

Ohlbaum
on the
Pennsylvania
Rules of Evidence

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CHAPTER 609

Impeachment by Evidence of a Criminal Conviction

Wesley R. Payne, IV, Esquire; Michael C. Witsch, Esquire; Bernadette B. Silver, Esquire

SYNOPSIS

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- § 609.02 Official Comment
- § 609.03 Comparison with Federal Rule of Evidence
- § 609.04 Relevant Rules and Statutes
- § 609.05 Purpose and Use of Rule 609
- § 609.06 Crimes of Dishonesty and False Statement Required
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 - [3] Crimes Not *Crimen Falsi* Unless Deception or Dishonesty Involved
 - [4] Crimes Not *Crimen Falsi*
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 - [2] Conviction or Release More than 10 Years
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 - [1] Questioning About Crime
 - [a] Witnesses Other than Criminal Defendant

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CHAPTER 610

Religious Beliefs or Opinions

Wesley R. Payne, IV, Esquire; Michael C. Witsch, Esquire; Bernadette B. Silver, Esquire

SYNOPSIS

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§ 610.05	Purpose and Use of Rule 610
§ 610.06	Admissible Purposes
§ 610.07	When Defendant Introduces Religious Beliefs
§ 610.08	Death Penalty Litigation

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CHAPTER 611

Mode and Order of Examining Witnesses and Presenting Evidence

Wesley R. Payne, IV, Esquire; Michael C. Witsch, Esquire; Bernadette B. Silver, Esquire

SYNOPSIS

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- § 611.02 Official Comment
- § 611.03 Comparison with Federal Rule of Evidence
- § 611.04 Relevant Rules and Statutes
- § 611.05 Purpose and Use of Rule 611
- § 611.06 Order of Presentation
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 - [3] P.R.C.P. 1311.1 Considerations
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 - [2] Prohibited on Direct or Redirect Examination
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 - [b] Exceptions
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 - [2] Presenting New Matter Prohibited
 - [3] Cross-examination of Civil Party
 - [4] Cross-examination of Criminal Defendant
- § 611.09 Defendant's Introduction of Evidence in Plaintiff's Case

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v. Purnell, 259 A.3d 974

CHAPTER 612

*Writing or Other Item Used to Refresh a
Witness's Memory*

Wesley R. Payne, IV, Esquire; Michael C. Witsch, Esquire; Bernadette B. Silver, Esquire

SYNOPSIS

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Witnesses

CHAPTER 613

Witness's Prior Inconsistent Statement to Impeach; Witness's Prior Consistent Statement to Rehabilitate

Wesley R. Payne, IV, Esquire; Michael C. Witsch, Esquire; Bernadette B. Silver, Esquire

SYNOPSIS

A. COMPLETE RULE 613

§ 613.01 Complete Text of Rule 613

B. RULE 613(a) & (b)—PRIOR INCONSISTENT STATEMENTS

§ 613.02 Text of Rule 613(a) & (b)

§ 613.03 Official Comment to Rule 613(a) & (b)

§ 613.04 Comparison with Federal Rule of Evidence

§ 613.05 Relevant Rules and Statutes

§ 613.06 Purpose and Use of Rule 613(a) & (b)

§ 613.07 Disclosure of Statement Not Required

§ 613.08 Admissibility of Extrinsic Evidence of Prior Statement

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[2] Opportunity to Explain Inconsistency

[3] Exception for Admissions

[4] "Where Interests of Justice Otherwise Require"

[5] When Witness Denies Making Statement

[6] When Witness Admits Making Statement

[7] Anticipating "Impeachment" by Prior Inconsistent Statement

§ 613.09 Use for Impeachment or as Substantive Evidence

§ 613.10 Need for Authentication of Witness's Prior Statement

[1] Proof of Making, Adopting, or Approving Statement

[2] Establishing Foundation

[3] Subsequent Repudiations or Explanations

CHAPTER 614

Court's Calling or Examining a Witness

Wesley R. Payne, IV, Esquire; Michael C. Witsch, Esquire; Bernadette B. Silver, Esquire

SYNOPSIS

- § 614.01 Text of Rule 614
- § 614.02 Official Comment
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- § 614.04 Relevant Rules and Statutes
- § 614.05 Purpose and Use of Rule 614
- § 614.06 Calling of Witnesses by Court
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 - [2] Appropriate Questioning—Examples
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CHAPTER 615

Sequestering Witnesses

Wesley R. Payne, IV, Esquire; Michael C. Witsch, Esquire; Bernadette B. Silver, Esquire

SYNOPSIS

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§ 615.06	Exemptions
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