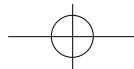
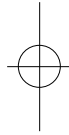
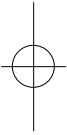
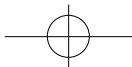
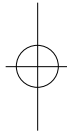
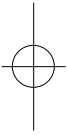


Federal Rules of Evidence Handbook





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Preface

Every code, whether substantive or procedural, is difficult to understand and implement in a trial setting. The Federal Rules of Evidence are no exception. After over twenty-five of teaching in the field, I find that first-time evidence students are especially perplexed, particularly in the relationship between and among the Rules.

There are several excellent texts on the law of evidence and on the Federal Rules of Evidence. Why, then, is it necessary to place another text on the market?

First, while the general practitioner may find this handbook helpful, it is intended for use by law students who are taking evidence courses at their law schools. Used as a study guide by the students, the text should make the Rules more understandable and should increase the enjoyment they will experience in this singularly fascinating field of law.

Second, the handbook focuses exclusively on the Federal Rules of Evidence. Since all but a handful of states have adopted the Federal Rules themselves or some version of them, this Handbook ignores the “general law of evidence.”

Third, I believe I have succeeded in producing a text that is quite concise. We evidence professors like to think that students have large blocks of time for the courses we offer. The truth is that law students engage in many academic and extra-curricular activities which reduce the time available for any one of their courses and place unusual pressure on them. I am hopeful that this handbook will make their studying more comfortable and less stressful.

Fourth, this handbook should be helpful to law students as they prepare for their bar examinations.

* * *

A succession of Suffolk University Law Students who volunteered as research assistants made my task in researching and writing this book manageable. They invested enormous time and effort over a period of several years and, if this book is at all effective, it is due mainly to their involvement. I wish to acknowledge the superior work they did: Lorraine Goldenberg, who managed to turn my mass of notes and references into a comprehensible first draft; Stacey Morris and Benjamin Seldin, who reviewed cases and cites and worked to improve the text; Magdalena Parnell, who invested countless hours helping to produce a better draft of the text; and last, but certainly not least, Jeanne Saffan-Grill, to whom I owe the greatest debt. She was energetic and thorough and was diligent in substantially improving this Handbook. I am most appreciative of the assistance they all provided.

I am grateful to Dean Robert H. Smith of Suffolk University Law School for his encouragement and support during the writing and editing of this book.

I dedicate this Handbook to the thousands of students who, over these many years, enrolled in my basic course on Evidence and in my Advanced Evidence Seminar. They were, truly, my teachers and I am grateful to them for asking the difficult questions and for challenging me on my interpretations of the Federal Rules of Evidence.

Clifford E. Elias
December 2002