5 (p. 105)
withdrawn pleas and offers, Rule 410 (p. 102)
Habit of an individual as proof of conduct
generally, Rule 406 Note 1 (p. 88)
method of proof, Rule 406 Note 3 (p. 89)
revised Rule 406, Rule 406 (p. 88)
Homicide victims, pre-autopsy photographs, Rule 403 Note 3 (p. 61)
Hospital expenses, Rule 409 (p. 99), Rule 413 (p. 116)
Injuries, medical expenses, Rule 409 (p. 99), Rule 413 (p. 116)
Instructions to jury, evidence of past sexual conduct, Rule 412 (p. 110)
Insurance, liability insurance, Rule 411 (p. 107)
Jury
confusion of jury, exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
instructions, evidence of past sexual conduct, Rule 412 (p. 110)
past sexual conduct, evidence of, Rule 412 (p. 110)
Liability insurance
generally, Rule 411 (p. 107)
absence of insurance, Rule 411 Note 1 (p. 107)
admissible on issues other than fault, Rule 411 Note 2 (p. 107)
credibility of witnesses, Rule 411 Note 2 (p. 107)
inadmissible on issue of fault, Rule 411 Note 1 (p. 107)
proof of agency, Rule 411 Note 2 (p. 107)
proof of scope of employment, Rule 411 Note 2 (p. 107)
Medical and similar expenses
generally, Rule 413 (p. 116)
by offering party, Rule 413 Note 1 (p. 116)
payment of, Rule 409 (p. 99)
Method of proving character
reputation or opinion, Rule 405 (p. 83)
revised Rule 405, Rule 405 (p. 83)
specific instances of conduct, Rule 405 (p. 83)
Misleading police, Rule 401 Note 6 (p. 54)

RELEVANCY—Cont'd
Misleading the jury, exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
Mug shots, Rule 403 Note 4 (p. 61)
Nolo contendere pleas, withdrawn pleas and offers, Rule 410 (p. 102)
Notice of character evidence to prove conduct, Rule 404 (p. 67)
Not withdrawn, Rule 410 Note 6 (p. 105)
Objection, specificity of, Rule 402 Note 2 (p. 57)
Offer of compromise
generally, Rule 408 (p. 95)
offer to non-party, Rule 408 Note 8 (p. 97)
offer to party inadmissible, Rule 408 Notes 1 (p. 95) & 2 (p. 96)
statement of fact admissible, Rule 408 Note 6 (p. 97)
Opening the door, Rule 401 Note 2 (p. 51), Rule 608 Note 10 (p. 184)
Other crimes
generally, Rule 404 Note 6 (p. 71)
character evidence not admissible to prove conduct, Rule 404 (p. 67)
Other reasons, exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
Other Rules to consider, Rule 401 Note 8 (p. 56), Rule 402 Note 4 (p. 58)
Past sexual conduct
definition of victim, Rule 412 (p. 110)
evidence of, Rule 412 (p. 110)
exceptions, Rule 412 (p. 110)
general rule of inadmissibility in sex offense prosecutions, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
inadmissible evidence, Rule 412 (p. 110)
procedure to determine admissibility, Rule 412 (p. 110)
revised rule, Rule 412 (p. 110)
Payment of medical or similar expenses
generally, Rule 409 (p. 99)
by offering party, Rule 413 Note 1 (p. 116)
by opponent, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Perjury, withdrawn pleas and offers, Rule 410 (p. 102)
Pleas not withdrawn, Rule 410 Note 6 (p. 105)
Pre-autopsy photographs of homicide victims, Rule 403 Note 3 (p. 61)
Pregnancy, evidence of past sexual conduct, Rule 412 (p. 110)
Prejudice, exclusion of relevant evidence on grounds of, Rule 403 Note 2 (p. 61), Rule 403 (p. 59)
Previous sexual conduct, evidence of, Rule 412 (p. 110)
Prior acts of misconduct
accused, generally, Rule 404 Note 6 (p. 71)
victim of sex crime, Rule 412 Note 1 (p. 111)
Prior sexual conduct, evidence of, Rule 412 (p. 110)
Probative value, balancing against, Rule 403 Note 1 (p. 59)
Procurement of witness's absence, Rule 401 Note 6 (p. 54)
Punitive damages, Rule 401 Note 5 (p. 53), Rule 408 Note 3 (p. 96)

RELEVANCY—Cont'd
Relevant evidence, defined, Rule 401 (p. 50)
Remedial measures, subsequent, Rule 407 (p. 92)
Remoteness, exclusion of relevant evidence for, Rule 403 Note 9 (p. 65)
Revised Rule 402, Rule 402 (p. 57)
Revised Rule 404, Rule 404 (p. 67)
Revised Rule 406, Rule 406 (p. 88)
Routine practice or habit, Rule 406 Note 2 (p. 88), Rule 406 (p. 88)
Scientific evidence, Rule 702 Note 8 (p. 254)
Sexual conduct, evidence of past, Rule 412 (p. 110)
Similar acts or occurrences, Rule 401 Note 5 (p. 53), Rule 406 Note 4 (p. 90)
Specificity of objection, Rule 402 Note 2 (p. 57)
Subsequent remedial measures
generally, Rule 407 Note 2 (p. 93), Rule 407 (p. 92)
comparison with Federal Rule, Rule 407 Note 6 (p. 94)
negligence cases, Rule 407 Notes 1 (p. 92) & 2 (p. 93)
other Rules to consider, Rule 407 Note 5 (p. 93)
product liability suits, Rule 407 Note 3 (p. 93)
summary of issues affecting admissibility, Rule 407 Note 4 (p. 93)
Summary of issues affecting admissibility, Rule 401 Note 7 (p. 55), Rule 402 Note 3 (p. 57)
Surprise as grounds for exclusion of relevant evidence, Rule 403 Note 8 (p. 65)
Tapes and transcripts, Rule 403 Note 7 (p. 63)
Test for relevancy, Rule 407 Note 2 (p. 93)
Time, exclusion of relevant evidence for danger of undue consumption, generally, Rule 403 Note 5 (p. 62)
Unfair prejudice, exclusion of relevant evidence on grounds of, Rule 403 (p. 59)
Victim's character, character evidence not admissible to prove, Rule 404 (p. 67)
Waiver of claim of prejudice, failure to request continuance as alternative to exclusion as, Rule 403 Note 8 (p. 65)
Withdrawn
generally, Rule 410 Note 1 (p. 102)
pleas, Rule 410 Note 1 (p. 102), Rule 410 (p. 102)
sentencing hearings, Rule 410 Note 2 (p. 102)
traffic offenses, Rule 410 Note 7 (p. 105)
Witness' character, character evidence not admissible to prove, Rule 404 (p. 67)

RELIGIOUS BELIEF
Comparison with Federal Rule, Rule 610 Note 4 (p.194)
Impeachment by showing religious belief or opinion, Rule 610 Note 1 (p.194)
Other Rules to consider, Rule 610 Note 4 (p.194)
Summary of issues affecting admissibility, Rule 610 Note 2 (p.194)

RELIGIOUS ORGANIZATIONS
Records of, hearsay rule, Rule 803 Note 11 (p. 333)

REMAINDER OF CONVERSATIONS AND WRITINGS
Generally, Rule 106 (p. 28)
Best evidence rule, duplicates, Rule 1003 Note 1 (p. 417)

REMAINDER OF CONVERSATIONS AND WRITINGS—Cont'd
Common law principle, generally, Rule 106 Note 4 (p. 30)
Immediate completeness
generally, Rule 106 Note 1 (p. 28)
hearsay, Rule 106 Note 3 (p. 29)
inadmissible hearsay, Rule 106 Note 3 (p. 29)
otherwise inadmissible evidence, Rule 106 Note 3 (p. 29)
recordings, Rule 106 Note 3 (p. 29)
requirements of fairness, Rule 106 Note 1 (p. 28)
trial Court discretion, Rule 106 Note 2 (p. 29)
unfair prejudice, Rule 106 Note 3 (p. 29)
writings, Rule 106 Note 3 (p. 29)
Previous relevant conversations, Rule 106 Note 4 (p. 30)
Prior consistent statement, Rule 801 Note 7 (p. 288)
Prior inconsistent statement, Rule 106 Note 4 (p. 30), Rule 613 Note 4 (p. 211), Rule 801 Note 6 (p. 287)
Timing of production of remainder, Rule 106 Note 1 (p. 28)
Trial Court discretion, Rule 106 Note 2 (p. 29)

REMEDIAL MEASURES
Relevancy of subsequent remedial measures
negligence cases, Rule 407 Notes 1 (p. 92) & 2 (p. 93)
product liability suits, Rule 407 Note 3 (p. 93)

REMOTENESS AS GROUNDS FOR EXCLUSION OF RELEVANT EVIDENCE
Generally, Rule 403 Note 9 (p. 65)

REOPENING CASE IN CHIEF
Generally, Rule 611 Note 5 (p. 197)

REPETITIOUS EVIDENCE
Court's discretion to exclude cumulative or repetitive evidence, Rule 403 Note 5 (p. 62)
Cross examination, repetitious questions, Rule 611 Note 3 (p. 196)

REPLY LETTER
Authentication, Rule 901 Note 8 (p. 383)

REPORTS
Business records, Rule 803 Note 6 (p. 323)
Case reports, authentication, Rule 902 Note 4 (p. 399)
Expert opinion, basis for
generally, Rule 703 Note 5 (p. 261)
disclosure of underlying facts on direct examination, Rule 703 Note 6 (p. 262)
Market reports
exception to hearsay rule, Rule 803 Note 17 (p. 337)
newspapers and periodicals, authentication, Rule 902 Note 5 (p. 400)
Others, expert opinion testimony based upon
generally, Rule 703 Note 5 (p. 261)
disclosure of underlying facts on direct examination, Rule 703 Note 6 (p. 262)

REPORTS—Cont'd
Police reports
business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 8 (p. 327)
trustworthiness, Rule 803 Note 8 (p. 327)
Public records and reports
generally, Rule 803 Note 8 (p. 327)
exclusions from hearsay rule, Rule 803 Note 8 (p. 327)
trustworthiness, Rule 803 Note 8 (p. 327)
types of records, Rule 803 Note 8 (p. 327)
Regularly kept business records, Rule 803 Note 6 (p. 323)

REPRESENTATIVE ADMISSIONS
Representative statements of party-opponent
attorneys, Rule 801 Notes 12 (p. 294) & 13 (p. 296)
co-conspirators, Rule 801 Note 14 (p. 297)
Tacit admissions, Rule 801 Note 11 (p. 293)

REPUTATION
Generally, as proof of character, Rule 405 Note 2 (p. 83)
Accused
generally, Rule 404 Note 2 (p. 68)
evidence of own relevant traits, and prosecution's rebuttal, Rule 404 Note 2 (p. 68)
sexual preference, Rule 404 Note 6 (p. 71)
Balancing probative value and unfair prejudice, uncharged crimes, Rule 404 Note 7 (p. 72)
Boundaries or customs affecting land, hearsay rule, Rule 803 Note 20 (p. 339)
Character witnesses
cross-examination, Rule 405 Note 4 (p. 84)
limitation on number allowed, Rule 611 Note 2 (p. 196)
notice to accused, Rule 405 Note 5 (p. 85)
opinion evidence admissible, Rule 405 Note 3 (p. 84)
reputation evidence, Rule 405 Note 2 (p. 83)
Child sex offenses, Rule 404 Note 17 (p. 79)
CHINS Proceedings, Rule 405 Note 6 (p. 86)
Circumstantial use of character evidence, Rule 404 Note 1 (p. 68)
Collateral matters, Rule 616 Note 1 (p. 223)
Common scheme or plan, generally, Rule 404 Note 13 (p. 77)
Comparison with Federal Rule, Rule 404 Note 20 (p. 82), Rule 405 Note 9 (p. 87)
Conviction of crime
generally, Rule 609 Note 1 (p. 187)
comparison with Federal Rule, Rule 609 Note 13 (p. 193)
crimes admissible, Rule 609 Note 2 (p. 188)
crimes inadmissible, Rule 609 Note 3 (p. 188)
extent of questioning, Rule 609 Note 7 (p. 190)

REPUTATION—Cont'd
Conviction of crime—Cont'd
juvenile convictions, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 609 Note 9 (p. 191)
other Rules to consider, Rule 609 Note 12 (p. 193)
pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
pendency of appeal, Rule 609 Note 6 (p. 190)
remoteness: convictions more than ten years old, Rule 609 Note 10 (p. 191)
summary of issues affecting admissibility, Rule 609 Note 11 (p. 192)
Crime victim, reputation for peacefulness, Rule 404 Note 3 (p. 69)
Cross examination
character witness, specific acts, Rule 608 Note 8 (p. 182)
impeaching witness, Rule 608 Note 8 (p. 182)
notice
generally, Rule 405 Note 5 (p. 85)
intent to offer character evidence in criminal cases, Rule 608 Note 8 (p. 182)
Extrinsic evidence, opinion and reputation evidence of character, Rule 608 (p. 179)
Extrinsic offenses
balancing probative value and unfair prejudice, Rule 404 Note 7 (p. 72)
extrinsic acts not amounting crimes, Rule 404 Note 6 (p. 71)
general rule, Rule 404 Note 6 (p. 71)
notice in criminal cases, Rule 404 Note 9 (p. 74)
sufficiency of proof of extrinsic offense, Rule 404 Note 8 (p. 74)
test for admissibility, Rule 404 Note 7 (p. 72)
Family history, hearsay rule, Rule 803 Note 19 (p. 339)
''Forbidden inference', Rule 404 Note 6 (p. 71)
Gang membership, Rule 404 Note 6 (p. 71)
Hearsay
boundaries or general history, reputation concerning, Rule 803 (p. 308)
exception, Rule 803 Note 21 (p. 340)
family or personal history, reputation concerning, Rule 803 (p. 308)
proof of character, Rule 803 Note 21 (p. 340)
Historical matters, hearsay rule, Rule 803 Note 20 (p. 335)
Identity, proof of perpetrator's, Rule 404 Note 12 (p. 76)
Impeachment, Rule 404 Note 17 (p. 79)
Impeachment evidence, character as
comparison with Federal Rule, Rule 608 Note 13 (p. 185)
cross examination
character witness, specific acts, Rule 608 Note 8 (p. 182)
impeaching witness, Rule 608 Note 8 (p. 182)
notice, Rule 405 Note 5 (p. 85), Rule 608 Note 8 (p. 182)
hearsay exception, Rule 803 Note 21 (p. 340)
impeachee's rebuttal reputation evidence, Rule 608 Note 4 (p. 181)
jury confusion, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
opinion testimony admissible, Rule 608 Note 3 (p. 180)

REPUTATION—Cont'd
Impeachment evidence, character as—Cont'd
own witness, impeachment of
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
comparison with Federal Rule, Rule 607 Note 9 (p. 178)
limitations, Rule 607 Note 2 (p. 175)
other Rules to consider, Rule 607 Note 8 (p. 177)
summary of issues affecting admissibility, Rule 607 Note 7 (p. 177)
religious belief or opinion, Rule 610 Note 1 (p.194)
reputation within a reasonable time before trial, Rule 608 Note 2 (p. 180)
sexual reputation
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
rape shield law, generally, Rule 412 Note 1 (p. 111)
specific acts generally inadmissible as proof of character, Rule 608 Note 5 (p. 181)
summary of issues affecting admissibility, Rule 608 Note 11 (p. 184)
truthfulness, reputation evidence admissible, Rule 608 Note 2 (p. 180)
In issue
CHINS Proceedings, Rule 405 Note 6 (p. 86)
criminal cases, Rule 404 Note 3 (p. 69)
Inseparable crimes, Rule 404 Note 10 (p. 74)
Intent, proof of accused's
generally, Rule 404 Note 11 (p. 75)
intent at issue, Rule 404 Note 7 (p. 72)
similarity, Rule 404 Note 11 (p. 75)
Jury confusion, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Juvenile convictions, Rule 609 Note 5 (p. 189)
Knowledge of accused, as proof of, Rule 404 Note 15 (p. 78)
Marriage, as proof of, Rule 803 Note 19 (p. 339)
Methods of proof of character
opinion testimony admissible, Rule 405 Note 3 (p. 84)
reputation, Rule 405 Note 2 (p. 83)
Motive of accused, as proof of, Rule 404 Note 14 (p. 78)
Non-propensity purposes not listed in rule, Rule 404 Note 17 (p. 79)
Notice
cross examination
generally, Rule 405 Note 5 (p. 85)
intent to offer character evidence in criminal cases, Rule 608 Note 8 (p. 182)
uncharged crimes in criminal cases, Rule 404 Note 9 (p. 74)
Opinion testimony admissible, Rule 608 Note 3 (p. 180)
Other crimes and acts by accused, general rule, Rule 404 Note 6 (p. 71)
Own witness, impeachment of
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
limitations, Rule 607 Note 2 (p. 175)

REPUTATION—Cont'd
Pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
Pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)
Personal history, hearsay rule, Rule 803 Note 19 (p. 339)
Plan, generally, Rule 404 Note 13 (p. 77)
Prior sexual allegations, Rule 608 Note 9 (p. 183)
Propensity rule, Rule 404 Note 6 (p. 71)
Rape shield law
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
Rebutting entrapment defense, Rule 404 Note 17 (p. 79)
Relevancy
accused's character, character evidence not admissible to prove, Rule 404 (p. 67)
method of proving character, reputation or opinion, Rule 405 (p. 83)
Religious belief or opinion, Rule 610 Note 1 (p.194)
Reputation as proof of character, Rule 608 Note 2 (p. 180)
"Res gestae," Rule 404 Note 10 (p. 74)
Sanity, Rule 404 Note 17 (p. 79)
Self-defense cases, Rule 404 Note 3 (p. 69)
Sexual conduct or reputation
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
certain criminal cases, Rule 412 Note 1 (p. 111)
comparison with Federal Rule, Rule 412 Note 7 (p. 115)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
notice and hearing, Rule 412 Note 4 (p. 114)
other cases, Rule 412 Note 2 (p. 112)
other Rules to consider, Rule 412 Note 6 (p. 115)
predisposition, generally, Rule 412 (p. 110)
preference of accused, Rule 404 Note 6 (p. 71)
summary of issues affecting admissibility, Rule 412 Note 5 (p. 114)
Specific acts
bias, admissible to show, Rule 608 Note 6 (p. 182)
character in issue, Rule 405 Note 6 (p. 86)
cross examination of character witness, Rule 608 Note 8 (p. 182)
generally, Rule 608 Note 8 (p. 182)
notice to accused, Rule 405 Note 5 (p. 85)
inadmissibility as proof, Rule 608 Note 5 (p. 181)
observe and recall, admissible to impeach ability to, Rule 608 Note 7 (p. 182)
opening the door, Rule 608 Note 10 (p. 184)
prior sexual allegations, Rule 608 Note 9 (p. 183)
proof, generally inadmissible as, Rule 608 Note 5 (p. 181)
substantive purposes, admissible for, Rule 608 Note 5 (p. 181)
Specific instances of conduct, Rule 405 Note 6 (p. 86)
Substantive evidence, generally, Rule 404 Note 6 (p. 71)
Sufficiency of proof of extrinsic offense, Rule 404 Note 8 (p. 74)

REPUTATION—Cont'd
Summary of issues affecting admissibility, Rule 404 Note 18 (p. 80)
Truthfulness, opinion and reputation evidence of character, Rule 608 (p. 179)
Veracity of witness, Rule 608 Note 2 (p. 180)
Victim's character
as proof of accused's state of mind, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
as proof of victim's conduct, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
sexual reputation, generally, Rule 412 Note 1 (p. 111)
Witnesses
generally, Rule 404 Note 4 (p. 70), Rule 608 Note 4 (p. 181), Rule 608 Notes 1 (p. 179) & 2 (p. 180)
character witnesses
cross-examination, Rule 405 Note 4 (p. 84)
limitation on number allowed, Rule 611 Note 2 (p. 196)
notice to accused, Rule 405 Note 5 (p. 85)
opinion evidence admissible, Rule 405 Note 3 (p. 84)
reputation evidence, Rule 405 Note 2 (p. 83)
comparison with Federal Rule, Rule 608 Note 13 (p. 185)
other Rules to consider, Rule 608 Note 12 (p. 185)
summary of issues affecting admissibility, Rule 608 Note 11 (p. 184)

REQUEST FOR ADMISSION
Judicial admissions, Rule 801 Note 13 (p. 296)
Party opponent's statement, Rule 801 Note 9 (p. 291)

REQUEST FOR PRODUCTION
Best evidence rule, Rule 1004 Note 4 (p. 421)

"RES GESTAE"
Business records, Rule 803 Note 6 (p. 323)
Competency of witnesses, Rule 601 Note 5 (p. 157)
Criminal acts as part of res gestae of crime, Rule 404 Note 10 (p. 74)
Dead man's statutes, Rule 601 Note 5 (p. 157)
Hearsay, generally, Rule 803 Note 26 (p. 343)
Inseparable crimes, Rule 404 Note 10 (p. 74)
Not in Evidence Rules, Rule 404 Note 10 (p. 74)
Other crimes and acts, Rule 404 Note 10 (p. 74)

RES IPSA LOQUITUR
Presumption or inference, Rule 301 Note 3 (p. 46)

RESPONSIVENESS
Motion to strike unresponsive answer, Rule 103 Note 6 (p. 11)

ROBBERY
Impeachment use of conviction for, Rule 609 Note 2 (p. 188)

ROUTINE PRACTICE
Custom or routine practice of organization, generally
generally, Rule 406 Note 2 (p. 88)
method of proving, Rule 406 Note 3 (p. 89)
Habit of individual
custom of organization, Rule 406 Note 2 (p. 88)
drunkenness as impeachment, Rule 608 Note 7 (p. 182)
method of proving, Rule 406 Note 3 (p. 89)
as proof of conduct, generally, Rule 406 Note 1 (p. 88)
routine practice of organization, Rule 406 Note 2 (p. 88)

"RULE OF COMPLETENESS"
Generally, Rule 106 Note 4 (p. 30)

RULES AND REGULATIONS
Authentication, Rule 902 Note 4 (p. 399)
Judicial notice of, Rule 201 Note 6 (p. 38)

RULES OF PRIVILEGE
Generally, Rule 101 (p. 2)

RULINGS ON EVIDENCE
Generally, Rule 103 (p. 8)
Amended Rule 103, Rule 103 (p. 8)
Erroneous ruling, effect, Rule 103 (p. 8)
Fundamental error, Rule 103 (p. 8)
Hearing of jury, Rule 103 (p. 8)
Objection, erroneous ruling, Rule 103 (p. 8)
Offer of proof, erroneous ruling, Rule 103 (p. 8)
Preserving claim of error, Rule 103 (p. 8)
Record of offer and ruling, Rule 103 (p. 8)

SANITY
Appointment by the court of expert psychiatric witnesses, Rule 614 Note 1 (p. 214)
Character or reputation, Rule 404 Note 17 (p. 79)
Competency of witnesses, Rule 601 Note 3 (p. 155)
Consulting psychiatrist, appointment, Rule 614 Note 1 (p. 214)
Dead man's statute, testator's sanity, Rule 601 Note 5 (p. 157)
Defendant's statements to psychiatrist, hearsay exception, Rule 803 Note 4 (p. 319)
Hearsay exceptions
defendant's statements to psychiatrist, Rule 803 Note 4 (p. 319)
then existing mental, emotional, or physical condition, Rule 803 (p. 308)
Opinion testimony, Rule 701 Note 6 (p. 239), Rule 704 Note 3 (p. 267)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Witnesses, competency of, Rule 601 Note 3 (p. 155)

SCIENTIFIC EVIDENCE
Chain of custody, Rule 901 Note 3 (p. 377)

SCIENTIFIC EVIDENCE—Cont'd
Expert testimony
generally, Rule 702 Note 1 (p. 244), Rule 702 Note 9 (p. 254)
basis of opinion, generally, Rule 703 Note 1 (p. 259), Rule 705 Note 1 (p. 274)
child abuse accommodation syndrome, Rule 702 Note 8 (p. 254)
degree of certainty, Rule 702 Note 4 (p. 248)
helpfulness of testimony, Rule 702 Note 2 (p. 245)
qualification of expert witness, Rule 702 Note 3 (p. 246)
scientific testimony, Rule 702 Note 8 (p. 254)
ultimate issues, Rule 704 Note 1 (p. 266)
weight of expert testimony, Rule 702 Note 7 (p. 249)
without opinion, Rule 702 Note 5 (p. 248)
Hypnosis, Rule 602 Note 2 (p. 163)
Performance of test
generally, Rule 702 Note 7 (p. 249)
forensic odontics, Rule 702 Note 7 (p. 249)
''frye'' test abrogated, Rule 702 Note 7 (p. 249)
''general acceptance'' test abrogated, Rule 702 Note 7 (p. 249)
microscopic inspection, opinion based on, Rule 702 Note 7 (p. 249)
polygraphs, Rule 702 Note 10 (p. 255)
rape trauma syndrome, Rule 702 Note 7 (p. 249)
reliability of scientific principles, Rule 702 Note 7 (p. 249)
scientific formula or calculation
generally, Rule 702 Note 7 (p. 249)
disclosure of, Rule 705 Note 1 (p. 274)
performance of calculation, Rule 702 Note 7 (p. 249)
reliability, Rule 702 Note 7 (p. 249)
trace metal detection, Rule 702 Note 7 (p. 249)
Tests
generally, Rule 702 Note 7 (p. 249)
atomic absorption testing, Rule 702 Note 7 (p. 249)
blood grouping tests, Rule 702 Note 7 (p. 249)
''frye'' test abrogated, Rule 702 Note 7 (p. 249)
''general acceptance'' test abrogated, Rule 702 Note 7 (p. 249)
polygraphs, Rule 702 Note 10 (p. 255)
trace metal detection, Rule 702 Note 7 (p. 249)
weight of expert testimony, Rule 702 Note 7 (p. 249)
Weight of expert testimony, Rule 702 Note 7 (p. 249)

SCOPE
Applicability, generally, Rule 101 (p. 2)
Cross examination, Rule 611 Note 7 (p. 198)
Employment, as affecting representative admission, Rule 801 Note 12 (p. 294)
Of evidence rules
generally, Rule 101 Note 1 (p. 3)
exceptions, Rule 101 Note 4 (p. 4)
preliminary questions of fact, Rule 101 Note 3 (p. 3), Rule 104 Note 1 (p. 20)
privileges, Rule 101 Note 2 (p. 3)

SCOPE—Cont'd
Inapplicable rules, Rule 101 (p. 2)
Miscellaneous proceedings, inapplicable, Rule 101 (p. 2)
Preliminary questions of fact, inapplicable, Rule 101 (p. 2)
Privilege rules, Rule 101 (p. 2)
Recross or redirect examination, Rule 611 Note 8 (p. 199)

SEAL
Acknowledged documents, self-authentication, Rule 902 Note 7 (p. 401)
Attorney-client privilege, inadvertent disclosure, Rule 502 Note 2 (p. 148)
Self-authentication
acknowledged documents, Rule 902 Note 7 (p. 401)
public records, Rule 902 Note 2 (p. 397)

SEARCH WARRANTS, PROCEEDINGS RELATING TO
Applicability of Evidence Rules, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

SECONDARY EVIDENCE
Best evidence rule, Rule 1002 Note 1 (p. 413)
Comparison with Federal Rule, Rule 1004 Note 8 (p. 423)
Definitions
duplicate, Rule 1001 Note 5 (p. 412)
photographs, Rule 1001 Note 3 (p. 411)
Duplicates, admissibility of, Rule 1003 Note 1 (p. 417)
Exceptions to requirement of original
collateral matters, Rule 1004 Note 5 (p. 422)
lost or destroyed original, Rule 1004 Note 2 (p. 420)
original not obtainable, Rule 1004 Note 3 (p. 421)
possession of opponent, Rule 1004 Note 4 (p. 421)
public records, Rule 1005 Note 1 (p. 424)
testimony or written admission of party, Rule 1007 Note 1 (p. 430)
Functions of court and jury, Rule 1008 Note 1 (p. 432)
Original required
generally, Rule 1002 Note 1 (p. 413)
comparison with Federal Rule, Rule 1002 Note 7 (p. 416)
materiality, Rule 1002 Note 2 (p. 414)
other Rules to consider, Rule 1002 Note 6 (p. 415)
photographs, Rule 1002 Note 3 (p. 414)
summary of issues affecting admissibility, Rule 1002 Note 5 (p. 415)
Other Rules to consider, Rule 1004 Note 7 (p. 422)
Public records, Rule 1005 Note 1 (p. 424)
Secondary evidence generally, Rule 1004 Note 1 (p. 419)
Summaries, Rule 1006 Note 1 (p. 426)
Summary of issues affecting admissibility, Rule 1004 Note 6 (p. 422)

SELECTION OF JURY
Motion in limine, applicability to, Rule 103 Note 10 (p. 15)

SELF-AUTHENTICATION
Generally, Rule 902 Note 1 (p. 396)
Acknowledged documents, Rule 902 Note 7 (p. 401), Rule 902 (p. 394)
Bills of lading, Rule 902 Note 8 (p. 402)
Business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Case reports, Rule 902 Note 4 (p. 399)
Certificates of dishonor, Rule 902 Note 8 (p. 402)
Certificates of weighers or inspectors, Rule 902 Note 8 (p. 402)
Certified copies of public records, Rule 902 Note 2 (p. 397)
Certified domestic records of regularly conducted activity, Rule 902 Note 10 (p. 402)
Certified foreign records of regularly conducted activity, Rule 902 Note 11 (p. 404)
Commercial paper and related documents, Rule 902 Note 8 (p. 402), Rule 902 (p. 394)
Comparison with Federal Rule, Rule 902 Note 13 (p. 406)
Consular invoices, Rule 902 Note 8 (p. 402)
Domestic public documents, Rule 902 Note 2 (p. 397), Rule 902 (p. 394)
Foreign public documents, Rule 902 Note 3 (p. 399), Rule 902 (p. 394)
Inscriptions, Rule 902 Note 6 (p. 401)
Insurance policies, Rule 902 Note 8 (p. 402)
Labels affixed in course of business, Rule 902 Note 6 (p. 401)
Municipal ordinances, Rule 902 Note 4 (p. 399)
Negotiable instruments, signatures on, Rule 902 Note 8 (p. 402)
Newspapers and periodicals, Rule 902 Note 5 (p. 400), Rule 902 (p. 394)
Notary's certificate, Rule 902 Note 7 (p. 401)
Official publications, Rule 902 Note 4 (p. 399), Rule 902 (p. 394)
Other Rules to consider, Rule 902 Note 12 (p. 405)
Pamphlets, Rule 902 Note 4 (p. 399)
Preliminary questions of fact, Rule 902 Note 1 (p. 396)
Presumptions created by law, Rule 902 (p. 394)
Securities, Rule 902 Note 8 (p. 402)
Signature requirements, Rule 902 Note 10 (p. 402)
Signs affixed in course of business, Rule 902 Note 6 (p. 401)
Statutes, Rule 902 Note 4 (p. 399)
Tags affixed in course of business, Rule 902 Note 6 (p. 401)
Trade inscriptions, Rule 902 Note 6 (p. 401)
Trade inscriptions and the like, Rule 902 (p. 394)

SELF-DEFENSE
Character of victim
''in issue,'' Rule 404 Note 5 (p. 70)
proof of defendant's state of mind or victim's conduct, Rule 404 Note 3 (p. 69)

"SELF-SERVING"
Generally, Rule 803 Note 26 (p. 343)
Hearsay, lack of trustworthiness, Rule 803 Note 26 (p. 343)
Statement of party-opponent, Rule 801 Note 9 (p. 291)

SENTENCING HEARINGS
Applicability of Evidence Rules
generally, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

SEPARATION OF WITNESSES
Generally, Rule 615 (p. 218)
Closing statements, Rule 615 Note 1 (p. 218)
Consultation between accused and counsel during recess, Rule 615 Note 1 (p. 218)
Essential, persons whose presence is, Rule 615 Note 2 (p. 219)
Exceptions to order, Rule 615 Note 2 (p. 219)
Opening statements, Rule 615 Note 1 (p. 218)
Parents in delinquency proceeding, Rule 615 Note 2 (p. 219)
Parties to action, Rule 615 Note 2 (p. 219)
Remedies for violation, Rule 615 Note 3 (p. 220)
Revised Rule 615, Rule 615 (p. 218)
Terms of order, Rule 615 Note 1 (p. 218)
Witnesses who have testified, Rule 615 Notes 1 (p. 218) & 2 (p. 219)

SETTLEMENTS
Guilty pleas and related statements
generally, Rule 410 Note 1 (p. 102)
statements related to plea discussions, Rule 410 Notes 4 (p. 104) & 5 (p. 105)
Offer of compromise
generally, Rule 408 Note 1 (p. 95)
admissions, Rule 408 Note 6 (p. 97)
alternative dispute resolution, Rule 408 Note 5 (p. 97)
inadmissibility, general rule of, Rule 408 Note 1 (p. 95)
non-parties, offers to, Rule 408 Note 8 (p. 97)
offers of judgment, Rule 408 Note 5 (p. 97)
proof of matters other than offeror's belief in his liability, Rule 408 Note 2 (p. 96)
small claims cases, Rule 101 Note 4 (p. 4)
statements of fact admissible, Rule 408 Note 6 (p. 97)
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Traffic offenses, Rule 410 Note 7 (p. 105)
With co-party or witness, to show bias, Rule 616 Note 5 (p. 225)

SEX OFFENSES
Character or reputation. See index heading CHARACTER OR REPUTATION
Child abuse accommodation syndrome, Rule 702 Note 7 (p. 249)
Child hearsay exception, Rule 804 Note 7 (p. 361)
Children, character or reputation, Rule 404 Note 17 (p. 79)
Conviction of crime
assault with intent to rape, Rule 609 Note 2 (p. 188)
child molesting, Rule 609 Note 3 (p. 188)
prostitution, Rule 609 Note 3 (p. 188)

SEX OFFENSES—Cont'd
Conviction of crime—Cont'd
rape, Rule 609 Note 2 (p. 188)
Criminal defendant, relevancy of other offenses, generally, Rule 404 Note 6 (p. 71)
Hearsay
child hearsay exception, Rule 804 Note 7 (p. 361)
statements for purposes of medical diagnosis or treatment, Rule 803 Note 4 (p. 319)
Prior false allegations, Rule 608 Note 9 (p. 183)
Privileged communications, crime victim advocates and service providers, Rule 501 Note 14 (p. 144)
Rape trauma syndrome, Rule 702 Note 7 (p. 249)
Statements for purposes of medical diagnosis or treatment, Rule 803 Note 4 (p. 319)
Victim or witness
generally, Rule 412 Note 1 (p. 111)
balancing probative value and risk of unfair prejudice, Rule 412 Note 5 (p. 114)
civil cases, Rule 412 Note 2 (p. 112)
civil cases, exceptions, Rule 412 Note 3 (p. 113)
conduct between victim and defendant, Rule 412 Note 1 (p. 111)
hearing, Rule 412 Note 4 (p. 114)
impeachment evidence, Rule 412 Note 1 (p. 111)
victim advocate, defined, Rule 501 Note 14 (p. 144)
victim service provider, defined, Rule 501 Note 14 (p. 144)
Videotaped testimony, Rule 804 Note 8 (p. 364)

SEXUAL BEHAVIOR
Conviction of crime
assault with intent to rape, Rule 609 Note 2 (p. 188)
child molesting, Rule 609 Note 3 (p. 188)
prostitution, Rule 609 Note 3 (p. 188)
rape, Rule 609 Note 2 (p. 188)
Criminal defendant, relevancy of other offenses, generally, Rule 404 Note 6 (p. 71)
Definition of victim, Rule 412 (p. 110)
Exceptions to inadmissible evidence, Rule 412 (p. 110)
Hearings, in camera, Rule 412 (p. 110)
Instructions to jury, evidence of past sexual conduct, Rule 412 (p. 110)
Prior false allegations, Rule 608 Note 9 (p. 183)
Procedure to determine admissibility, Rule 412 (p. 110)
Relevancy, instructions to jury regarding evidence of past sexual conduct, Rule 412 (p. 110)
Victim or witness
generally, Rule 412 Note 1 (p. 111)
balancing probative value and risk of unfair prejudice, Rule 412 Note 5 (p. 114)
civil cases, Rule 412 Note 2 (p. 112)

SEXUAL BEHAVIOR—Cont'd
Victim or witness—Cont'd
civil cases, exceptions, Rule 412 Note 3 (p. 113)
conduct between victim and defendant, Rule 412 Note 1 (p. 111)
hearing, Rule 412 Note 4 (p. 114)
impeachment evidence, Rule 412 Note 1 (p. 111)
notice and hearing, Rule 412 Note 4 (p. 114)
someone else committed charged crime, proof of, Rule 412 Note 1 (p. 111)

SEXUAL PREFERENCE
Reputation of accused, Rule 404 Note 6 (p. 71)

SHOPBOOK RULE
Business records exception to hearsay rule, Rule 803 Note 6 (p. 323)

SIGNATURE
Best evidence rule, Bureau of Motor Vehicles records with electronic or digital signature, Rule 1002 Note 4 (p. 415)
Electronic signatures, Rule 1001 Note 4 (p. 411)
Handwriting
comparison
by expert witness, Rule 901 Note 7 (p. 382)
by non-expert witness, Rule 901 Note 6 (p. 381)
by trier of fact, Rule 901 Note 7 (p. 382)
expert testimony, Rule 901 Note 7 (p. 382)
opinion testimony, Rule 701 Note 6 (p. 239)
witness familiar with person's writing, Rule 901 Note 6 (p. 381)
witness who has seen person write, Rule 901 Note 6 (p. 381)
Uniqueness of criminal acts as proof of actor's identity, Rule 404 Note 12 (p. 76)

SILENCE
Tacit admissions, Rule 801 Note 11 (p. 293)

"SILENT WITNESS THEORY"
Authentication of photographs and videotapes, Rule 901 Note 13 (p. 388)

SIMILAR ACCIDENTS
Relevancy generally, Rule 401 Note 5 (p. 53), Rule 406 Note 4 (p. 90)
Similar acts or occurrences as proof of habit or routine practice, Rule 406 Note 3 (p. 89)

SIMILAR CONDITIONS
Chain of custody, Rule 901 Note 3 (p. 377)
Demonstrative evidence: demonstrations and experiments, Rule 611 Note 6 (p. 197)
Similar acts or occurrences
general relevancy, Rule 401 Note 5 (p. 53), Rule 406 Note 4 (p. 90)
proof of habit or routine practice, Rule 406 Note 3 (p. 89)

SIMILAR HAPPENINGS AND TRANSACTIONS
Similar accidents, relevancy, Rule 401 Note 5 (p. 53), Rule 406 Note 4 (p. 90)

SIMILAR HAPPENINGS AND TRANSACTIONS—Cont'd
Similar acts or occurrences as proof of habit or routine practice, Rule 406 Note 3 (p. 89)

SIXTH AMENDMENT
Confrontation, criminal accused's right to
co-defendant's statements, joint trials, Rule 105 Note 5 (p. 26)
denial of memory of statement, Rule 802 Note 2 (p. 304)
hearsay rule
child hearsay exception, Rule 804 Note 7 (p. 361)
declarations against interest exception, Rule 804 Note 4 (p. 355)
dying declarations exception, Rule 804 Note 3 (p. 354)
excited utterance exception, Rule 803 Note 2 (p. 314)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
former testimony exception, Rule 804 Note 2 (p. 350)
regularly kept business records exception, Rule 803 Note 6 (p. 323)
relationship to, Rule 802 Note 2 (p. 304)
statements for medical diagnosis or treatment exception, Rule 803 Note 4 (p. 319)

SMALL CLAIMS CASES
Applicability of Evidence Rules, Rule 101 Note 4 (p. 4)
Privilege, Rule 101 Note 4 (p. 4)

SOCIAL WORKERS
Privileged communications, Rule 501 Note 13 (p. 143)

SOUND RECORDINGS
Admissibility, generally, Rule 403 Note 7 (p. 63)
Authentication, Rule 901 Note 9 (p. 384)
Best evidence rule, Rule 1002 Note 1 (p. 413)
Duplicates, Rule 1003 Note 1 (p. 417)
Remainder of, admissibility
common law principle of completeness, Rule 106 Note 4 (p. 30)
immediate admission, Rule 106 Note 1 (p. 28)
Transcripts as listening aid
generally, Rule 403 Note 7 (p. 63)
best evidence rule, Rule 1002 Note 1 (p. 413)

SPECIFIC INTENT
Intent at issue, Rule 404 Note 7 (p. 72)
Opinion testimony concerning, criminal case, Rule 704 Note 3 (p. 267)

SPECULATION
Degree of certainty for expert opinion, Rule 702 Note 4 (p. 248)
Personal knowledge, generally, Rule 602 Note 1 (p. 162)

SPEED
Opinion testimony, Rule 701 Note 6 (p. 239)

"SPOLIATION" EVIDENCE
Flight, relevancy, Rule 401 Note 6 (p. 54)

"SPOLIATION" EVIDENCE—Cont'd
Forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
Procurement of absence of witness, Rule 804 Note 1 (p. 347)

SPONTANEOUS EXCLAMATIONS, DECLARATIONS OR STATEMENTS
Excited utterances, Rule 803 Note 2 (p. 314)
Unrecorded statements during custodial interrogation, Rule 617 (p. 228)

SPOUSES
Dead man's statutes, Rule 601 Note 5 (p. 157)
Family history, hearsay exceptions
family records, Rule 803 Note 13 (p. 334)
judgment as to, Rule 803 Note 23 (p. 342)
pedigree, Rule 804 Note 5 (p. 358)
religious organization records, Rule 803 Note 11 (p. 333)
reputation, Rule 803 Note 19 (p. 339)
Husband-wife privilege, Rule 501 Note 8 (p. 139)
Marriage certificates, hearsay exception, Rule 803 Note 12 (p. 334)
Pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)

STARTLED UTTERANCES
Excited utterances, Rule 803 Note 2 (p. 314)

STATEMENT
Defined for hearsay rule, Rule 801 Note 1 (p. 282)

STATEMENT AGAINST INTEREST
Declarations against pecuniary, propriety, or penal interest, hearsay exception, Rule 804 Note 4 (p. 355)
declarant's unavailability, requirement of, Rule 804 Note 4 (p. 355)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
against interest, Rule 804 Note 4 (p. 355)
pecuniary interest, statement against, Rule 804 Note 4 (p. 355)
penal interest, statement against, Rule 804 Note 4 (p. 355)
personal knowledge, Rule 804 Note 4 (p. 355)
statement partly against interest, severability of, Rule 804 Note 4 (p. 355)
Hearsay exceptions, Rule 804 (p. 345)
Personal knowledge, Rule 804 Note 4 (p. 355)

STATEMENT OF BODILY CONDITION
Appearance, opinion testimony, Rule 701 Note 6 (p. 239)
Diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
Existing pain or suffering, Rule 803 Note 3 (p. 316)
Medical history no longer admissible only as basis for expert opinion, Rule 703 Note 6 (p. 262)
Non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Opinion testimony, Rule 701 Note 6 (p. 239)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)

STATEMENT OF PARTY-OPPONENT
Generally, Rule 801 Note 9 (p. 291)
Adoptive admissions, Rule 801 Note 11 (p. 293)
Advance payments, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
"Against interest," Rule 801 Note 9 (p. 291)
Agents, Rule 801 Notes 12-14 (p. 294-297)
agent or servant, Rule 801 Note 12 (p. 294)
attorneys, Rule 801 Note 12 (p. 294)
authority of declarant, Rule 801 Note 12 (p. 294)
co-conspirators, Rule 801 Note 14 (p. 297)
employee's agent, Rule 801 Note 12 (p. 294)
judicial admissions, Rule 801 Note 13 (p. 296)
personal knowledge not required, Rule 801 Note 12 (p. 294)
pleadings, Rule 801 Note 13 (p. 296)
servant, Rule 801 Note 12 (p. 294)
stipulations, Rule 801 Note 13 (p. 296)
Argument in hearing of jury, Rule 104 Note 5 (p. 22)
Attorneys, Rule 801 Notes 12 (p. 294) & 13 (p. 296)
Authority to speak, Rule 801 Note 12 (p. 294)
Best evidence rule, exception to, Rule 1007 Note 1 (p. 430)
Co-conspirator's statements, Rule 801 Note 14 (p. 297)
Comparison with Federal Rule, Rule 1007 Note 4 (p. 431)
Contents of writing, to prove, Rule 1007 Note 1 (p. 430)
Co-party's admissions, Rule 801 Note 15 (p. 299)
Employees, Rule 801 Note 12 (p. 294)
Failure to deny accusation, Rule 801 Note 11 (p. 293)
Guilty pleas and related statements, Rule 410 (p. 102)
Judicial admissions, Rule 801 Note 13 (p. 296)
Liability insurance, existence of, Rule 411 Note 1 (p. 107)
Limiting instruction, adoptive or tacit admission, Rule 801 Note 11 (p. 293)
Medical and similar expenses, payment of, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Offers of compromise, Rule 408 Notes 1 (p. 95) & 2 (p. 96)
Other Rules to consider, Rule 1007 Note 3 (p. 431)
Payment of medical and similar expenses, Rule 409 Notes 1 (p. 99) and 3 (p. 100)
Personal knowledge, adoptive or tacit admission, Rule 801 Note 11 (p. 293)
Stipulations, Rule 801 Note 13 (p. 296)
Summary of issues affecting admissibility, Rule 1007 Note 2 (p. 430)
Tacit admissions, Rule 801 Note 11 (p. 293)
Traffic offenses, Rule 410 Note 7 (p. 105)
Victim, criminal case, Rule 801 Note 9 (p. 291)
Withdrawn guilty pleas, Rule 410 Note 1 (p. 102)
Withdrawn pleadings, Rule 801 Note 13 (p. 296)

STATEMENTS OF SYMPATHY
Personal injuries, Rule 409 Note 3 (p. 100)

STATEMENT UNDER BELIEF OF IMPENDING DEATH
Dying declarations, Rule 804 Note 3 (p. 354)

STATE OF MIND
Appointment by the court of expert psychiatric witnesses, Rule 614 Note 1 (p. 214)
Character evidence in criminal cases as proof of, state of mind, self-defense, Rule 404 Note 3 (p. 69)
Dead man's statute, testator's capacity, Rule 601 Note 5 (p. 157)
Hearsay exception, Rule 803 Note 3 (p. 316), Rule 804 (p. 345)
Impeachment, Rule 608 Note 7 (p. 182)
Opinion testimony
generally, Rule 701 Note 6 (p. 239)
intent in criminal case, Rule 704 Note 3 (p. 267)
sanity, Rule 701 Note 6 (p. 239), Rule 704 Note 3 (p. 267)
Witnesses
children, Rule 601 Note 2 (p. 155)
insane persons, Rule 601 Note 3 (p. 155)
intoxicated witnesses, Rule 601 Note 4 (p. 156)
Witness's own, Rule 701 Note 6 (p. 239)

STATISTICS
Vital statistics, Rule 803 Note 9 (p. 332)
Voluminous records, generally, Rule 1006 Note 1 (p. 426)

STATUTE OF LIMITATIONS
Conviction of crime, Rule 609 (p. 186)

STATUTES
Authentication, Rule 902 Note 4 (p. 399)
Foreign law, authentication, Rule 902 Note 3 (p. 399)
Judicial notice of, Rule 201 Note 6 (p. 38)
Municipal ordinances
judicial notice of, Rule 201 Note 6 (p. 38)
proof of, Rule 902 Note 4 (p. 399)
Official publications as proof of, Rule 902 Note 4 (p. 399)

STENOGRAPHERS
Proof of former testimony, Rule 804 Note 2 (p. 350)

STIPULATIONS
Admission of party, Rule 801 Note 13 (p. 296)
Polygraph evidence, Rule 702 Note 10 (p. 255)

STRIKING TESTIMONY
Requirement of motion to strike, Rule 103 Note 6 (p. 11)
Unresponsive answers, Rule 103 Note 6 (p. 11)

SUBJECTIVE SYMPTOMS
As basis for expert opinion, Rule 703 Note 6 (p. 262)
Hearsay exception
statements for medical diagnosis or treatment, Rule 803 Note 4 (p. 319)

SUBJECTIVE SYMPTOMS—Cont'd
Hearsay exception—Cont'd
statements of existing physical condition, Rule 803 Note 3 (p. 316)

SUBSCRIBING WITNESS
Necessity of testimony of
generally, Rule 903 Note 1 (p. 407)
comparison with Federal Rule, Rule 903 Note 4 (p. 408)
other Rules to consider, Rule 903 Note 3 (p. 408)
wills, Rule 903 Note 2 (p. 407)

SUBSEQUENT REMEDIAL MEASURES
Admissibility of evidence of
comparison with Federal Rule, Rule 407 Note 6 (p. 94)
negligence cases, Rule 407 Notes 1 (p. 92) & 2 (p. 93)
other Rules to consider, Rule 407 Note 5 (p. 93)
product liability suits, Rule 407 Note 3 (p. 93)
summary of issues affecting admissibility, Rule 407 Note 4 (p. 93)

SUBSEQUENT REPAIRS OR REMEDIAL MEASURES
Purposes other than proof of culpable conduct, Rule 407 Note 2 (p. 93)

SUBSTANTIALLY SAME CONDITION
Authentication of real evidence, Rule 901 Note 1 (p. 376)

SUMMARIES
Voluminous records, exception to best evidence rule
generally, Rule 1006 Note 1 (p. 426)
comparison with Federal Rule, Rule 1006 Note 5 (p. 429)
other Rules to consider, Rule 1006 Note 4 (p. 429)
pedagogical summaries, Rule 1006 Note 2 (p. 428)
summary of issues affecting admissibility, Rule 1006 Note 3 (p. 428)

SUPPORT OF WITNESSES
Rehabilitation and rebuttal after prior inconsistent statement, Rule 613 Note 4 (p. 211)
Reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)

SUPPRESS, MOTION TO
Requirement of in-trial objection following denial of motion, Rule 103 Note 2 (p. 9)

SURPRISE
As grounds for exclusion of relevant evidence, Rule 403 Note 8 (p. 65)
As grounds for impeachment of own witness, Rule 607 Note 1 (p. 175)
Notice of intent to use evidence of extrinsic offense to avoid, Rule 404 Note 9 (p. 74)
Waiver of claim of prejudice, failure to request continuance as alternative to exclusion as, Rule 403 Note 8 (p. 65)

SURVIVORS
Competency as witnesses, Dead Man's Statutes, Rule 601 Note 5 (p. 157)

SURVIVORS—Cont'd
Privilege
husband-wife, Rule 501 Note 8 (p. 139)
physician-patient, Rule 501 Note 7 (p. 129)

SYMPATHY, STATEMENT OF
Personal injuries, Rule 409 Note 3 (p. 100)

SYMPTOMS, PHYSICAL
Bodily condition, statements concerning
diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
existing pain or suffering, Rule 803 Note 3 (p. 316)
medical history no longer admissible only as basis for expert opinion, Rule 703 Note 6 (p. 262)
non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Subjective symptoms, hearsay exception
statements for medical diagnosis or treatment, Rule 803 Note 4 (p. 319)
statements of existing physical condition, Rule 803 Note 3 (p. 316)

SYSTEM OR PROCESS
Authentication, Rule 901 Note 13 (p. 388)
Market reports, Rule 803 Note 17 (p. 337)
Mortality tables, Rule 201 Note 3 (p. 36)
Other crimes or acts as proof of defendant's scheme or plan, generally, Rule 404 Note 13 (p. 77)

TACIT ADMISSIONS
Statements of party-opponent, Rule 801 Note 11 (p. 293)

TAGS
Authentication, Rule 902 Note 6 (p. 401)

TAPE RECORDINGS
Admissibility, generally, Rule 403 Note 7 (p. 63)
Authentication, Rule 901 Note 9 (p. 384)
Best evidence rule
generally, Rule 1002 Note 1 (p. 413)
definition of "recordings," Rule 1001 Note 2 (p. 411)
materiality of recording, Rule 1002 Note 2 (p. 414)
Confessions, Rule 403 Note 7 (p. 63)
Duplicates, Rule 1003 Note 1 (p. 417)
Duress, testimony elicited free from, Rule 403 Note 7 (p. 63)
Freely and voluntarily made requirement, Rule 403 Note 7 (p. 63)
Remainder of, admissibility
common law principle of completeness, Rule 106 Note 4 (p. 30)
immediate admission, Rule 106 Note 1 (p. 28)
Specific objections, Rule 403 Note 7 (p. 63)

TAPE RECORDINGS—Cont'd
Transcripts as listening aid
generally, Rule 403 Note 7 (p. 63)
best evidence rule, Rule 1002 Note 1 (p. 413)
Videotapes
child victims, hearsay exception, Rule 804 Note 7 (p. 361)
clarity, Rule 403 Note 7 (p. 63)
duplicates, Rule 1003 Note 1 (p. 417)
prerecorded trial testimony, Rule 804 Note 8 (p. 364)
wills, authentication of, Rule 903 Note 2 (p. 407)
Warnings required for use of, Rule 403 Note 7 (p. 63)

TELEPHONE CONVERSATIONS
Authentication
calls, Rule 901 Note 10 (p. 384)
identification of speakers, Rule 901 Note 9 (p. 384)

TELEVISION
Closed circuit television, testimony by way of, Rule 804 Note 8 (p. 364)

TESTIMONIAL KNOWLEDGE
Personal knowledge, generally, Rule 602 Note 1 (p. 162)

TESTIMONY, FORMER
Generally, Rule 804 Note 2 (p. 350)
Forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
Motive to develop, Rule 804 Note 2 (p. 350)
Opportunity to develop, Rule 804 Note 2 (p. 350)
Predecessor in interest, Rule 804 Note 2 (p. 350)
Proceeding, testimony in, Rule 804 Note 2 (p. 350)
Unavailability of declarant, Rule 804 Note 2 (p. 350)

TEXTBOOKS
Learned treatises
expert testimony, treatise as basis for, Rule 703 Note 6 (p. 262)
hearsay rule, Rule 803 Note 18 (p. 337)

THEFT
Impeachment use of conviction for, Rule 609 Note 2 (p. 188)

THEN EXISTING MENTAL, EMOTIONAL OR PHYSICAL CONDITION
Bodily condition, statements concerning
diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
existing pain or suffering, Rule 803 Note 3 (p. 316)
medical history no longer admissible only as basis for expert opinion, Rule 703 Note 6 (p. 262)
non-physicians, statements to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)

THEN EXISTING MENTAL, EMOTIONAL OR PHYSICAL CONDITION —Cont'd
Hearsay exceptions, unavailability of declarant
generally, Rule 804 (p. 345)
insanity, Rule 803 (p. 308)
State of mind
character evidence as proof of, in cases of self-defense, Rule 404 Note 3 (p. 69)
opinion testimony, sanity, Rule 701 Note 6 (p. 239)
witness's own, Rule 701 Note 6 (p. 239)

THIRD PERSONS
Attorney-client privilege, Rule 501 Note 6 (p. 124)
Husband-wife privilege, Rule 501 Note 8 (p. 139)

THREATS
Against witness, Rule 616 Note 6 (p. 226)

TIME
Ancient documents
authentication, Rule 901 Note 12 (p. 386)
exception to hearsay rule, Rule 803 Note 16 (p. 336)
Conviction of crime
impeachment by evidence of conviction, Rule 609 (p. 186)
witnesses, Rule 609 (p. 186)
Exclusion of relevant evidence for danger of undue consumption of, Rule 403 Note 5 (p. 62)
Impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Judicial notice, time for taking, Rule 201 Note 9 (p. 40)
Witnesses, impeachment by evidence of conviction of crime, Rule 609 (p. 186)

TITLE DOCUMENTS
Boundaries
judgment as to boundaries, Rule 803 Note 23 (p. 342)
reputation evidence concerning boundaries or general history, Rule 803 Note 20 (p. 335)
Recorded instruments
acknowledged instruments, Rule 902 Note 7 (p. 401)
ancient documents
authentication, Rule 901 Note 12 (p. 386)
hearsay exception, Rule 803 Note 16 (p. 336)
authentication generally, Rule 902 Notes 1 (p. 396) & 2 (p. 397)
best evidence rule, Rule 1005 Note 1 (p. 424)
hearsay, records of documents affecting interest in property, Rule 803 Note 14 (p. 335)
judgment as to boundaries, Rule 803 Note 23 (p. 342)

TOOTH MARKS
Expert testimony, Rule 702 Note 7 (p. 249)

TRACE METAL DETECTION
Expert testimony, Rule 702 Note 7 (p. 249)

TRADE INSCRIPTIONS
Self-authentication, Rule 902 Note 6 (p. 401)

TRADE JOURNALS
Hearsay exception for market reports, Rule 803 Note 17 (p. 337)

TRAFFIC OFFENSES
Guilty pleas and admissions, Rule 410 Note 7 (p. 105)
Nolo contendere pleas, Rule 410 Note 7 (p. 105)

TRAINING
Qualifications of experts, Rule 702 Note 3 (p. 246)

TRANSACTIONS WITH DECEDENTS
Dead man's statutes, Rule 601 Note 5 (p. 157)

TRANSCRIPTS
Audio tapes
best evidence rule
generally, Rule 1002 Note 1 (p. 413)
definition of ''recordings,'' Rule 1001 Note 2 (p. 411)
materiality of recording, Rule 1002 Note 2 (p. 414)
confusion of jury, Rule 403 Note 7 (p. 63)
Best evidence rule. See index heading BEST EVIDENCE RULE
Depositions
best evidence rule, Rule 1002 Note 1 (p. 413)
confrontation clause in criminal cases, Rule 804 Notes 1 (p. 347) & 2 (p. 350)
former testimony, Rule 804 Note 2 (p. 350)
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 2 (p. 209), Rule 806 Note 2 (p. 371)
inconsistent statement as substantive evidence, Rule 801 Note 6 (p. 287)
prior inconsistent statement, generally, Rule 613 Note 1 (p. 208)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
substantive use when deponent is unavailable, Rule 804 Note 2 (p. 350)
Former testimony, impeachment use, Rule 804 Note 2 (p. 350)

TRANSLATION
Interpreters
comparison with Federal Rule, Rule 604 Note 5 (p. 167)
comparison with other Rules, Rule 604 Note 5 (p. 167)
constitutional requirement, criminal cases, Rule 604 Note 2 (p. 166)
oath, Rule 604 Note 1 (p. 166)
particular interpreter, wishes of party or witness, Rule 604 Note 2 (p. 166)
qualification of interpreter, Rule 604 Note 1 (p. 166)
right of party or witness to interpreter, Rule 604 Note 2 (p. 166)
summary of issues affecting admissibility, Rule 604 Note 3 (p. 167)

TREASON
Conviction of crime, Rule 609 (p. 186)

TREATING PHYSICIANS
Bodily condition, statements concerning
diagnosis or treatment, statements for, Rule 803 Note 4 (p. 319)
existing pain or suffering, Rule 803 Note 3 (p. 316)
medical history no longer admissible only as basis for expert opinion, Rule 703 Note 6 (p. 262)
physicians, statements to concerning existing pain and suffering, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
questions, answers to, Rule 803 Notes 3 (p. 316) & 4 (p. 319)
Physician-patient privilege, Rule 501 Note 7 (p. 129)

TREATISES
Learned treatises
expert testimony, basis for, Rule 703 Note 6 (p. 262)
hearsay rule, Rule 803 Note 18 (p. 337)

TRESPASS
Impeachment use of conviction for, Rule 609 Note 3 (p. 188)

TRIAL COURT DISCRETION
Generally, Rule 102 Note 2 (p. 7)
Remainder of conversations and writings, Rule 106 Note 2 (p. 29)

TRIAL WITHOUT A JURY
Polygraph evidence, Rule 702 Note 10 (p. 255)

ULTERIOR MOTIVES
Bias of witness, Rule 616 Note 8 (p. 226)

ULTIMATE ISSUE
Admissibility, general rule of opinion on, Rule 704 Note 1 (p. 266)
Expert testimony, Rule 704 (p. 266)
Revised Rule 704, Rule 704 (p. 266)
Topics forbidden
generally, Rule 704 Note 2 (p. 267)
guilt or innocence, criminal case, Rule 704 Note 4 (p. 268)
intent, criminal case, Rule 704 Note 3 (p. 267)
legal conclusions, Rule 704 Note 7 (p. 271)
truthfulness of witness's testimony, Rule 704 Note 5 (p. 268)
truth or falsity of allegations, Rule 704 Note 6 (p. 270)

UNAVAILABILITY
Declarant, for purpose of hearsay exceptions, Rule 804 Note 1 (p. 347)
absence from state, Rule 804 Note 1 (p. 347)
business records, Rule 803 Note 6 (p. 323)
child victim in criminal cases, Rule 804 Note 7 (p. 361)
claim of privilege
rejected by court, Rule 804 Note 1 (p. 347)
upheld by court, Rule 804 Note 1 (p. 347)

UNAVAILABILITY—Cont'd
Declarant, for purpose of hearsay exceptions, Rule 804 Note 1 (p. 347)—Cont'd
death, Rule 804 Note 1 (p. 347)
declarations against interest, Rule 804 Note 4 (p. 355)
dying declarations, Rule 804 Note 3 (p. 354)
family records, Rule 803 Note 13 (p. 334)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
former testimony, Rule 804 Note 2 (p. 350)
inability to procure attendance, Rule 804 Note 1 (p. 347)
lack of memory, Rule 804 Note 1 (p. 347)
mental illness or insanity, Rule 804 Note 1 (p. 347)
past recollection recorded, Rule 803 Note 5 (p. 321)
pedigree exception to hearsay rule, Rule 804 Note 5 (p. 358)
physical infirmity, Rule 804 Note 1 (p. 347)
privilege, claim of
rejected by court, Rule 804 Note 1 (p. 347)
upheld by court, Rule 804 Note 1 (p. 347)
procurement by proponent of statement, Rule 804 Note 1 (p. 347)
question for the court, Rule 804 Note 1 (p. 347)
refusal to testify, Rule 804 Note 1 (p. 347)
regularly kept business records, Rule 803 Note 6 (p. 323)
videotaped testimony in certain criminal cases, Rule 804 Note 8 (p. 364)
Documents, for purposes of best evidence rule
lost or destroyed original, Rule 1004 Note 2 (p. 420)
not obtainable, Rule 1004 Note 2 (p. 420)
possession of opponent, Rule 1004 Note 4 (p. 421)
Then existing mental, emotional or physical condition, hearsay exceptions, unavailability of declarant, Rule 804 (p. 345)

UNCHARGED MISCONDUCT
Generally, Rule 404 Note 6 (p. 71)
Acts not amounting to crimes, Rule 404 Note 6 (p. 71)
Balancing danger of unfair prejudice, Rule 404 Note 7 (p. 72)
Common scheme or plan, other crimes or acts to prove, Rule 404 Note 13 (p. 77)
notice of intent to use evidence of extrinsic offense, Rule 404 Note 9 (p. 74)
Conduct not constituting a crime, Rule 404 Note 6 (p. 71)
Corpus delicti issue, Rule 404 Note 7 (p. 72)
Cross examination of character witness, Rule 405 Note 4 (p. 84)
notice to accused, Rule 405 Note 5 (p. 85)
Identity, as proof of
generally, Rule 404 Note 7 (p. 72)
crimes or acts (extrinsic offenses) as proof of identity, Rule 404 Note 12 (p. 76)
motive as proof of, Rule 404 Note 14 (p. 78)
notice of intent to use evidence of extrinsic offense, Rule 404 Note 9 (p. 74)
Inseparable crimes, Rule 404 Note 10 (p. 74)
Intent, proof of accused's when intent at issue
generally, Rule 404 Note 11 (p. 75)

UNCHARGED MISCONDUCT—Cont'd
Intent, proof of accused's when intent at issue—Cont'd
intent at issue, Rule 404 Note 7 (p. 72)
similarity, Rule 404 Note 11 (p. 75)
Intent issue, Rule 404 Note 7 (p. 72)
Knowledge of accused, as proof of, Rule 404 Note 15 (p. 78)
Limiting instruction, Rule 404 Note 7 (p. 72)
Mens rea, intent issue, Rule 404 Note 7 (p. 72)
Mistake, to prove absence of, Rule 404 Note 16 (p. 79)
Motive of accused, as proof of, Rule 404 Note 14 (p. 78)
Mug shots, references to, Rule 403 Note 4 (p. 61)
Notice of intent to use evidence of extrinsic offense, Rule 404 Note 9 (p. 74)
Plan
generally, Rule 404 Note 13 (p. 77)
notice of intent to use evidence of extrinsic offense, Rule 404 Note 9 (p. 74)
Prejudice, exclusion for unfair danger of, Rule 404 Note 7 (p. 72)
Proof, sufficiency of, Rule 404 Note 8 (p. 74)
''Res gestae,'' Rule 404 Note 10 (p. 74)
Sexual conduct or reputation, Rape Shield, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
certain criminal cases, Rule 412 Note 2 (p. 112)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
notice and hearing, Rule 412 Note 4 (p. 114)
other cases, Rule 412 Note 2 (p. 112)
Similarity between charged crime and uncharged act
general requirement, Rule 404 Note 7 (p. 72)
proof of identity, Rule 404 Note 12 (p. 76)
proof of intent, Rule 404 Note 11 (p. 75)
Subsequent to charged crime, Rule 404 Note 6 (p. 71)
Sufficiency of proof of other crime or act, Rule 404 Note 8 (p. 74)
Test for admissibility, Rule 404 Note 7 (p. 72)

UNDISCLOSED EVIDENCE
Exclusion for surprise, Rule 403 Note 8 (p. 65)

UNDISPUTED ISSUES
Materiality of evidence concerning, Rule 401 Note 4 (p. 52)

UNFAIR PREJUDICE
Immediate completeness, Rule 106 Note 3 (p. 29)
Prejudice
exclusion of relevant evidence for other reasons
gruesome photographs, Rule 403 Note 3 (p. 61)
mug shots, Rule 403 Note 4 (p. 61)
exclusion of relevant evidence for undue danger of, Rule 403 Notes 1 (p. 59) & 2 (p. 60)

UNIFORM COMMERCIAL CODE
Hearsay exception for market reports and commercial publications, Rule 803 Note 17 (p. 337)

UNIFORM COMMERCIAL CODE—Cont'd
Self-authentication of commercial paper and related documents, Rule 902 Note 8 (p. 402)

UNIQUE PATTERN
Footprints, opinion testimony concerning, Rule 701 Note 6 (p. 239)
Identity, as proof of, Rule 404 Note 13 (p. 77)

UNRESPONSIVE ANSWERS
Motions to strike, Rule 103 Note 6 (p. 11)

VALUE
Property, opinion testimony, Rule 701 Note 6 (p. 239)

VERACITY
Jury confusion, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Reputation, as proof of character
generally, Rule 405 Note 2 (p. 83)
accused, Rule 404 Note 2 (p. 68)
hearsay rule, Rule 803 Note 21 (p. 340)
veracity of witness, Rule 608 Note 2 (p. 180)
witness, Rule 608 Notes 1 (p. 179) & 2 (p. 180)
of witness, Rule 404 Note 4 (p. 70)

VERBAL ACTS
Not hearsay, Rule 801 Note 3 (p. 285)

VERDICT
Impeachment of by jurors' testimony not allowed
extraneous matters, Rule 606 Note 3 (p. 172)
hearing, procedure, Rule 606 Note 3 (p. 172)
hearsay from jurors to impeach verdict, Rule 606 Note 2 (p. 171)
impeaching verdict, Rule 606 Note 2 (p. 171)
supporting verdict, Rule 606 Note 3 (p. 172)
voir dire responses, inaccuracy of, Rule 606 Note 4 (p. 173)
Judgments
authentication
self-authentication, Foreign public documents, Rule 902 Note 3 (p. 399)
testimony, public records, Rule 901 Note 11 (p. 385)
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
conviction of crime, impeachment use, Rule 609 Note 1 (p. 187)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)

VICARIOUS ADMISSIONS
Representative statements of party-opponent, attorneys, Rule 801 Notes 12 (p. 294) & 13 (p. 296)

VICTIM
Character of victim
character evidence not admissible to prove, Rule 404 (p. 67)
conviction of crime, generally, Rule 609 Note 1 (p. 187)

VICTIM—Cont'd
Character of victim—Cont'd
''in issue,'' Rule 404 Note 5 (p. 70)
proof of accused's state of mind, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
proof of defendant's state of mind or victim's conduct, Rule 404 Note 3 (p. 69)
proof of victim's conduct, Rule 404 Note 3 (p. 69), Rule 412 Note 1 (p. 111)
sexual reputation
generally, Rule 412 Note 1 (p. 111)
certain criminal cases, Rule 412 Note 2 (p. 112)
other cases, Rule 412 Note 2 (p. 112)
prior acts, burden of proof to show, Rule 412 Note 2 (p. 112)
Hearsay exception, reputation, Rule 803 Note 21 (p. 340)
Opinion testimony admissible, Rule 608 Note 3 (p. 180)
Prior false allegations by, as impeachment, Rule 608 Note 9 (p. 183)
Relevancy of victim's character, character evidence not admissible to prove, Rule 404 (p. 67)
Reputation within a reasonable time before trial, Rule 608 Note 2 (p. 180)
''Self-serving'' statement of, Rule 803 Note 26 (p. 343)
Sexual conduct or reputation, Rape Shield
generally, Rule 412 Note 1 (p. 111)
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
certain criminal cases, Rule 412 Note 2 (p. 112)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
notice and hearing, Rule 412 Note 4 (p. 114)
other cases, Rule 412 Note 2 (p. 112)

VICTIM COUNSELORS
Privileged communications, Rule 501 Note 14 (p. 144)

VIDEOTAPES
Admissibility, generally, Rule 403 Note 7 (p. 63)
Authentication, Rule 901 Note 13 (p. 388)
Best evidence rule, Rule 1002 Note 1 (p. 413), Rule 1002 Note 3 (p. 414)
Changes prior to taking of photograph, Rule 901 Note 13 (p. 388)
Children, hearsay exception, Rule 804 Note 7 (p. 361), Rule 804 Note 8 (p. 364)
Clarity, Rule 403 Note 7 (p. 63)
Discrepancies, explanation of, Rule 901 Note 13 (p. 388)
Duplicates, Rule 1003 Note 1 (p. 417)
Jury room during deliberations, ''silent witness,'' Rule 901 Note 13 (p. 388)
Prerecorded trial testimony, Rule 804 Note 8 (p. 364)
Relevancy, risk of prejudice, Rule 403 Note 7 (p. 63)
''Silent witness'' videotapes, Rule 901 Note 13 (p. 388)
Wills, authentication of, Rule 903 Note 2 (p. 407)

VIOLATION OF DISCOVERY ORDERS
Exclusion of relevant evidence on grounds of unfair surprise, Rule 403 Note 8 (p. 65)

VISUAL AIDS
Demonstrations and experiments in courtroom, Rule 611 Note 6 (p. 197)
Demonstrative evidence, Rule 611 Note 6 (p. 197)
Photographs, Rule 901 Note 13 (p. 388)
Videotapes
generally, Rule 901 Note 13 (p. 388)
admissibility, generally, Rule 403 Note 7 (p. 63)
authentication, Rule 901 Note 13 (p. 388)
best evidence rule, Rule 1002 Note 1 (p. 413), Rule 1002 Note 3 (p. 414)
changes prior to taking of photograph, Rule 901 Note 13 (p. 388)
children, hearsay exception, Rule 804 Note 7 (p. 361), Rule 804 Note 8 (p. 364)
clarity, Rule 403 Note 7 (p. 63)
discrepancies, explanation of, Rule 901 Note 13 (p. 388)
duplicates, Rule 1003 Note 1 (p. 417)
jury room during deliberations, ''silent witness,'' Rule 901 Note 13 (p. 388)
prerecorded trial testimony, Rule 804 Note 8 (p. 364)
relevancy, risk of prejudice, Rule 403 Note 7 (p. 63)
''silent witness'' videotapes, Rule 901 Note 13 (p. 388)
wills, authentication of, Rule 903 Note 2 (p. 407)
X-rays, authentication, Rule 901 Note 13 (p. 388)

VITAL STATISTICS, RECORDS OF
Generally, Rule 803 Note 9 (p. 332)
Business records. See index heading business records
Civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
Deaths, records of, Rule 803 Note 9 (p. 332)
Exclusions from hearsay exception, Rule 803 Note 9 (p. 332)
Factual findings, Rule 803 Note 8 (p. 327)
Hearsay
generally, Rule 803 (p. 308)
exceptions, Rule 803 Note 9 (p. 332)
Marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
Matters observed and reported pursuant to legal duty, Rule 803 Note 9 (p. 332)
Personal knowledge, requirement of, Rule 803 Note 9 (p. 332)
Police reports
exclusions from hearsay rule, Rule 803 Note 9 (p. 332)
public records and reports, Rule 803 Note 9 (p. 332)
regularly kept records, Rule 803 Note 9 (p. 332)
trustworthiness, Rule 803 Note 9 (p. 332)
Testimony, public records, Rule 901 Note 16 (p. 393)

VOICE IDENTIFICATION
Authentication
telephone conversations, Rule 901 Note 10 (p. 384)
voice identification, Rule 901 Note 9 (p. 384)

VOIR DIRE
Motions in limine, Rule 103 Note 10 (p. 15)

VOLUMINOUS RECORDS
Best evidence rule. See index heading BEST EVIDENCE RULE
Comparison with Federal Rule, Rule 1006 Note 5 (p. 429)
Other Rules to consider, Rule 1006 Note 4 (p. 429)
Summaries of
generally, Rule 1006 Note 1 (p. 426)
pedagogical summaries, Rule 1006 Note 2 (p. 428)
Summary of issues affecting admissibility, Rule 1006 Note 3 (p. 428)

VOLUNTEERED ANSWERS
Motions to strike, Rule 103 Note 6 (p. 11)

VOUCHER RULE
Impeaching own witness, Rule 607 Note 1 (p. 175)

WAIVER
Attorney-client privilege
implied waiver, Rule 501 Note 6 (p. 124)
inadvertent disclosure
copies, destruction upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
cost of discovery, reduction of, Rule 502 Note 2 (p. 148)
court order, effect of parties' agreement without, Rule 502 Note 3 (p. 149)
destruction of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
'drawback' provision, Rule 502 Note 3 (p. 149)
notice of claim of privilege, Rule 502 Note 2 (p. 148)
'quick peek' provision, Rule 502 Note 3 (p. 149)
reasonable steps to prevent disclosure, Rule 502 Note 2 (p. 148)
return of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
seal, presentation to court of material under, Rule 502 Note 2 (p. 148)
sequester of material upon notice of claim of privilege, Rule 502 Note 2 (p. 148)
intentional disclosure
generally, Rule 502 Note 1 (p. 147), Rule 502 (p. 146)
in camera review of undisclosed matter, Rule 502 Note 1 (p. 147)
'ought in fairness' consideration of disclosed and undisclosed matter, Rule 502 Note 1 (p. 147)
undisclosed communications or information, Rule 502 Note 1 (p. 147)
limitations on, Rule 502 (p. 146)
other methods of waiver, Rule 501 Note 6 (p. 124)
voluntary disclosure, Rule 501 Note 2 (p. 120)
Husband-wife privilege, voluntary disclosure, Rule 501 Notes 2 (p. 120) & 8 (p. 136)
Informant's privilege
making informant a witness, Rule 501 Note 10 (p. 140)
other methods of waiver, Rule 501 Note 10 (p. 140)
Intentional disclosure and waiver of attorney-client privilege, Rule 502 (p. 146)

WAIVER—Cont'd
Physician-patient privilege
after patient's death, Rule 501 Note 7 (p. 129)
condition in issue as waiver, Rule 501 Note 7 (p. 129)
disclosure under compulsion, Rule 501 Note 3 (p. 122)
disclosure without opportunity to object, Rule 501 Note 3 (p. 122)
other methods of waiver, Rule 501 Note 7 (p. 129)
personal representative, Rule 501 Note 7 (p. 129)
requesting copy of Trial Rule 35 report, Rule 501 Note 7 (p. 129)
voluntary disclosure, Rule 501 Notes 2 (p. 120) & 7 (p. 129)
Privileged communications generally
disclosure under compulsion, Rule 501 Note 3 (p. 122)
disclosure without opportunity to object, Rule 501 Note 3 (p. 122)
voluntary disclosure, Rule 501 Note 2 (p. 120)
Voluntary disclosure, waiver of privilege by, Rule 501 (p. 118)

WARNINGS
Tape recordings, warnings required for use of, Rule 403 Note 7 (p. 63)

WARRANT, PROCEEDINGS RELATING TO
Applicability of Evidence Rules
generally, Rule 101 Note 4 (p. 4)
privilege, Rule 101 Note 4 (p. 4)

WEIGHT AND CREDIBILITY
Preliminary questions of fact, Rule 104 Note 6 (p. 22)

WELFARE DEPARTMENT
Social workers' privilege, Rule 501 Note 13 (p. 143)

WILL CONTESTS
Attorney-client privilege in, Rule 501 Note 6 (p. 124)
Dead man's statutes, Rule 601 Note 5 (p. 157)
Husband-wife privilege in, Rule 501 Note 8 (p. 139)
Opinion on testator's mental capacity
dead man's statute, Rule 601 Note 5 (p. 157)
lay opinion testimony, Rule 701 Note 6 (p. 239)
Physician-patient privilege, Rule 501 Note 7 (p. 129)
Subscribing witness's testimony unnecessary, Rule 903 Note 2 (p. 407)

WILLS
Attorney-client privilege when attorney witnesses will, Rule 501 Note 6 (p. 124)
Authentication, Rule 903 Note 2 (p. 407)
Videotape authentication, Rule 903 Note 2 (p. 407)

WITHDRAWN PLEA
Offering party, Rule 410 Note 5 (p. 105)
Offers to plead guilty, Rule 410 Note 1 (p. 102)
Pleas of guilty, Rule 410 Note 1 (p. 102)
Sentencing hearings, Rule 410 Note 2 (p. 102)
Traffic offenses, Rule 410 Note 7 (p. 105)

WITNESSES

Generally, Rule 601 (p. 154), Rule 616 (p. 223)
Adverse witnesses
dead man's statute, competency of adverse party, Rule 601 Note 5 (p. 157)
leading questions, Rule 611 Note 10 (p. 200)
Affidavits, competency of juror as witness, Rule 606 (p. 170)
Affirmation or oath, Rule 603 (p. 165)
Alcohol
competency of witness, Rule 601 Note 4 (p. 156)
use by juror, competency of juror as witness, Rule 606 (p. 170)
Arson, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Attesting witnesses
generally, Rule 903 Note 1 (p. 407)
comparison with Federal Rule, Rule 903 Note 4 (p. 408)
other Rules to consider, Rule 903 Note 3 (p. 408)
wills, Rule 903 Note 2 (p. 407)
Bias
bribery, Rule 616 Note 6 (p. 226)
compensation by adverse party, Rule 616 Note 3 (p. 225)
covenants not to execute or sue, Rule 616 Note 5 (p. 225)
interest in related litigation, Rule 616 Note 4 (p. 225)
liability insurance, Rule 411 (p. 107)
loan receipt agreements, Rule 616 Note 5 (p. 225)
not collateral matter, Rule 616 Note 1 (p. 223)
partial settlement agreements, Rule 616 Note 5 (p. 225)
plea agreement with prosecution, Rule 616 Note 2 (p. 224)
relationship with party or witness, Rule 616 Note 7 (p. 226)
specific acts as proof of, Rule 608 Note 6 (p. 182)
threats, Rule 616 Note 6 (p. 226)
ulterior motives, Rule 616 Note 8 (p. 226)
Booking, unrecorded statements during custodial interrogation, Rule 617 (p. 228)
Burglary, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Calling and questioning of witnesses by court and jury
generally, Rule 614 Note 1 (p. 214)
comparison with Federal Rule, Rule 614 Note 7 (p. 217)
court, calling by, Rule 614 (p. 214)
dead man's statutes, Rule 601 Note 5 (p. 157)
extraordinary circumstances, Rule 614 Note 1 (p. 214)
juror, interrogation by, Rule 614 (p. 214)
objections, Rule 614 (p. 214)
other rules to consider, Rule 614 Note 6 (p. 216)
revised Rule 614, Rule 614 (p. 214)
summary of issues affecting admissibility, Rule 614 Note 5 (p. 216)
Character as impeachment evidence
cross examination
character witness, specific acts, Rule 608 Note 8 (p. 182)

WITNESSES—Cont'd
Character as impeachment evidence—Cont'd
cross examination—Cont'd
impeaching witness, Rule 608 Note 8 (p. 182)
notice, Rule 405 Note 5 (p. 85)
hearsay exception, Rule 803 Note 21 (p. 340)
impeachee's rebuttal reputation evidence, Rule 608 Note 4 (p. 181)
opinion testimony admissible, Rule 608 Note 3 (p. 180)
own witness, impeachment of
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
prior sexual allegations, Rule 608 Note 9 (p. 183)
religious belief or opinion, Rule 610 Note 1 (p.194)
reputation within a reasonable time before trial, Rule 608 Note 2 (p. 180)
sexual reputation
balancing probative value and unfair prejudice, Rule 412 Note 5 (p. 114)
exceptions, Rule 412 Notes 1 (p. 111) & 2 (p. 112)
rape shield law, generally, Rule 412 Note 1 (p. 111)
specific acts generally inadmissible as proof, Rule 608 Note 5 (p. 181)
Character of witness, evidence of, Rule 608 (p. 179)
Children
closed-circuit television, Rule 804 Note 8 (p. 364)
competency of witnesses, Rule 601 Note 2 (p. 155), Rule 804 Note 7 (p. 361)
doll, use in testimony, Rule 611 Note 6 (p. 197)
hearsay exception, Rule 804 Note 7 (p. 361)
parent-child privileges, Rule 501 Note 15 (p. 144)
videotaped testimony, Rule 804 Note 8 (p. 364)
Co-defendant's statements, joint trials
generally, Rule 105 Note 5 (p. 26)
denial of memory of statement, Rule 801 Note 5 (p. 286)
hearsay rule
child hearsay exception, Rule 804 Note 7 (p. 361)
declarations against interest exception, Rule 804 Note 4 (p. 355)
dying declarations exception, Rule 804 Note 3 (p. 354)
excited utterance exception, Rule 803 Note 2 (p. 314)
forfeiture by wrongdoing, Rule 804 Note 6 (p. 359)
former testimony exception, Rule 804 Note 2 (p. 350)
regularly kept business records exception, Rule 803 Note 6 (p. 323)
relationship to, Rule 802 Note 2 (p. 304)
statements for medical diagnosis or treatment exception, Rule 803 Note 4 (p. 319)
unavailability of hearsay declarant, Rule 804 Note 1 (p. 347)
Collateral matters, impeachment on, Rule 607 Note 6 (p. 177)
Competency of witnesses
generally, Rule 601 Note 1 (p. 154)
affirmation, Rule 603 Note 1 (p. 165)
age, Rule 601 Note 2 (p. 155)
alcohol, Rule 601 Note 4 (p. 156)

WITNESSES—Cont'd
Competency of witnesses—Cont'd
attorney-client privilege, Rule 501 Note 6 (p. 124)
attorneys as witnesses, Rule 605 Note 2 (p. 168)
children
generally, Rule 601 Note 2 (p. 155)
statements in criminal cases, child as victim, Rule 804 Note 7 (p. 361)
clergyman's privilege, Rule 501 Note 9 (p. 139)
corporations, dead man's statutes, Rule 601 Note 5 (p. 157)
dead man's statutes
administrators and executors as parties, Rule 601 Note 5 (p. 157)
agents of claimants or decedent, Rule 601 Note 5 (p. 157)
devisees and heirs, suits between, Rule 601 Note 5 (p. 157)
estates, suits between, Rule 601 Note 5 (p. 157)
excited utterances, Rule 601 Note 5 (p. 157)
executors and administrators as parties, Rule 601 Note 5 (p. 157)
heirs and devisees, suits between, Rule 601 Note 5 (p. 157)
insurance agents, Rule 601 Note 5 (p. 157)
mental soundness of testator, Rule 601 Note 5 (p. 157)
objections, Rule 601 Note 5 (p. 157)
offers to prove, Rule 601 Note 5 (p. 157)
''party to the issue,'' Rule 601 Note 5 (p. 157)
spouses, Rule 601 Note 5 (p. 157)
testator's mental soundness, Rule 601 Note 5 (p. 157)
will contests, Rule 601 Note 5 (p. 157)
exceptions, inquiry into validity of verdict or indictment, Rule 605 (p. 168)
hypnosis, testimony induced by, Rule 602 Note 2 (p. 163)
insane persons, Rule 601 Note 3 (p. 155)
intoxicated witnesses, Rule 601 Note 4 (p. 156)
judge
generally, Rule 605 Note 1 (p. 168)
comparison with Federal Rule, Rule 605 Note 5 (p. 169)
competency as witness, Rule 605 (p. 168)
other Rules to consider, Rule 605 Note 4 (p. 169)
revised Rule 605, Rule 605 (p. 168)
summary of issues affecting admissibility, Rule 605 Note 3 (p. 169)
jurors
affidavits, competency of juror as witness, Rule 606 (p. 170)
after trial
extraneous matters, Rule 606 Note 3 (p. 172)
Generally, Rule 606 Notes 2 (p. 171) & 3 (p. 172)
hearing, procedure, Rule 606 Note 3 (p. 172)
Hearsay from jurors to impeach verdict, Rule 606 Note 2 (p. 171)
Impeaching verdict, Rule 606 Note 2 (p. 171)
supporting verdict or indictment, Rule 606 Note 3 (p. 172)
alcohol use by juror, competency of juror as witness, Rule 606 (p. 170)
competency of juror, Rule 601 (p. 154), Rule 606 (p. 170)

WITNESSES—Cont'd
Competency of witnesses—Cont'd
jurors—Cont'd
drug use by juror, competency of juror as witness, Rule 606 (p. 170)
extraneous prejudicial information, competency of juror as witness, Rule 606 (p. 170)
indictment, inquiry into validity of verdict or, competency of juror as witness, Rule 606 (p. 170)
inquiry into validity of verdict or indictment, competency of juror as witness, Rule 606 (p. 170)
judge as witness, Rule 605 (p. 168)
outside influence, competency of juror as witness, Rule 606 (p. 170)
revised Rule 606, Rule 606 (p. 170)
during trial
Comparison with Federal Rule, Rule 606 Note 7 (p. 174)
Generally, Rule 606 Note 1 (p. 170)
Inaccurate voir dire responses, Rule 606 Note 4 (p. 173)
Other Rules to consider, Rule 606 Note 6 (p. 174)
Publicity, Rule 606 Note 1 (p. 170)
Summary of issues affecting admissibility, Rule 606 Note 5 (p. 173)
validity of verdict or indictment, inquiry into, competency of juror as witness, Rule 606 (p. 170)
offers to prove, following determination of competency, Rule 601 Note 3 (p. 155)
personal knowledge, Rule 602 Note 1 (p. 162)
physician-Patient Privilege, Rule 501 Note 7 (p. 129)
procedure for determination of sanity, Rule 601 Note 3 (p. 155)
prosecuting attorney, Rule 605 Note 2 (p. 168)
psychiatrist, appointment of, Rule 601 Note 3 (p. 155)
religious beliefs, Rule 610 Note 1 (p.194)
revised Rule 605, Rule 605 (p. 168)
revised Rule 606, Rule 606 (p. 170)
spouses, Rule 501 Note 8 (p. 136)
Conduct of witness, evidence of, Rule 608 (p. 179)
Control over premises by law enforcement officer, consideration of, Rule 617 Note 1 (p. 229)
Conviction of crime, impeachment by
generally, Rule 609 Note 1 (p. 187), Rule 609 (p. 186)
age of conviction, Rule 609 Note 10 (p. 191)
effect of pardon, annulment, or certificate of rehabilitation, Rule 609 Note 4 (p. 189)
extent of questioning, Rule 609 Note 7 (p. 190)
juvenile adjudications, Rule 609 Note 5 (p. 189)
limiting instruction, Rule 609 Note 8 (p. 191)
opening the door, Rule 609 Note 9 (p. 191)
pendency of appeal, Rule 609 Note 6 (p. 190)
specific admissible crimes, Rule 609 Note 2 (p. 188)
specific inadmissible crimes, Rule 609 Note 3 (p. 188)

WITNESSES—Cont'd
Court appointed expert, Rule 614 Note 1 (p. 214)
Court control of mode and order of interrogation and presentations, Rule 611 (p. 195)
Credibility of witness, Rule 616 (p. 223)
Criminal acts
impeachment by evidence of conviction of crime, Rule 609 (p. 186)
unrecorded statements during custodial interrogation
generally, Rule 617 (p. 228)
custodial statement, requirement of, Rule 617 Note 1 (p. 229)
Cross examination
generally, Rule 705 Note 3 (p. 276)
accused's testimony on facts affecting admissibility, Rule 104 Note 5 (p. 22)
address and place of employment, Rule 616 Note 1 (p. 223)
agreement with prosecution, Rule 616 Note 2 (p. 224)
bias of witness, generally, Rule 616 Note 1 (p. 223)
bribery or threats, Rule 616 Note 6 (p. 226)
character witnesses, Rule 405 Note 4 (p. 84), Rule 405 Note 5 (p. 85), Rule 608 Note 8 (p. 182)
collateral matters, Rule 613 Note 3 (p. 210), Rule 616 Note 1 (p. 223)
compensation by adverse party, Rule 616 Note 3 (p. 225)
confrontation, Rule 611 Note 9 (p. 200)
constitutional provisions, criminal cases, Rule 611 Note 9 (p. 200)
contradiction
character witnesses, Rule 608 Note 8 (p. 182)
prior inconsistent statements, Rule 613 Note 2 (p. 209), Rule 801 Note 5 (p. 286)
substantive evidence, admissibility as, Rule 801 Note 5 (p. 286)
covenants not to execute or sue, Rule 616 Note 5 (p. 225)
credibility generally, Rule 616 Note 1 (p. 223)
dead man's statute, effect on, Rule 601 Note 5 (p. 157)
denial of memory of prior statement, Rule 801 Note 5 (p. 286)
doctors, expert testimony, Rule 705 Note 3 (p. 276)
employment, place of, Rule 616 Note 1 (p. 223)
exhausting memory and refreshing recollection, Rule 612 Note 3 (p. 205)
expert witnesses, Rule 705 Note 3 (p. 276)
former testimony, Rule 804 Note 2 (p. 350)
foundation for prior inconsistent statement, Rule 613 Note 2 (p. 209)
good faith basis for question, Rule 405 Note 4 (p. 84)
"have you heard," Rule 405 Note 4 (p. 84)
hypothetical questions, experts, Rule 705 Note 3 (p. 276)
impeaching character witness, Rule 405 Note 5 (p. 85), Rule 608 Note 8 (p. 182)
interest in related litigation, Rule 616 Note 4 (p. 225)
lack of memory, Rule 611 Note 7 (p. 198)
leading questions, Rule 611 Note 10 (p. 200)
loan receipt agreements, Rule 616 Note 5 (p. 225)
medical malpractice review cases, Rule 702 Note 6 (p. 249)

WITNESSES—Cont'd
Cross examination—Cont'd
memory, cross examination testing, Rule 611 Note 7 (p. 198)
offers to prove during cross examination, Rule 103 Note 7 (p. 12)
opinions based on reports of others, Rule 705 Note 3 (p. 276)
partial settlement agreements, Rule 616 Note 5 (p. 225)
prior inconsistent statements
foundation, Rule 613 Note 2 (p. 209)
substantive evidence, admissibility as, Rule 801 Note 5 (p. 286)
redirect and recross examination, Rule 611 Note 8 (p. 199)
refreshing recollection, examination on refreshing document, Rule 612 Notes 1 (p. 204) & 2 (p. 205)
relationship with party or witness, Rule 616 Note 7 (p. 226)
repetitious questions, Rule 611 Note 3 (p. 196)
scientific testimony, Rule 702 Note 8 (p. 254)
scope, Rule 611 Note 7 (p. 198), Rule 611 Note 8 (p. 199)
scope of, mode and order of interrogation and presentations, Rule 611 (p. 195)
specific instances of conduct of witness, Rule 608 (p. 179)
testing memory, Rule 611 Note 7 (p. 198)
topic of testimony
generally, Rule 702 Note 7 (p. 249)
prohibited topics, Rule 704 Note 2 (p. 267)
ulterior motives, Rule 616 Note 8 (p. 226)
ultimate issues, Rule 704 Note 1 (p. 266)
use of treatises, cross examination of experts, Rule 803 Note 18 (p. 337)
without opinion, Rule 702 Note 5 (p. 248)
witnesses, specific instances of conduct of witness, Rule 608 (p. 179)
Custodial interrogation, defined, Rule 617 (p. 228)
Custodial statement, requirement of, Rule 617 Note 1 (p. 229)
Definitions
custodial interrogation, Rule 617 (p. 228)
electronic recording, Rule 617 (p. 228)
Depositions
best evidence rule, Rule 1002 Note 1 (p. 413)
confrontation clause in criminal cases, Rule 804 Notes 1 (p. 347) & 2 (p. 350)
former testimony, Rule 804 Note 2 (p. 350)
impeachment of deposition testimony by prior inconsistent statement, Rule 613 Note 2 (p. 209), Rule 806 Note 2 (p. 371)
inconsistent statement as substantive evidence, Rule 801 Note 6 (p. 287)
prior inconsistent statement, generally, Rule 613 Note 1 (p. 208)
rehabilitation and rebuttal of witness impeached by prior inconsistent statement contained in deposition, Rule 613 Note 4 (p. 211)
substantive use when deponent is unavailable, Rule 804 Note 2 (p. 350)
Dishonesty or false statement, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Documents, unrecorded statements during custodial interrogation, Rule 617 (p. 228)
Drug use by juror, competency of juror as witness, Rule 606 (p. 170)

WITNESSES—Cont'd
Electronic recordings
defined, Rule 617 (p. 228)
unrecorded statements during custodial interrogation, Rule 617 (p. 228)
''Essential witness'' exception to separation of witnesses, Rule 615 Note 2 (p. 219)
Exceptions, inquiry into validity of verdict or indictment, Rule 606 (p. 170)
Exclusion of witnesses
generally, Rule 615 (p. 218)
essential, persons whose presence is, Rule 615 Note 2 (p. 219)
exceptions to order, Rule 615 Note 2 (p. 219)
parents in delinquency proceeding, Rule 615 Note 2 (p. 219)
parties to action, Rule 615 Note 2 (p. 219)
party's designated representative, multiple, Rule 615 Note 2 (p. 219)
remedies for violation, Rule 615 Note 3 (p. 220)
revised Rule 615, Rule 615 (p. 218)
terms of order, Rule 615 Note 1 (p. 218)
witnesses who have testified, Rule 615 Notes 1 (p. 218) & 2 (p. 219)
Expert testimony
generally, Rule 702 Note 1 (p. 244)
appointment by court, Rule 614 Note 1 (p. 214)
basis of opinion
generally, Rule 703 Note 1 (p. 259), Rule 705 Note 1 (p. 274)
comparison with Federal Rule, Rule 703 Note 9 (p. 265)
facts perceived by expert, Rule 703 Note 2 (p. 259)
listening to testimony, Rule 703 Note 4 (p. 261)
other Rules to consider, Rule 703 Note 8 (p. 264)
patient's statements, Rule 703 Note 6 (p. 262)
personal knowledge, Rule 703 Note 2 (p. 259)
reports of others
generally, Rule 703 Note 5 (p. 261)
disclosure of underlying facts, Rule 703 Note 6 (p. 262), Rule 705 Notes 1 (p. 274) & 2 (p. 275)
summary of issues affecting admissibility, Rule 703 Note 7 (p. 263)
cross examination, Rule 705 Note 3 (p. 276)
degree of certainty, Rule 702 Note 4 (p. 248)
helpfulness of testimony, Rule 702 Note 2 (p. 245)
hypothetical questions, Rule 703 Note 3 (p. 260)
interpreters, Rule 604 (p. 166)
personal knowledge, lack of, Rule 602 (p. 162)
revised Rule 604, Rule 604 (p. 166)
Extraneous prejudicial information, competency of juror as witness, Rule 606 (p. 170)
Extrinsic evidence, opinion and reputation evidence of character, Rule 608 (p. 179)
First-hand knowledge, Rule 602 Note 1 (p. 162)
Former testimony
generally, Rule 804 Note 2 (p. 350)

WITNESSES—Cont'd
Former testimony—Cont'd
motive to develop, Rule 804 Note 2 (p. 350)
opportunity to develop, Rule 804 Note 2 (p. 350)
predecessor in interest, Rule 804 Note 2 (p. 350)
proceeding, testimony in, Rule 804 Note 2 (p. 350)
unavailability of declarant, Rule 804 Note 2 (p. 350)
Good faith
error, unrecorded statements during custodial interrogation, Rule 617 (p. 228)
leading questions intended in, Rule 611 Note 10 (p. 200)
Impeachment
generally, Rule 607 (p. 175), Rule 616 Note 1 (p. 223)
acts of misconduct
generally, Rule 608 Note 5 (p. 181)
bias, as proof of, Rule 608 Note 6 (p. 182)
character witnesses, cross examination of, Rule 608 Note 8 (p. 182)
alcohol usage, Rule 608 Note 7 (p. 182)
anticipatory impeachment of own witness, Rule 607 Note 3 (p. 176)
character, right to impeach own witness for, Rule 607 Note 1 (p. 175)
character witnesses, impeachment of
generally, Rule 405 Note 4 (p. 84), Rule 608 Notes 3 (p. 180) & 8 (p. 182)
notice to accused, Rule 405 Note 5 (p. 85)
collateral matters
generally, Rule 613 Note 3 (p. 210), Rule 616 Note 1 (p. 223)
impeachment on, Rule 607 Note 6 (p. 177)
defendant's misconduct to impeach character witnesses, Rule 608 Notes 3 (p. 180) & 8 (p. 182)
generally, Rule 405 Note 4 (p. 84)
notice to accused, Rule 405 Note 5 (p. 85)
drug usage, Rule 608 Note 7 (p. 182)
expert testimony, impeachment by attacking or explaining basis for opinion, Rule 703 Note 3 (p. 260)
hearsay declarant, Rule 806 Note 1 (p. 371)
mental condition, Rule 607 Note 5 (p. 176)
own witness
generally, Rule 607 Note 1 (p. 175)
anticipatory impeachment and rehabilitation, Rule 607 Note 3 (p. 176)
limitations, Rule 607 Note 2 (p. 175)
personal knowledge, Rule 602 Note 1 (p. 162)
prior sexual allegations, Rule 608 Note 9 (p. 183)
rehabilitation
rebuttal, after prior inconsistent statement, Rule 613 Note 4 (p. 211)
reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)
religious belief or opinion, Rule 610 Note 1 (p.194)
revised Rule 607, Rule 607 (p. 175)
rule 607, impeachment and effect of, Rule 607 Note 4 (p. 176)
sex offenses, prior false accusations by victim, Rule 608 Note 5 (p. 181)
who may impeach, Rule 607 (p. 175)

WITNESSES—Cont'd
Impeachment by evidence of conviction of crime
generally, Rule 609 (p. 186)
annulment, effect of, Rule 609 (p. 186)
appeal, pendency of, Rule 609 (p. 186)
certificate of rehabilitation, effect of, Rule 609 (p. 186)
juvenile adjudications, Rule 609 (p. 186)
pardon, effect of, Rule 609 (p. 186)
pendency of appeal, Rule 609 (p. 186)
Indictment, inquiry into validity of verdict or, competency of juror as witness, Rule 606 (p. 170)
Interest, evidence of, generally, Rule 616 Notes 1 (p. 223) & 4 (p. 225)
Interpreters
generally, Rule 604 (p. 166)
comparison with Federal Rule, Rule 604 Note 5 (p. 167)
comparison with other Rules, Rule 604 Note 5 (p. 167)
constitutional requirement, criminal cases, Rule 604 Note 2 (p. 166)
oath, Rule 604 Note 1 (p. 166)
particular interpreter, wishes of party or witness, Rule 604 Note 2 (p. 166)
qualification of interpreter, Rule 604 Note 1 (p. 166)
revised Rule 604, Rule 604 (p. 166)
right of party or witness to interpreter, Rule 604 Note 2 (p. 166)
summary of issues affecting admissibility, Rule 604 Note 3 (p. 167)
Interrogation
mode and order, Rule 611 (p. 195)
unrecorded statements during custodial interrogation, Rule 617 (p. 228)
Intoxicating beverages
competency of witness, Rule 601 Note 4 (p. 156)
use by juror, competency of juror as witness, Rule 606 (p. 170)
Judge as witness, competency of, Rule 605 (p. 168)
Jurisdiction, unrecorded statements during custodial interrogation, Rule 617 (p. 228)
Juror as witness, competency, Rule 606 (p. 170)
Jury confusion, striking reputation evidence to avoid, Rule 608 Note 2 (p. 180)
Kidnapping, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Lack of personal knowledge, Rule 602 (p. 162)
Law enforcement officers, unrecorded statements during custodial interrogation, Rule 617 (p. 228)
Leading questions
generally, Rule 611 Note 10 (p. 200)
good faith, Rule 611 Note 10 (p. 200)
mode and order of interrogation and presentations, Rule 611 (p. 195)
Length of examination, Rule 611 Note 2 (p. 196)
Limit on number of witnesses, Rule 611 Note 2 (p. 196)
Malfunction of recording device, unrecorded statements during custodial interrogation, good faith error, Rule 617 (p. 228)
Mental condition, impeachment, Rule 607 Note 5 (p. 176)

WITNESSES—Cont'd
Mode and order of interrogation and presentations
court control, Rule 611 (p. 195)
cross-examination, scope of, Rule 611 (p. 195)
leading questions, Rule 611 (p. 195)
scope of cross-examination, Rule 611 (p. 195)
Murder, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Narrative testimony, Rule 611 Note 4 (p. 197)
Notice requirements in criminal cases
generally, Rule 405 Note 5 (p. 85)
collateral matters, Rule 613 Note 3 (p. 210), Rule 616 Note 1 (p. 223)
good faith basis for question, Rule 405 Note 4 (p. 84)
impeaching character witness
generally, Rule 608 Note 8 (p. 182)
notice requirements in criminal cases, Rule 405 Note 5 (p. 85)
refreshing recollection, examination on refreshing document, Rule 612 Notes 1 (p. 204) & 2 (p. 205)
scope, redirect and recross examination, generally, Rule 611 Note 8 (p. 199)
use of treatises, cross examination of experts, Rule 803 Note 18 (p. 337)
Oath or affirmation
generally, Rule 603 Note 1 (p. 165), Rule 603 (p. 165)
comparison with Federal Rule, Rule 603 Note 4 (p. 165)
interpreters, Rule 604 (p. 166)
other Rules to consider, Rule 603 Note 3 (p. 165)
revised Rule 603, Rule 603 (p. 165)
revised Rule 604, Rule 604 (p. 166)
summary of issues affecting admissibility, Rule 603 Note 2 (p. 165)
Opinion and reputation evidence of character, Rule 608 (p. 179)
Opinion testimony
habit of individual as proof of conduct, Rule 406 Note 3 (p. 89)
opinion rule, generally, Rule 701 Note 2 (p. 237)
particular subjects, Rule 701 Note 6 (p. 239)
personal knowledge
lack of, Rule 602 (p. 162)
requirement, Rule 701 Note 3 (p. 237)
public records, opinions in, Rule 803 Note 8 (p. 327)
skilled witnesses, Rule 701 Note 5 (p. 238)
ultimate issue
generally permissible, Rule 704 Note 1 (p. 266)
comparison with Federal Rule, Rule 704 Note 10 (p. 273)
other Rules to consider, Rule 704 Note 9 (p. 273)
summary of issues affecting admissibility, Rule 704 Note 8 (p. 272)
topics forbidden, Rule 704 Note 2 (p. 267)
verbal recital of facts inadequate, Rule 701 Note 4 (p. 238)
when facts cannot be stated, Rule 701 Note 4 (p. 238)
witness's own mental process or state of mind, Rule 701 Note 6 (p. 239)
Outside Indiana jurisdiction, statements made to officer, unrecorded statements during custodial interrogation, Rule 617 (p. 228)

WITNESSES—Cont'd
Outside influence, competency of juror as witness, Rule 606 (p. 170)
Perjury, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Personal knowledge
generally, Rule 602 Note 1 (p. 162)
lack of, Rule 602 (p. 162)
Police officers, unrecorded statements during custodial interrogation, good faith error, Rule 617 (p. 228)
Prejudice of witness, generally, Rule 616 Note 1 (p. 223), Rule 616 (p. 223)
Presentations, mode and order, Rule 611 (p. 195)
Prior inconsistent statements, impeachment
generally, Rule 613 Note 1 (p. 208)
collateral matters, Rule 613 Note 3 (p. 210)
examination of witness being impeached, Rule 613 Note 2 (p. 209)
extrinsic evidence of statement, Rule 613 Note 3 (p. 210)
limiting instruction, Rule 613 Note 5 (p. 212)
rehabilitation
rebuttal, after prior inconsistent statement, Rule 613 Note 4 (p. 211)
reputation evidence offered by impeachee, Rule 608 Note 4 (p. 181)
Prior witness statements as extrinsic evidence, Rule 613 (p. 208)
Prior witness statements as substantive evidence
generally, Rule 801 Note 5 (p. 286)
consistent with declarant's trial testimony, Rule 801 Note 7 (p. 288)
cross examination concerning statement, Rule 801 Note 5 (p. 286)
identification of a person, statement of, Rule 801 Note 8 (p. 290)
inconsistent sworn statements, Rule 801 Note 6 (p. 287)
timing of introduction of proof, Rule 801 Note 5 (p. 286)
Privileges
generally, Rule 501 Note 1 (p. 136)
accountant-client, Rule 501 Note 11 (p. 142)
attorney-client, Rule 501 Note 6 (p. 124)
clergyman's, Rule 501 Note 9 (p. 139)
crime victim advocates with service providers, Rule 501 Note 14 (p. 144)
employee assistance professionals, Rule 501 Note 13 (p. 143)
husband-wife, Rule 501 Note 8 (p. 139)
informant's identity, Rule 501 Note 10 (p. 140)
mental health counselors, Rule 501 Note 13 (p. 143)
parent-child, Rule 501 Note 15 (p. 144)
physician-patient, Rule 501 Note 7 (p. 129)
psychologist-patient, Rule 501 Note 12 (p. 142)
social workers, Rule 501 Note 13 (p. 143)
therapists, marriage and family, Rule 501 Note 13 (p. 143)
waiver, generally
compelled disclosure, Rule 501 Note 3 (p. 122)
disclosure without opportunity to object, Rule 501 Note 3 (p. 122)
voluntary disclosure, Rule 501 Note 2 (p. 120)
Questions by the judge
generally, Rule 614 Note 2 (p. 215)

WITNESSES—Cont'd
Questions by the judge—Cont'd
objections, Rule 614 Note 3 (p. 215)
Questions by the jury, Rule 614 Note 4 (p. 216)
Rape, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Recalling to stand, Rule 611 Note 5 (p. 197)
Recordings, unrecorded statements during custodial interrogation, Rule 617 (p. 228)
Refreshing recollection
generally, Rule 612 Note 1 (p. 204)
admissibility of writing used, Rule 612 Note 3 (p. 205)
cross examination on writing used, Rule 612 Note 3 (p. 205)
hypnosis to refresh memory, Rule 602 Note 2 (p. 163)
nature of writing used, Rule 612 Note 1 (p. 204)
past recollection recorded distinguished, Rule 612 Note 1 (p. 204)
privileged material, production of, Rule 612 Note 2 (p. 205)
production of writing, Rule 612 Note 2 (p. 205)
witness must testify from memory, Rule 612 Note 1 (p. 204)
Relevancy of credibility evidence, Rule 401 Note 4 (p. 52)
Relevancy of evidence of bias, prejudice, interest, Rule 401 Note 4 (p. 52)
Religious beliefs or opinions, Rule 610 Note 1 (p.194), Rule 610 (p.194)
Revised Rule 601, Rule 601 (p. 154)
Revised Rule 603, Rule 603 (p. 165)
Revised Rule 605, Rule 605 (p. 168)
Revised Rule 606, Rule 606 (p. 170)
Revised Rule 607, Rule 607 (p. 175)
Revised Rule 610, Rule 610 (p.194)
Revised Rule 614, Rule 614 (p. 214)
Revised Rule 615, Rule 615 (p. 218)
Separation of witnesses
generally, Rule 615 (p. 218)
essential, persons whose presence is, Rule 615 Note 2 (p. 219)
exceptions to order, Rule 615 Note 2 (p. 219)
parents in delinquency proceeding, Rule 615 Note 2 (p. 219)
parties to action, Rule 615 Note 2 (p. 219)
party's designated representative, multiple, Rule 615 Note 2 (p. 219)
remedies for violation, Rule 615 Note 3 (p. 220)
revised Rule 615, Rule 615 (p. 218)
terms of order, Rule 615 Note 1 (p. 218)
witnesses who have testified, Rule 615 Notes 1 (p. 218) & 2 (p. 219)
Specific instances of conduct of witness, Rule 608 (p. 179)
Spontaneous statements, unrecorded statements during custodial interrogation, Rule 617 (p. 228)
Statute of limitations, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Subscribing witness
generally, Rule 903 Note 1 (p. 407)
comparison with Federal Rule, Rule 903 Note 4 (p. 408)

WITNESSES—Cont'd
Subscribing witness—Cont'd
other Rules to consider, Rule 903 Note 3 (p. 408)
wills, Rule 903 Note 2 (p. 407)
Time limit, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Treason, impeachment by evidence of conviction of crime, Rule 609 (p. 186)
Truthfulness, opinion and reputation evidence of character, Rule 608 (p. 179)
Ultimate issue, topics forbidden, Rule 704 Note 2 (p. 267)
Unrecorded statements during custodial interrogation
generally, Rule 617 (p. 228)
authentication of recording, Rule 617 Note 3 (p. 231)
control over premises by law enforcement officer, Rule 617 Note 1 (p. 229)
criminal cases, authentication of recordings, Rule 617 Note 3 (p. 231)
Adequacy of proof, Rule 617 Note 3 (p. 231)
Affidavits and hearsay exception, Rule 617 Note 3 (p. 231)
Clarity, Rule 617 Note 3 (p. 231)
Due care of officials, Rule 617 Note 3 (p. 231)
Free and voluntarily elicited, Rule 617 Note 3 (p. 231)
Warnings and waivers prior to recording, Rule 617 Note 3 (p. 231)
custodial statement, requirement of, Rule 617 Note 1 (p. 229)
control over premises by law enforcement officer, Rule 617 Note 1 (p. 229)
criminal cases, Rule 617 Note 1 (p. 229)
felony cases, Rule 617 Note 1 (p. 229)
frequency of facility use for custodial interrogations, Rule 617 Note 1 (p. 229)
law enforcement officers outside jurisdiction of Indiana, Rule 617 Note 1 (p. 229)
place of detention
Control over premises by law enforcement officer, Rule 617 Note 1 (p. 229)
Defined, Rule 617 Note 1 (p. 229)
Generally, Rule 617 Note 1 (p. 229)
police officers outside jurisdiction of Indiana, Rule 617 Note 1 (p. 229)
private residence or office, inapplicable to, Rule 617 Note 1 (p. 229)
exceptions to recording requirement, Rule 617 Note 2 (p. 231)
good faith failure to operate equipment properly, Rule 617 Note 2 (p. 231)
outside jurisdiction of Indiana v. outside Indiana, Rule 617 Note 2 (p. 231)
spontaneous statements, Rule 617 Note 2 (p. 231)
frequency of facility use for custodial interrogations, Rule 617 Note 1 (p. 229)
hearsay, accused's statement as, Rule 617 Note 4 (p. 232)
law enforcement officer, control over premises by, Rule 617 Note 1 (p. 229)
original documents rule, Rule 617 Note 4 (p. 232)
other evidence of statement and portions offered by accused, Rule 617 Note 4 (p. 232)
portions offered by accused, Rule 617 Note 4 (p. 232)
rule of immediate completeness, Rule 617 Note 4 (p. 232)
Validity of verdict or indictment, inquiry into, competency of juror as witness, Rule 606 (p. 170)

WITNESSES—Cont'd
Verdict or indictment, inquiry into validity of, competency of juror as witness, Rule 606 (p. 170)
Writings, unrecorded statements during custodial interrogation, Rule 617 (p. 228)
Writing used to refresh memory
before testifying, Rule 612 (p. 203)
failure to produce or deliver writing, revised rule 612, Rule 612 (p. 203)
prior to testifying, Rule 612 (p. 203)
right to inspect, Revised Rule 612, Rule 612 (p. 203)
terms and conditions of production and use, revised rule 612, Rule 612 (p. 203)
while testifying, Rule 612 (p. 203)
Written direct examination, Rule 611 Note 4 (p. 197)

WRITINGS
Generally, Rule 1001 (p. 410)
Admissibility
duplicates, Rule 1003 (p. 417)
other evidence of contents, Rule 1004 (p. 419)
revised Rule 1004, Rule 1004 (p. 419)
Admissions
"against interest," Rule 801 Note 9 (p. 291)
agents
generally, Rule 801 Notes 12-14 (p. 294-297)
agent or servant, Rule 801 Note 12 (p. 294)
attorneys, Rule 801 Note 12 (p. 294)
authority of declarant, Rule 801 Note 12 (p. 294)
decedent's personal representative, Rule 801 Note 9 (p. 291)
employee's agent, Rule 801 Note 12 (p. 294)
judicial admissions, Rule 801 Note 13 (p. 296)
personal knowledge not required, Rule 801 Note 12 (p. 294)
pleadings, Rule 801 Note 13 (p. 296)
servant, Rule 801 Note 12 (p. 294)
stipulations, Rule 801 Note 13 (p. 296)
attorneys, Rule 801 Notes 12 (p. 294) & 13 (p. 296)
authority to speak, Rule 801 Note 12 (p. 294)
best evidence rule, exception to, Rule 1007 Note 1 (p. 430)
contents of writing, to prove, Rule 1007 Note 1 (p. 430)
co-party's admissions, Rule 801 Note 15 (p. 299)
revised Rule 1007, Rule 1007 (p. 430)
statement expressly adopted by party-opponent, Rule 801 Note 11 (p. 293)
testimony or written admission of party, Rule 1007 (p. 430)
Ancient documents
authentication, Rule 901 Note 12 (p. 386)
exception to hearsay rule, Rule 803 Note 16 (p. 336)
Authentication
generally, Rule 901 Note 1 (p. 376), Rule 901 (p. 374)

WRITINGS—Cont'd
Authentication—Cont'd
acknowledged documents, Rule 902 Note 7 (p. 401)
ancient documents or data compilations, Rule 901 Note 12 (p. 386)
business records, self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
chain of custody, Rule 901 Note 3 (p. 377)
commercial paper and related documents, Rule 902 Note 8 (p. 402)
computer records, Rule 901 Note 4 (p. 379)
diagrams, Rule 611 Note 6 (p. 197)
distinctive characteristics, Rule 901 Note 8 (p. 383)
foreign public documents, Rule 902 Note 3 (p. 399)
handwriting
comparison by trier of fact or expert, Rule 901 Note 7 (p. 382)
expert witness, comparison by, Rule 901 Note 7 (p. 382)
nonexpert opinion or witness, Rule 901 Note 6 (p. 381), Rule 901 (p. 374)
trier of fact, comparison, Rule 901 Note 7 (p. 382)
witness familiar with person's writing, Rule 901 Note 6 (p. 381)
knowledge, testimony of witness with, Rule 901 Note 5 (p. 380)
newspapers and periodicals, Rule 902 Note 5 (p. 400)
official publications, Rule 902 Note 4 (p. 399)
photographs, Rule 901 Note 13 (p. 388)
presumptions created by law, Rule 902 Note 9 (p. 402)
process or system, Rule 901 Note 13 (p. 388)
public records or reports
self-authentication, Rule 902 Notes 2 (p. 397) & 4 (p. 399)
testimony, Rule 901 Note 11 (p. 385)
regularly kept business records, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
''reply doctrine,'' Rule 901 Note 8 (p. 383)
self-authentication, generally, Rule 902 Note 1 (p. 396)
subscribing witness
generally, Rule 903 Note 2 (p. 407)
wills, Rule 903 Note 2 (p. 407)
trade inscriptions, signs, tags and labels, Rule 902 Note 6 (p. 401)
videotapes, Rule 901 Note 13 (p. 388)
Best evidence rule
generally, Rule 1002 Note 1 (p. 413)
definitions
duplicate, Rule 1001 Note 5 (p. 412)
original, Rule 1001 Note 4 (p. 411)
photographs, Rule 1001 Note 3 (p. 411)
recordings, Rule 1001 Note 2 (p. 411)
writings, Rule 1001 Note 2 (p. 411)
duplicates, admissibility of, Rule 1003 Note 1 (p. 417)
exceptions to requirement of original
collateral matters, Rule 1004 Note 5 (p. 422)
comparison with Federal Rule, Rule 1005 Note 4 (p. 425), Rule 1007 Note 4 (p. 431)
lost or destroyed original, Rule 1004 Note 2 (p. 420)

WRITINGS—Cont'd
Best evidence rule—Cont'd
exceptions to requirement of original—Cont'd
original not obtainable, Rule 1004 Note 2 (p. 420)
other Rules to consider, Rule 1005 Note 3 (p. 425), Rule 1007 Note 3 (p. 431)
possession of opponent, Rule 1004 Note 4 (p. 421)
public records, Rule 1005 Note 1 (p. 424)
summary of issues affecting admissibility, Rule 1005 Note 2 (p. 425), Rule 1007 Note 2 (p. 430)
testimony or written admission of party, Rule 1007 Note 1 (p. 430)
functions of court and jury, Rule 1008 Note 1 (p. 432)
original required
generally, Rule 1002 Note 1 (p. 413)
comparison with Federal Rule, Rule 1002 Note 7 (p. 416)
materiality, Rule 1002 Note 2 (p. 414)
other Rules to consider, Rule 1002 Note 6 (p. 415)
photographs, Rule 1002 Note 3 (p. 414)
summary of issues affecting admissibility, Rule 1002 Note 5 (p. 415)
public records, Rule 1005 Note 1 (p. 424)
secondary evidence generally, Rule 1004 Note 1 (p. 419)
summaries, Rule 1006 Note 1 (p. 426)
Business records
absence of record following diligent search, Rule 803 Note 7 (p. 327)
authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, authentication, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
exception to hearsay rule, Rule 803 Note 6 (p. 323)
official records, Rule 803 Note 8 (p. 327)
opinions contained in records, Rule 803 Note 6 (p. 323)
personal knowledge, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323), Rule 803 Notes 6 (p. 323) & 8 (p. 327)
public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
''regularly conducted business'' defined, Rule 803 Note 6 (p. 323)
religious organizations, Rule 803 Note 11 (p. 333)
Certified copy
authentication of public records
domestic, Rule 902 Note 2 (p. 397)
foreign, Rule 902 Note 3 (p. 399)

WRITINGS—Cont'd
Certified copy—Cont'd
business records, self-authentication, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
Church records, Rule 803 Note 11 (p. 333)
Collateral matters, originals, Rule 1004 (p. 419)
Commercial paper, authentication, Rule 902 Note 8 (p. 402)
Committees, evidence rules review committee, Rule 1101 (p. 434)
Computer records
authentication, Rule 901 Note 4 (p. 379)
hearsay exception, Rule 803 Note 6 (p. 323)
Contents, generally, Rule 1001 (p. 410)
Court, functions of, Rule 1008 (p. 432)
Court records
authentication, Rule 902 Note 2 (p. 397)
best evidence rule, exception for, Rule 1005 Note 1 (p. 424)
civil judgments, hearsay exception, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal judgments, hearsay exception, Rule 803 Note 22 (p. 340)
former testimony, impeachment use, Rule 804 Note 2 (p. 350)
judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
self-authentication
Domestic public documents, Rule 902 Note 2 (p. 397)
Foreign public documents, Rule 902 Note 3 (p. 399)
testimony, public records, Rule 901 Note 11 (p. 385)
judicial notice of, Rule 201 Note 4 (p. 37)
public records and reports
absence of record following diligent search, Rule 803 Note 10 (p. 333)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
Death
hearsay exception for records of, Rule 803 Note 9 (p. 332)
physician-patient privilege, death certificates, Rule 501 Note 7 (p. 129)
Definition of writings and recordings, Rule 1001 (p. 410)
Duplicate, defined, Rule 1001 (p. 410)
Duplicates, admissibility, Rule 1003 (p. 417)
Dying declarations, Rule 804 Note 3 (p. 354)
Evidence rules review committee, Rule 1101 (p. 434)
Explanation of, when used as inconsistent statement, Rule 613 Note 3 (p. 210)
Former testimony, Rule 804 Note 2 (p. 350)
Functions of court and jury, Rule 1008 (p. 432)
Handwriting in dispute
comparison by trier of fact or expert, Rule 901 Note 7 (p. 382)
nonexpert opinion, Rule 901 Note 6 (p. 381)
Hearsay rule, Rule 801 Note 1 (p. 282)
Hospital records, privileged matters contained in, Rule 501 Note 7 (p. 129)

WRITINGS—Cont'd
Immediate completeness, Rule 106 Note 3 (p. 29)
Jury, functions of, Rule 1008 (p. 432)
Lost or destroyed originals, Rule 1004 (p. 419)
Opponent's possession, original in, Rule 1004 (p. 419)
Original, defined, Rule 1001 (p. 410)
Originals
collateral matters, Rule 1004 (p. 419)
lost or destroyed, Rule 1004 (p. 419)
not obtainable, Rule 1004 (p. 419)
opponent's possession, original in, Rule 1004 (p. 419)
requirement of, Rule 1002 (p. 413)
Other evidence of contents, admissibility of, Rule 1004 (p. 419)
Past recollection recorded, Rule 803 Note 5 (p. 321)
Photographs
contents, Rule 1001 (p. 410)
defined, Rule 1001 (p. 410)
functions of court and jury, Rule 1008 (p. 432)
Prior inconsistent statements, generally, Rule 613 Note 1 (p. 208)
Publications
commercial publications, hearsay exception, Rule 803 Note 17 (p. 337)
learned treatises, Rule 803 Note 18 (p. 337)
newspapers and periodicals, self-authentication, Rule 902 Note 5 (p. 400)
official publications, self-authentication, Rule 902 Note 4 (p. 399)
Public records and reports
generally, Rule 1005 (p. 424)
absence of record following diligent search, Rule 803 Note 10 (p. 333)
affidavits concerning an interest in property, Rule 803 Note 15 (p. 335)
baptismal certificates, Rule 803 Note 12 (p. 334)
best evidence rule, exception to, Rule 1005 Note 1 (p. 424)
birth records, Rule 803 Note 9 (p. 332)
data compilations
public records generally, Rule 803 Note 8 (p. 327)
records of vital statistics, Rule 803 Note 9 (p. 332)
deaths, records of, Rule 803 Note 9 (p. 332)
deeds, recorded, Rule 803 Note 14 (p. 335)
documents affecting an interest in property
records of, Rule 803 Note 14 (p. 335)
statements in, Rule 803 Note 15 (p. 335)
exception to hearsay rule, Rule 803 Note 8 (p. 327)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
executory contracts, acknowledged, Rule 803 Note 14 (p. 335)
factual findings, Rule 803 Note 8 (p. 327)
foreign public documents, Rule 902 Note 3 (p. 399)
investigative reports, Rule 803 Note 8 (p. 327)
judgments
civil judgment, hearsay rule, Rule 803 Note 23 (p. 342)

WRITINGS—Cont'd
Public records and reports—Cont'd
judgments—Cont'd
collateral estoppel in civil case, Rule 803 Note 22 (p. 340)
criminal conviction, hearsay rule, Rule 803 Note 22 (p. 340)
testimony, public records, Rule 901 Note 11 (p. 385)
marriage certificates, Rule 803 Notes 9 (p. 332) & 12 (p. 334)
marriages, records of, Rule 803 Note 9 (p. 332)
matters observed and reported pursuant to legal duty, Rule 803 Note 8 (p. 327)
parol evidence, Rule 1005 Note 1 (p. 424)
personal knowledge, requirement of, Rule 803 Note 8 (p. 327)
police reports
business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
exclusions from hearsay exception, Rule 803 Note 8 (p. 327)
public records and reports, Rule 803 Note 8 (p. 327)
regularly kept records, Rule 803 Note 8 (p. 327)
trustworthiness, Rule 803 Note 8 (p. 327)
proof of contents by testimony, Rule 1005 Note 1 (p. 424)
types, Rule 803 Note 8 (p. 327)
vital statistics, records of, Rule 803 Note 9 (p. 332)
Recorded instruments
acknowledged instruments, Rule 902 Note 7 (p. 401)
ancient documents
authentication, Rule 901 Note 12 (p. 386)
hearsay exception, Rule 803 Note 16 (p. 336)
authentication generally, Rule 902 Notes 1 (p. 396) & 2 (p. 397)
best evidence rule, Rule 1005 Note 1 (p. 424)
hearsay
public records generally, Rule 803 Note 8 (p. 327)
records of documents affecting interest in property, hearsay exception, Rule 803 Note 14 (p. 335)
statements in documents affecting interest in property, hearsay exception, Rule 803 Note 15 (p. 335)
judgment as to boundaries, Rule 803 Note 23 (p. 342)
Recordings
contents, Rule 1001 (p. 410)
defined, Rule 1001 (p. 410)
Records of regularly conducted business activity
absence of record following diligent search, Rule 803 Note 7 (p. 327)
authentication
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, Rule 901 Note 4 (p. 379)
electronically maintained records, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323)
certificate or affidavit, self-authentication by, Rule 902 Notes 10 (p. 402) & 11 (p. 404)
computer-based evidence, authentication, Rule 901 Note 4 (p. 379)

WRITINGS—Cont'd
Records of regularly conducted business activity—Cont'd
electronically maintained records, Rule 803 Note 6 (p. 323)
exception to hearsay rule, Rule 803 Note 6 (p. 323)
opinions contained in records, Rule 803 Note 6 (p. 323)
personal knowledge, Rule 803 Note 6 (p. 323)
police reports, Rule 803 Note 6 (p. 323), Rule 803 Notes 6 (p. 323) & 8 (p. 327)
public records as business records, Rule 803 Notes 6 (p. 323) & 8 (p. 327)
''regularly conducted business'' defined, Rule 803 Note 6 (p. 323)
religious organizations, Rule 803 Note 11 (p. 333)
Refreshing recollection, Rule 612 Note 1 (p. 204)
Remainder of, Rule 106 Note 4 (p. 30)
Requirement of original, Rule 1002 (p. 413)
Review
comparison with Federal Rule, Rule 1101 Note 1 (p. 434)
evidence rules review committee, Rule 1101 (p. 434)
Revised Rule 1005, Rule 1005 (p. 424)
Revised Rule 1007, Rule 1007 (p. 430)
Summaries, Rule 1006 (p. 426)
Testimony or written admission of party, Rule 1007 (p. 430)
Wills
authentication, Rule 903 Note 2 (p. 407)
subscribing witness's testimony unnecessary, Rule 903 Note 2 (p. 407)
Writings
contents, Rule 1001 (p. 410)
defined, Rule 1001 (p. 410)
Written admission of party, Rule 1007 (p. 430)

WRONGFUL DEATH
Dead man's statute inapplicable, Rule 601 Note 5 (p. 157)

X-RAYS
Authentication, Rule 901 Note 13 (p. 388)
Best evidence rule, Rule 1002 Note 3 (p. 414)