Table of Contents

CHAPTER 1. ROLE OF ATTORNEY

§ 1:1 Attorney and trial of case
§ 1:2 Right to counsel
§ 1:3 Party's right to act as co-counsel
§ 1:4 Right to competent counsel
§ 1:5 Need for counsel to be admitted to practice law
§ 1:6 Waiver of right to counsel
§ 1:7 Right to consult with attorney and others
§ 1:8 General conduct of attorney
§ 1:9 Contempt by attorney
§ 1:10 Discipline of attorney for improper conduct
§ 1:11 Withdrawal of counsel
§ 1:12 Disqualification of counsel

CHAPTER 2. CONDUCT OF TRIAL

§ 2:1 Conduct of trial; generally
§ 2:2 Right to speedy trial—Constitutional
§ 2:3 —Statutory
§ 2:4 Presence of parties and counsel
§ 2:5 Conduct of parties
§ 2:6 Joinder of parties
§ 2:7 Substitution of parties
§ 2:8 Presence of judge
§ 2:9 Substitution of judge
§ 2:10 Disqualification of judge
§ 2:11 General conduct of judge
§ 2:12 Demeanor of judge
§ 2:13 Duty to preserve order
§ 2:14 Exclusion of public
§ 2:15 Exclusion of news media
§ 2:16 Publicity before and during trial
§ 2:17 Judge's control of examination of witnesses
§ 2:18 Limiting number of witnesses
§ 2:19 Ruling on admissibility of evidence
§ 2:20 Restricting use of admitted evidence
§ 2:21 Exclusion of improper evidence on court's own motion
§ 2:22 Questioning witnesses by judge
§ 2:23 Court's witnesses
§ 2:24 Impartial medical experts
§ 2:25 Control of proceedings by pretrial order

§ 2:26 Control of proceedings by stipulation
§ 2:27 Law applicable to cases arising outside Georgia
§ 2:28 Transcribing testimony
§ 2:29 Judge as trier of facts
§ 2:30 Joinder and severance

CHAPTER 3. MOTIONS DURING TRIAL, DEFAULT, DISMISSAL

§ 3:1 Motions during trial; generally
§ 3:2 Continuances
§ 3:3 Voluntary dismissal
§ 3:4 Nolle prosequi
§ 3:5 Involuntary dismissal
§ 3:6 Default judgment
§ 3:7 New trial
§ 3:8 Stay of proceedings
§ 3:9 Change of venue
§ 3:10 Request for severance

CHAPTER 4. CRIMINAL TRIALS

§ 4:1 Criminal procedure; generally
§ 4:2 Physical control of defendant during trial
§ 4:3 Dress of defendant
§ 4:4 Defenses in criminal cases
§ 4:5 Entrapment as defense
§ 4:6 Insanity as defense
§ 4:7 Coercion as defense
§ 4:8 Intoxication or drugged condition as defense
§ 4:9 Use of justifiable force
§ 4:10 Improper conduct of prosecution
§ 4:11 Death penalty cases
§ 4:12 Oaths of witnesses in criminal cases

CHAPTER 5. CONTEMPT OF COURT

§ 5:1 Power of court to punish for contempt
§ 5:2 Standing to bring contempt citation
§ 5:3 Civil and criminal contempt
§ 5:4 Direct and indirect contempt
§ 5:5 Acts constituting direct, criminal contempt
§ 5:6 Procedure in direct, criminal contempt
§ 5:7 Punishment for contempt

CHAPTER 6. SELECTION OF JURY

§ 6:1 Right to fair and impartial jury

§ 6:2 Method of summoning jurors
§ 6:3 Summoning tales jurors
§ 6:4 Grounds for challenging array
§ 6:5 Discrimination because of sex, race, etc.
§ 6:6 Conduct of voir dire examination
§ 6:7 Hypothetical questions
§ 6:8 Questioning of jurors; generally
§ 6:9 Voir dire in capital cases
§ 6:10 Questioning jurors regarding insurance
§ 6:11 Selection of alternate jurors
§ 6:12 Number of peremptory challenges—Civil cases
§ 6:13 —Criminal cases
§ 6:14 Exemptions from jury service
§ 6:15 Grounds for challenge for cause—Statutes
§ 6:16 —Cases
§ 6:17 Conditional grounds for challenge
§ 6:18 Facts that normally are not grounds for challenge
§ 6:19 Passing upon challenges for cause
§ 6:20 Swearing the jury

CHAPTER 7. OPENING STATEMENTS

§ 7:1 Right to make opening statements
§ 7:2 Order of opening statements
§ 7:3 Content of opening statements
§ 7:4 Limitations on opening statement

CHAPTER 8. ORDER OF PROOF

§ 8:1 Right to open and close
§ 8:2 Order of producing testimony
§ 8:3 Rebuttal testimony
§ 8:4 Surrebuttal
§ 8:5 Right to introduce testimony at later stage

CHAPTER 9. BURDEN OF PROOF

§ 9:1 Burden of proof and burden of going forward
§ 9:2 Prima facie case
§ 9:3 Civil cases; generally
§ 9:4 Claims against estates
§ 9:5 Shifting of burden of proof
§ 9:6 Constructive and resulting trust cases
§ 9:7 Burden of proving fraud
§ 9:8 Bailment cases
§ 9:9 Criminal cases; generally
§ 9:10 Corpus delicti

§ 9:11 Accused's competency
§ 9:12 Alibi
§ 9:13 Identity of accused
§ 9:14 Burden on defendant in criminal cases
§ 9:15 Party having burden of proof in civil cases
§ 9:16 Burden on defendant in civil cases
§ 9:17 Burden of proving negative averments

CHAPTER 10. PROOF OF FACTS

§ 10:1 Situations where proof is excused before trial
§ 10:2 Situations where proof is excused during trial
§ 10:3 Methods of proving facts
§ 10:4 Use of stipulations to excuse proof of facts
§ 10:5 Construction and enforcement of stipulations
§ 10:6 Offers to stipulate

CHAPTER 11. WITNESSES

§ 11:1 Compelling attendance of witnesses
§ 11:2 Habeas corpus ad testificandum
§ 11:3 Witnesses from out-of-state
§ 11:4 Subpoena for production of documentary evidence
§ 11:5 Influencing or harassing witnesses
§ 11:6 Right to interview witnesses
§ 11:7 Right to confer with witnesses on stand
§ 11:8 Compensation of witnesses
§ 11:9 Exclusion of witnesses
§ 11:10 Swearing the witnesses
§ 11:11 Use of interpreter
§ 11:12 Giving testimony on television, radio or motion picture
§ 11:13 Witnesses not on list
§ 11:14 Death of witnesses

CHAPTER 12. IMPEACHMENT OF WITNESSES

§ 12:1 Impeachment of witnesses; generally
§ 12:2 Impeachment on collateral issues
§ 12:3 Laying foundation to impeach witnesses
§ 12:4 Credibility of witnesses; generally
§ 12:5 Particular matters affecting credibility
§ 12:6 Expert testimony as to credibility of witnesses
§ 12:7 Impeachment by contradiction

CHAPTER 13. COMPETENCY OF WITNESSES TO TESTIFY

§ 13:1 Competency of witnesses; generally
§ 13:2 Time for objecting to competency
§ 13:3 Competency of felon to testify
§ 13:4 Competency of child to testify
§ 13:5 Competency of spouse to testify for or against other spouse
§ 13:6 Competency of judge, juror, or attorney to testify
§ 13:7 Competency of atheist, hearing or sight impaired or mentally handicapped, to testify
§ 13:8 Competency of accomplice as witness
§ 13:9 Competency of witnesses omitted from indictment or list of witnesses
§ 13:10 Competency of witnesses omitted from answers to interrogatories
§ 13:11 Competency of private detective or investigator in criminal actions
§ 13:12 Competency of witness under hypnosis

CHAPTER 14. DEAD MAN'S ACT

§ 14:1 Disqualification under Dead Man's Act

CHAPTER 15. EXAMINATION OF WITNESSES

§ 15:1 Examination of witnesses; generally
§ 15:2 Materiality of questions asked on direct examination
§ 15:3 Relevancy of questions asked on direct examination
§ 15:4 Admissibility of negative evidence
§ 15:5 Relevance of conduct of party shortly before accident
§ 15:6 Competency of questions asked on direct examination
§ 15:7 Form and content of questions on direct examination
§ 15:8 Improper conduct of counsel in examining witnesses
§ 15:9 Leading questions
§ 15:10 Aiding witnesses by refreshing memory
§ 15:11 Prior consistent statements
§ 15:12 Questions that impeach one's own witnesses
§ 15:13 Testimony that tends to incriminate witnesses
§ 15:14 Necessity for court to warn witnesses of privilege
§ 15:15 Extent of privilege against self-incrimination
§ 15:16 Invoking privilege against self-incrimination
§ 15:17 Inspection of person of accused or witnesses
§ 15:18 Ruling upon existence of privilege against self-incrimination

§ 15:19 When privilege against self-incrimination is lost
§ 15:20 Use of lie detector (polygraph) tests
§ 15:21 Calling adverse party or person as witness
§ 15:22 Manner of examining under statute
§ 15:23 Requirements of witness' answer
§ 15:24 Witness' first hand knowledge
§ 15:25 Testimony concerning telephone conversations
§ 15:26 Tape recordings of telephone conversations
§ 15:27 Right to confront witnesses
§ 15:28 Continuing witness rule

CHAPTER 16. CROSS-EXAMINATION

§ 16:1 Right to cross-examine witnesses
§ 16:2 Scope of cross-examination
§ 16:3 Form of questions on cross-examination
§ 16:4 Additional matters proper on cross-examination
§ 16:5 Manner of conducting cross-examination
§ 16:6 Testing the witness' knowledge and accuracy
§ 16:7 Use of prosecution's evidence by defense
§ 16:8 Prior inconsistent statement
§ 16:9 Use of testimony before the grand jury to impeach a witness
§ 16:10 Laying foundation for prior inconsistent statements
§ 16:11 Impeachment by proof of prior conviction
§ 16:12 Manner of proving prior conviction
§ 16:13 Right to recall witness for further cross-examination
§ 16:14 Effect of denial of right to cross-examine

CHAPTER 17. REDIRECT AND RECROSS-EXAMINATION

§ 17:1 Scope of redirect examination
§ 17:2 Form and content of questions on redirect examination
§ 17:3 Refreshing witness' memory on redirect examination
§ 17:4 Explaining and correcting testimony on redirect examination
§ 17:5 Rehabilitating a witness
§ 17:6 Explaining impeaching answers
§ 17:7 Right of recross-examination

CHAPTER 18. PRIVILEGED COMMUNICATIONS

§ 18:1 Nature of privileged communications
§ 18:2 Communications between husband and wife

§ 18:3 Requirements for privilege to exist between husband and wife
§ 18:4 Existence of marital relationship
§ 18:5 Claiming and waiving privilege
§ 18:6 Privileged communication between attorney and client
§ 18:7 Existence of attorney and client relationship
§ 18:8 Confidential nature of communication
§ 18:9 Claiming and waiving attorney-client privilege
§ 18:10 Termination of attorney-client privilege
§ 18:11 Existence of physician-patient privilege
§ 18:12 Privileged communications by client to public accountant
§ 18:13 Privileged communications to clergy
§ 18:14 Privileged communications to public officers
§ 18:15 Miscellaneous privileges
§ 18:16 Admissibility of medical research information

CHAPTER 19. JUDICIAL NOTICE

§ 19:1 Proof excused if fact is judicially noticed
§ 19:2 Making record of facts judicially noticed
§ 19:3 Judicial notice of laws
§ 19:4 Judicial notice of facts concerning the court
§ 19:5 Judicial notice of facts about government, officers, and political subdivisions
§ 19:6 Other facts judicially noticed
§ 19:7 Facts not judicially noticed

CHAPTER 20. PRESUMPTIONS

§ 20:1 Nature of presumptions
§ 20:2 Irrebuttable presumptions
§ 20:3 Rebuttable presumptions
§ 20:4 Inferences
§ 20:5 Presumptions of innocence
§ 20:6 Res ipsa loquitur
§ 20:7 Presumptions of death after seven years absence
§ 20:8 Presumptions of validity of marriage
§ 20:9 Presumptions arising from possession of stolen goods or contraband
§ 20:10 Presumptions arising from conduct of party
§ 20:11 Presumptions of delivery of letter
§ 20:12 Presumptions of delivery of telegram
§ 20:13 Presumptions about individuals
§ 20:14 Presumptions of intoxication from alcoholic content of blood

§ 20:15 Presumptions of continuance of a condition
§ 20:16 Presumptions about gifts and services
§ 20:17 Presumptions in tort cases
§ 20:18 Other presumptions created by law

CHAPTER 21. REAL AND DEMONSTRATIVE EVIDENCE

§ 21:1 Real and demonstrative evidence distinguished
§ 21:2 Tangible articles having some bearing on transaction in question
§ 21:3 Tangible articles in same condition
§ 21:4 Connecting tangible articles to accused
§ 21:5 Admissibility of photographs
§ 21:6 Admissibility of document copies
§ 21:7 Admissibility of motion pictures and videos
§ 21:8 Admissibility of x-ray photographs
§ 21:9 Admissibility of sound recordings in evidence
§ 21:10 Admissibility of maps, drawings, diagrams and displays
§ 21:11 Admissibility of static models and casts
§ 21:12 Effect of marks or notations on demonstrative evidence
§ 21:13 Displaying personal injuries to jury
§ 21:14 Blood tests in paternity cases
§ 21:15 Exhibiting child in paternity cases
§ 21:16 Authentication of exhibits

CHAPTER 22. VIEW

§ 22:1 General information and right to view
§ 22:2 Requests for view
§ 22:3 Conduct of view
§ 22:4 Nature of view
§ 22:5 Unauthorized view

CHAPTER 23. DOCUMENTARY EVIDENCE

§ 23:1 General requirements relating to documentary evidence
§ 23:2 Procedure in offering and admitting documents in evidence
§ 23:3 When authentication of documentary evidence is excused
§ 23:4 Authentication of private writings
§ 23:5 Authentication of attested documents
§ 23:6 Authentication of recorded documents

§ 23:7 Other rules relating to use of private writings
§ 23:8 Authentication of statutes
§ 23:9 Authentication of acts and court decisions
§ 23:10 Authentication of court papers and records
§ 23:11 Authentication of records of counties and municipalities
§ 23:12 Authentication of records of corporations
§ 23:13 Best evidence rule
§ 23:14 Situations calling for "best evidence"
§ 23:15 Situations in which "best evidence" is not required
§ 23:16 Use of secondary evidence
§ 23:17 Where primary evidence is in control of opponent
§ 23:18 Secondary evidence of bulky records
§ 23:19 Proof of loss of primary evidence
§ 23:20 Secondary evidence of public records
§ 23:21 Copies as primary or secondary evidence
§ 23:22 Nature of secondary evidence to be used
§ 23:23 Establishing contents of document by oral evidence
§ 23:24 Authentication of letter
§ 23:25 Business records from domestic or foreign sources
§ 23:26 Authentication of family bible and church records
§ 23:27 Authentication of annuity and mortality tables
§ 23:28 Authentication of ancient documents
§ 23:29 Electronic evidence

CHAPTER 24. OPINION EVIDENCE

§ 24:1 Requirement that witness testify as to facts
§ 24:2 Facts distinguished from opinions
§ 24:3 Admissibility of opinions; generally
§ 24:4 Opinions concerning ultimate issues
§ 24:5 Opinions on ultimate issue in negligence case
§ 24:6 Opinions on ultimate issue in will cases
§ 24:7 When opinion on ultimate issue is admissible
§ 24:8 Other limitations on opinion evidence
§ 24:9 Nonexpert opinion; generally
§ 24:10 Nonexpert opinion; evidence on sanity
§ 24:11 Opinion as to speed
§ 24:12 Stopping distance
§ 24:13 Nonexpert opinions on handwriting
§ 24:14 Nonexpert opinion on value of personal property
§ 24:15 Nonexpert opinion on value of real estate
§ 24:16 Opinions on narcotic addiction
§ 24:17 Matters as to which expert witness may or must testify

§ 24:18 Qualifications required of expert witness
§ 24:19 Distinction between expert and skilled witnesses
§ 24:20 Expert testimony on matters of business
§ 24:21 Expert testimony on how incident occurred
§ 24:22 Expert testimony on value of services
§ 24:23 Expert testimony on value of real estate
§ 24:24 Expert testimony on handwriting
§ 24:25 Questioned documents
§ 24:26 Expert testimony on fingerprints
§ 24:27 Expert testimony on ballistics
§ 24:28 Expert testimony on mental capacity
§ 24:29 Expert testimony on child abuse syndrome
§ 24:30 DNA tests
§ 24:31 Expert testimony on dental evidence
§ 24:32 Experiments and demonstrations
§ 24:33 Tests for intoxication
§ 24:34 Electronic speed detection devices
§ 24:35 Miscellaneous scientific tests
§ 24:36 Contents of the hypothetical question
§ 24:37 Hypothetical question asked of physician or surgeon
§ 24:38 Answer to hypothetical question
§ 24:39 Cross-examination of expert witnesses

CHAPTER 25. HEARSAY EVIDENCE

§ 25:1 Admissibility of hearsay evidence
§ 25:2 Definition of hearsay evidence
§ 25:3 Inapplicability of hearsay rule to certain situations
§ 25:4 Exceptions to hearsay rule; generally
§ 25:5 Threats
§ 25:6 Dying declarations
§ 25:7 Testimony at former trial
§ 25:8 Establishing right to use testimony from former trial
§ 25:9 Manner of proving testimony from former trial
§ 25:10 Past recollection recorded
§ 25:11 Admission of writing for past recollection
§ 25:12 Business records
§ 25:13 Requirements for admission of business records
§ 25:14 Official records; generally
§ 25:15 Public records and open records law
§ 25:16 Police reports
§ 25:17 Hospital records
§ 25:18 Doctor's reports and records
§ 25:19 Weather reports
§ 25:20 Birth and death certificates

§ 25:21 Subjective and objective symptoms
§ 25:22 Statements made for purposes of medical diagnosis or treatment
§ 25:23 Pedigree
§ 25:24 Mortality and annuity tables
§ 25:25 Church records and family bibles
§ 25:26 Ancient documents
§ 25:27 Res gestae
§ 25:28 Spontaneous declarations
§ 25:29 Examples of admissible spontaneous declarations
§ 25:30 Excited utterances
§ 25:31 Statements of intention and state of mind
§ 25:32 Declarations against interest
§ 25:33 Forfeiture by wrongdoing

CHAPTER 26. ADMISSIONS

§ 26:1 Admissions by party opponent
§ 26:2 Admissions by agent, employee or partner of party
§ 26:3 Admissions by others: coconspirators
§ 26:4 Admissions to avoid continuance
§ 26:5 Judicial admissions
§ 26:6 Judicial admissions in pleadings
§ 26:7 Admissibility of criminal judgment in subsequent civil suit
§ 26:8 Silence of party as admissions in civil cases
§ 26:9 Silence of accused as admissions
§ 26:10 Failure to reply to written statements as admissions
§ 26:11 Flight or escape as admissions
§ 26:12 Misconduct of party as admissions
§ 26:13 Offers of compromise as admissions
§ 26:14 Actions of party after accident as admissions
§ 26:15 Payment of bills of injured person as admissions
§ 26:16 Self-serving statements

CHAPTER 27. CONFESSIONS

§ 27:1 Confession distinguished from admission and incriminatory statement
§ 27:2 Requirements of confession
§ 27:3 Confession of juveniles
§ 27:4 Protection of constitutional rights in obtaining confession
§ 27:5 Voluntariness of confession
§ 27:6 Determining admissibility of confession
§ 27:7 Corroboration of confession

§ 27:8 Confession by others
§ 27:9 Use of entire statement

CHAPTER 28. ILLEGALLY OBTAINED EVIDENCE

§ 28:1 Prohibition against illegal searches and seizures
§ 28:2 Seizures of persons
§ 28:3 Searches of persons
§ 28:4 Searches of places
§ 28:5 Seizures of papers and effects
§ 28:6 Sanction for obtaining evidence illegally: the Exclusionary Rule
§ 28:7 Motions to suppress illegally obtained evidence
§ 28:8 Standing to invoke privilege against illegally obtained evidence
§ 28:9 Searches and seizures without a warrant
§ 28:10 Warrantless arrest of persons
§ 28:11 Warrantless searches of places
§ 28:12 Searches and seizures without a warrant but with consent
§ 28:13 Searches of automobiles without a warrant
§ 28:14 Searches and seizures with a warrant
§ 28:15 Attacks on issuance or substance of search warrants
§ 28:16 Attacks on execution of search warrants
§ 28:17 Arrests and searches based upon an informant's tip
§ 28:18 Eavesdropping and other electronically obtained evidence
§ 28:19 Obtaining evidence from bodily substances or by surgery
§ 28:20 Mandatory taking of DNA samples

CHAPTER 29. ADMISSIBILITY OF OTHER TYPES OF EVIDENCE

§ 29:1 Admissibility of circumstantial evidence
§ 29:2 Circumstantial evidence of criminal intent
§ 29:3 Evidence that will prejudice jury
§ 29:4 Admissibility of evidence on collateral issues
§ 29:5 Admissibility of evidence of similar acts or occurrences
§ 29:6 Proof of habits
§ 29:7 Custom and usage
§ 29:8 Usual method or practice
§ 29:9 Proof of intoxication
§ 29:10 Proof of weight

§ 29:11 Evidence of character and reputation
§ 29:12 Evidence of character (reputation) in criminal cases
§ 29:13 Method of proving character in criminal cases
§ 29:14 Character of victim of assault or homicide
§ 29:15 Proof of character in civil cases
§ 29:16 Reputation for truth and veracity
§ 29:17 Evidence of other crimes
§ 29:18 Race, color, nationality, wealth or poverty
§ 29:19 Evidence of liability insurance
§ 29:20 Use of discovery depositions
§ 29:21 Self-serving declarations
§ 29:22 Physical and mental examination of parties and others
§ 29:23 Intelligence and psychological tests
§ 29:24 Income tax returns
§ 29:25 Computations
§ 29:26 Proof of corporate existence
§ 29:27 Parol evidence
§ 29:28 Evidence of identification
§ 29:29 Admissibility of evidence regarding seat belts
§ 29:30 Evidence that someone other than the accused committed the crime

CHAPTER 30. OBJECTIONS TO EVIDENCE

§ 30:1 Right to object to improper testimony
§ 30:2 Need for objection to improper evidence
§ 30:3 Timeliness of objections and motions in limine
§ 30:4 Stating grounds for objection
§ 30:5 Ruling on objection
§ 30:6 Motion to exclude inadmissible evidence
§ 30:7 Need for formal exception or mistrial motion
§ 30:8 Offer of proof

CHAPTER 31. MISTRIAL

§ 31:1 Nature of mistrial
§ 31:2 Right to have mistrial declared
§ 31:3 Grounds for declaring mistrial
§ 31:4 Effect of disappearance of admitted exhibits during trial
§ 31:5 Disclosure of liability insurance
§ 31:6 Discharge for inability of jury to arrive at verdict
§ 31:7 Insufficient grounds for declaring mistrial

CHAPTER 32. DIRECTED VERDICT

§ 32:1 Right of court to direct verdict

§ 32:2 Procedure in moving for directed verdict
§ 32:3 Determining right to directed verdict
§ 32:4 Directing verdict for variance
§ 32:5 Permitting amendments to conform to evidence
§ 32:6 Negligence and contributory negligence as questions of law or fact
§ 32:7 Willful and wanton misconduct; law or fact
§ 32:8 Motion by both parties for directed verdict
§ 32:9 Ruling on motion for directed verdict
§ 32:10 Duty of jury to render verdict as directed

CHAPTER 33. DAMAGES

§ 33:1 General principles relating to damages
§ 33:2 Nominal damages
§ 33:3 General and special damages
§ 33:4 Foreseeability of damages
§ 33:5 Speculative, remote or consequential damages
§ 33:6 Duty to lessen damages
§ 33:7 Liability for exemplary or punitive damages
§ 33:8 Amount of exemplary damages
§ 33:9 Pleading aggravated damages
§ 33:10 Instructions on damages in personal injury cases
§ 33:11 Damages to personal property
§ 33:12 Damages in wrongful death cases
§ 33:13 Damages in breach of contract cases
§ 33:14 Excessive or inadequate damages
§ 33:15 Interest
§ 33:16 Attorney's fees
§ 33:17 Liquidated damages and penalties
§ 33:18 Comparative negligence
§ 33:19 Injuries to real property
§ 33:20 Collateral source rule

CHAPTER 34. CLOSING ARGUMENTS

§ 34:1 Right to make closing arguments
§ 34:2 Court's control of closing arguments
§ 34:3 Right to open and close arguments
§ 34:4 General rules governing closing arguments
§ 34:5 Comments on court's instructions
§ 34:6 Arguments about damages
§ 34:7 Comments on conduct of opposition
§ 34:8 Improper remarks of counsel, generally
§ 34:9 Improper remarks in criminal cases
§ 34:10 Improper remarks in civil cases

§ 34:11 Remarks in argument about liability insurance
§ 34:12 Use of charts and diagrams in arguments
§ 34:13 Correcting improper conduct of counsel

CHAPTER 35. INSTRUCTIONS

§ 35:1 Office and purpose
§ 35:2 General requirements for jury instructions
§ 35:3 Power and duty of court
§ 35:4 Writing out requests for instructions
§ 35:5 Time for tendering instructions
§ 35:6 Requests covered by instructions given
§ 35:7 Modification of requests
§ 35:8 Objections to instructions
§ 35:9 Number of instructions
§ 35:10 Cautionary instructions
§ 35:11 Instructions on issues
§ 35:12 Peremptory instructions
§ 35:13 Slanted and argumentative instructions
§ 35:14 Other rules applicable to instructions
§ 35:15 Special rules relating to instructions in criminal cases
§ 35:16 Correcting erroneous instructions
§ 35:17 Disposition of instructions

CHAPTER 36. CONDUCT OF JURY

§ 36:1 General conduct of jury and those dealing with it
§ 36:2 Conduct of jurors during trial
§ 36:3 Communications with jurors before and during trial
§ 36:4 Jurors reading newspaper accounts of trial
§ 36:5 Separation of jury during trial
§ 36:6 Items taken by jury to jury room
§ 36:7 Control of jury during deliberations
§ 36:8 Manner of conducting deliberations
§ 36:9 Rules governing arrival at verdict
§ 36:10 Communications with jury during deliberations
§ 36:11 Eavesdropping on deliberations
§ 36:12 Improper conduct of jurors
§ 36:13 Treatment of improper conduct on part of jurors

CHAPTER 37. VERDICT

§ 37:1 General provisions relating to verdict
§ 37:2 Objections to form of verdict
§ 37:3 Revising or amending verdict
§ 37:4 Power of court to have jury reconsider defective verdict

§ 37:5 Construction of general verdict
§ 37:6 Special verdict
§ 37:7 Impeachment of verdict
§ 37:8 Impeachment by matters extrinsic to verdict
§ 37:9 Mistake or clerical error in verdict
§ 37:10 Sealed verdict
§ 37:11 Polling jurors

CHAPTER 38. JUDGMENT

§ 38:1 Entry of judgment
§ 38:2 Duty of clerk to enter judgment
§ 38:3 Effect of entry of judgment
§ 38:4 Amount of judgment
§ 38:5 Inclusion of interest in judgment
§ 38:6 Allowance of court costs
§ 38:7 Arrest of judgment and judgment notwithstanding verdict
§ 38:8 Modification of judgment
§ 38:9 Res judicata effect of judgment

APPENDICES

Appendix A. Fast Finder Table
Appendix B. Carlson's Annotated Georgia Trial Objections
Appendix C. Forms
Appendix D. Georgia Rules of Evidence

Table of Laws and Rules

Table of Cases

Index