

**NEW JERSEY
TRIAL
&
EVIDENCE**

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**NEW JERSEY INSTITUTE FOR CONTINUING LEGAL EDUCATION
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**THE NEW JERSEY INSTITUTE FOR CONTINUING LEGAL EDUCATION
CELEBRATING OVER 40 YEARS OF SERVICE TO THE BENCH AND BAR**

The New Jersey Institute for Continuing Legal Education was created in 1962 to help lawyers and judges increase their general professional competence, keep abreast of developments in the law, and become more proficient in selected areas of practice. Since 1962, ICLE has served the educational needs of the New Jersey bench and bar and continually strives to respond to their many and varied concerns.

A non-profit, completely self-supporting organization, ICLE is the joint venture of the New Jersey State Bar Association, Rutgers - The State University of New Jersey, and Seton Hall University. Representing a merger of the practicing bar and the academic community, the Institute is governed by an autonomous Board of Trustees, which includes representatives of the State Bar Association, deans of the law schools and officers of the participating universities.

The Institute administers the Skills Training Course on behalf of the New Jersey Supreme Court, presents more than 230 seminars each year throughout the State, offers CDs of seminars, markets software programs especially designed for the practicing attorney, and publishes comprehensive practice manuals and lecture handbooks. Its programs and publications must be financially self-supporting since ICLE is not subsidized in any way. The professional staff of attorneys and administrators, aided by a dedicated support staff, is headquartered at the New Jersey Law Center in New Brunswick, along with the State Bar Association, the State Bar Foundation and IOLTA.

The ingredients that contribute most to the stature of the Institute are the talent, time and effort expended by the very best of New Jersey attorneys, representing every field of specialization and every type of practice. The voluntary participation of practicing lawyers and judges as ICLE lecturers, authors, and advisors is appreciated and encouraged, for without their assistance, high quality continuing legal education would not be possible.

The Institute welcomes this opportunity to serve you.

The material contained in this publication is for educational purposes only and is not intended to serve as a substitute for the professional services an attorney would normally provide to a client, including up to the minute legal research.

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FOREWORD

For more than 40 years the New Jersey Institute for Continuing Legal Education (ICLE) has endeavored to serve the professional development needs of the New Jersey bench and bar. Our seminars, publications, audio/video tapes, and other educational materials are designed to facilitate the practice of law and to enable judges and lawyers to more effectively exercise their responsibilities.

ICLE's success in bringing the legal community the very best in educational materials would not be possible without the judges and lawyers who volunteer their efforts to serve as lecturers and authors. ICLE is the conduit through which they share their knowledge, skills, and expertise with their fellow professionals.

New Jersey Trial & Evidence was developed by a panel of esteemed judges and attorneys who recognized the need for a practical guidebook to help practitioners successfully navigate the complexities of the *New Jersey Rules of Evidence* and the *Federal Rules of Evidence*, and the related trial issues. Without their commitment to continuing legal education and, in particular, to this complex area of the law, this publication would not be possible. ICLE is extremely grateful for their efforts.

A publication such as this would also not be possible without a dedicated publishing staff. It is, therefore, fitting to acknowledge the efforts of Michael Weisberg, ICLE's Director of Publications, and Kathryn Retkwa, the Course Materials Administrator. They assured that this book was published promptly, accurately, and efficiently. Donna Chamberlain, the Publications Administrator, and Dudley Engram, also of ICLE's staff, assure that orders are processed quickly and courteously.

Your satisfaction with the Institute and the CLE services we provide is very important to us. So that we may continue to provide the very best in educational materials, ICLE welcomes any comments or suggestions you may have about this book.

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