

## CONTENTS

Ambiguous Questions . . . . .	1
Argumentative Questions . . . . .	2
Asked and Answered Questions . . . . .	3
Assuming Facts Not in Evidence . . . . .	4
Authentication of Instruments . . . . .	5
Authentication of Telephone Conversation and Voices . . . . .	8
Character Evidence	
Generally . . . . .	10
Accused or Victim in a Criminal Case . . . . .	12
Other Crimes, Wrongs, or Acts ( <i>Williams</i> Rule) . . . . .	14
Prior Sexual Activity of Alleged Victim (The Rape Shield) . . . . .	18
Competence to Testify . . . . .	20
Compound Questions . . . . .	22
Compromise/Offers of Compromise . . . . .	23
Cross-Examination	
Generally . . . . .	24
Scope . . . . .	26
Exhibits	
Demonstrative . . . . .	28
Illustrative . . . . .	30
Tangible Objects . . . . .	32
Writings . . . . .	33

Expert Opinion ( <i>Daubert</i> Standard) . . . . .	35
Firsthand Knowledge . . . . .	38
Guilty Pleas (Offers of Pleas and Related Statements) . . . . .	40
Habit and Routine Practice . . . . .	42
Hearsay	
Generally . . . . .	44
Attacking and Supporting the Credibility of a Hearsay Declarant . . . . .	46
Prior Nonhearsay Statements . . . . .	47
Within Hearsay . . . . .	49
Hearsay Exception	
Absence of Entry in Business Records . . . . .	50
Absence of Public Records or Entry . . . . .	52
Admissions . . . . .	53
Excited Utterance . . . . .	55
Family Records . . . . .	56
Former Testimony . . . . .	57
Judgment of Previous Conviction . . . . .	59
Learned Treatises . . . . .	61
Market Reports and Commercial Publications . . . . .	63
Marriage, Baptismal, and Similar Certificates . . . . .	64
Public Records and Reports . . . . .	66
Records of Documents Affecting an Interest in Property . . . . .	68
Recorded Recollection . . . . .	69

Records of Regularly Conducted Activity (Business Records) . . . . .	71
Records of Religious Organizations . . . . .	74
Records of Vital Statistics. . . . .	75
Reputation as to Character . . . . .	76
Reputation Concerning Boundaries or General History . . . . .	77
Reputation Concerning Personal or Family History . . . . .	79
Requirement of Unavailability for Rule 90.804 Hearsay Exceptions. . . . .	81
Spontaneous Statement . . . . .	83
Statement Against Interest. . . . .	84
Statement in Ancient Documents . . . . .	86
Statement of Child Victim. . . . .	87
Statement by Deceased or Ill Declarant Similar to One Previously Admitted . . . . .	88
Statement in Documents Affecting an Interest in Property. . . . .	89
Statement of Personal or Family History . . . . .	91
Statement for Purposes of Medical Diagnosis or Treatment. . . . .	93
Statement Under Belief of Impending Death . . . . .	95
Then-Existing Mental or Emotional Condition. . . . .	97
Then-Existing Physical Condition . . . . .	99

Impeachment	
Bias, Prejudice, Interest, and Improper	
Motive. . . . .	101
Character Evidence . . . . .	104
Memory . . . . .	105
Perception . . . . .	106
Prior Convictions (Civil Cases) . . . . .	107
Prior Convictions (Criminal Cases) . . . . .	109
Prior Inconsistent Statements . . . . .	111
Religious Beliefs or Opinions. . . . .	113
Specific Instances of Misconduct . . . . .	114
Judicial Notice . . . . .	115
Judicial Notice Taken from Web Mapping	
Services, Global Satellite Imaging Sites,	
or Internet Mapping Tools. . . . .	117
Lay Opinion Evidence . . . . .	119
Leading Questions . . . . .	120
Misquoting the Witness . . . . .	121
Narratives. . . . .	122
Nonresponsive Answers . . . . .	123
Objections . . . . .	124
Offers of Proof . . . . .	125
Original Document Rule (Use of Duplicates). . . . .	127
Original Document Rule (Contents of Writing). . . . .	128
Payment of Medical and Similar Expenses . . . . .	130
Presumptions . . . . .	131

Privileges	
General . . . . .	132
Accountant-Client . . . . .	133
Human Trafficking Victim Advocate Privilege . . . . .	135
Spousal . . . . .	136
Journalist's Privilege . . . . .	138
Lawyer-Client/Fiduciary Lawyer-Client Privilege . . . . .	140
Member of the Clergy . . . . .	143
Psychotherapist-Client . . . . .	144
Sexual Assault Counselor . . . . .	146
Trade Secrets . . . . .	147
Refreshing Present Recollection . . . . .	148
Relevance	
Generally . . . . .	150
Conditional Admissibility . . . . .	152
Exclusion of Relevant Evidence on Grounds of Prejudice, Confusion, or Waste of Time . . . . .	153
Limited Admissibility . . . . .	155
Rule of Completeness . . . . .	157
Statements of Sympathy . . . . .	159
Subsequent Remedial Measures . . . . .	160
Florida Evidence Code . . . . .	161

