

## BAR NONE REVIEW EVIDENCE HANDOUT – 9 STEP APPROACH

Ask yourself:

1. Is the evidence Relevant?
  - Is the evidence logically relevant?
  - Is the evidence legally relevant?
2. Are there any Public Policy Exclusions
3. Are there any applicable Form Objections (if transcript style)
4. Is there proper Foundation (CAR – Competency of witness, Authentication of document or objects & Reliability)
5. Does the Best Evidence Rule apply?
6. Do I have a Character Evidence issue? (ALWAYS ask if the evidence at issue is evidence of character or you will risk missing it)
7. Impeachment
8. Do Any Privileges apply?
9. Is the Evidence Hearsay? And, if so, are there any valid exceptions or non-hearsay reasons to allow admission?