

**An Anatomy of
Louisiana Evidence Law**

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An Anatomy of Louisiana Evidence Law

*Code, Commentary, Cases,
& Problems*

Shenequa L. Grey

SOUTHERN UNIVERSITY LAW CENTER



CAROLINA ACADEMIC PRESS

Durham, North Carolina

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ISBN 978-1-61163-819-6
LCCN 2015940831

Carolina Academic Press
700 Kent Street
Durham, NC 27701
Telephone (919) 489-7486
Fax (919) 493-5668
www.cap-press.com

Printed in the United States of America

*To my parents,
The late Mrs. Minnie L. Grey & Mr. Louis Grey, Jr.*

*“All that I am or hope to be, I owe to you.”
Abraham Lincoln*

~Moo

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Preface and Acknowledgments

This casebook is the first of its kind in Louisiana, representing a rising trend in law school casebooks across the country. Apart from the traditional compilation of cases and notes from which students are required to extract and deduce the legal principles and to consult outside sources for explanation, commentary, and problems—this book is much more. It is a complete *coursebook* that presents a detailed, thorough, and comprehensive examination of the law of evidence through the use of concise commentary and a number of pedagogical elements that introduces, teaches, and reinforces the legal principles. You will find that this casebook provides the student with everything needed to learn and effectively apply Louisiana evidence law in one place, without the need for outside sources—thus the name, “*An Anatomy of Louisiana Evidence Law: Code, Commentary, Cases, & Problems.*”

An “anatomy” has been defined as “a separating or dividing into parts for detailed examination and analysis.” Incorporating thoughtful feedback and comments from both students and reviewing professors on the format, depth, and breadth of coverage, you will find that this casebook indeed anatomizes Louisiana evidence law. At the outset of the book is the entire Louisiana Code of Evidence for easy access and reference by the students throughout the course. With a few exceptions, each article is covered in a different section of the book, with a treatise-like explanation of the legal principles, written in a reader-friendly style. The commentary contains various elements that attempt to appeal to different types of learning styles and for easy reading and comprehension such as illustrated diagrams of complicated concepts, as well as charts, lists, callout boxes, and numerous examples and illustrations.

While the casebook retains the traditional use of carefully selected and rigorously edited Louisiana cases and select U.S. Supreme Court cases directly affecting Louisiana law, each case is also accompanied by discussion questions to help guide the students through the concepts and principles covered in the cases and commentary. Culminating with a summary of the key points covered in each section, students are presented with a straightforward presentation of the law, designed to better equip them to more fully engage in classroom lectures and discussion.

This style of presentation of the law is coupled with numerous opportunities for application of the principles covered. The book contains over 400 original problems that test the exceptions and nuances of the rules. Select problems have full analysis to demonstrate how to apply the law to the facts. Further, to help bridge the ever-so-wide gap between law school theory and real-life application of the rules, are practical application exercises that present the concepts in ways in which they are likely to be encountered in real-life scenarios.

This casebook further sets itself apart from other Louisiana casebooks by drawing comparisons of important distinctions between the Louisiana Code of Evidence and the Federal Rules of Evidence, where applicable. The book is punctuated with a common thread of

the discussion of public policy concerns underlying the evidentiary principles to serve as a guide to understanding how the law should be applied and to show how state public policy concerns drive many of the distinctions in the state and federal laws. Throughout the book students are encouraged to think beyond the plain language of the law to the underlying interests and reasons for the rules—an overriding concern in evidence law.

In *An Anatomy of Louisiana Evidence Law*, these and other features come together to create a comprehensive examination of Louisiana Evidence—an *anatomy*, so to speak. Every element of this casebook was thoughtfully incorporated or developed with two primary goals in mind—both theory and application. I hope that you find the casebook to be everything it was intended to be and more, and I look forward to your thoughtful feedback. Please send any corrections, questions, comments, or suggestions to sgrey@greyevidence.com.

Acknowledgments

I extend a warm thank you to Professor Michelle Ghetti for your guidance, feedback and mentorship over the last ten years, as well as your contributions to case selections for this book. I also thank Vice Chancellor Russell Jones for your support on this project. I thank my dedicated research assistants Jasmine Henderson and Amira Makke for your excellent and timely contributions to this book which greatly contributed to its quality and overall status as an authoritative source on evidence law. Additionally, I thank my good friend Shayna Pitre for your willingness to discuss issues, review problems, suggest examples, discussing pedagogy, and contribute to discussion questions and cases. Most of all, I appreciate your support and encouragement. Finally, I thank my evidence class for the fall of 2014 and all of my students for the spring of 2015 for your patience, understanding, support, and motivation over the last year as I was writing this book.

Editorial Note

To save space and to make judicial decisions read more smoothly, most internal citations and footnotes are omitted. These deletions are not noted. Deleted text is indicated by ellipses. Most problems contain names to help make the actors seem like real people; however, with the exception of instances in which problems are based on cases, the actors in the problems are not intended to represent the actions or events concerning an actual person. Any resemblance to any actual events are purely coincidental.