

Principles of Evidence

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Irving Younger

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Michael Goldsmith

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David A. Sonenshein

JACK E. FEINBERG PROFESSOR OF LITIGATION, EMERITUS
TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW

Anthony J. Bocchino

JACK E. FEINBERG PROFESSOR OF LITIGATION, EMERITUS
TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW

Jules Epstein

PROFESSOR OF LAW AND DIRECTOR OF ADVOCACY PROGRAMS
TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW



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Preface

This casebook has its origins in one conceived by Irving Younger and published in 1980 as *Materials for the Basic Course in Evidence*.

Younger was already famous when his book came out. Indeed, he was about the closest thing to a rock star the legal profession has seen, having served as professor, prosecutor, judge, trial lawyer, and author. He had a unique ability to take the most difficult material and present it in an entertaining and understandable way. He appealed alike to law students and members of the profession. Younger's presentations, whether in class, in court, or in the lecture hall, were always crowded. They were exquisitely crafted, eloquent, and memorable. To his audiences they seemed effortless. They were, in fact, the result of very hard work. Younger's love of the law and his excitement about it came through to those he taught. He still teaches via his judicial opinions, many of which have been incorporated into evidence casebooks. His recordings are still best-sellers.¹

Throughout his career and despite his celebrity Younger thought of himself as just another hard-working trial lawyer striving to do his best. That was the novelty and essential theme of his casebook. On the need for another casebook, Younger said:

There being no dearth of evidence casebooks, the appearance of yet another requires explanation.

Years of struggling with the course have left me with certain settled preferences. Since it is the basic course, the only course in evidence most students ever take, I prefer to present the subject matter as the doctrinal foundation for what trial lawyers do in court.

Thirty years after Younger's initial publication, this new edition of Principles of Evidence remains true to Younger's original. The authors have built on and enhanced it. They have added their own love of, and excitement about, the law to Younger's. The result is a casebook that not only updates cases and evidentiary rules but prepares students for the conduct of litigation in court and, for those averse to a litigation-focused career, offers what one must know about potential evidentiary issues that might be created by choices lawyers make.

1. The complete and classic collections of Professor Irving Younger's lectures and speeches have been digitally re-mastered. They are available as DVDs, CDs, and MP3s exclusively from THE PROFESSIONAL EDUCATION GROUP (www.proedgroup.com 800.229.2531).

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