

Objections List:

For this assignment, objections may be used for witnesses who are not in character, or are assuming facts not evidenced in the text.

"Objection, your Honor, the question is **ambiguous**."

A question is ambiguous if:

It may be misunderstood by the witness. It is objectionable on the ground that it may take on more than one meaning.

"Objection, your Honor, the question is **argumentative**."

A question is argumentative if:

It is asked for the purpose of persuading the jury or the judge, rather than to elicit information.

It calls for an argument in answer to an argument contained in the question.

It calls for no new facts, but merely asks the witness to concede to inferences drawn by the examiner from proved or assumed facts.

"Objection, your Honor, the question has been asked and answered."

A question may be **objectionable** on the ground that

The witness has already answered a substantially similar question asked by the same attorney on the same subject matter.

"Objection, your Honor, the question **assumes facts not in evidence**."

A question assumes facts not in evidence if:

It presumes unproved facts to be true. Example: "When did you stop beating your wife?" This question assumes that the person has beaten his wife.

"Objection, your Honor, the question is **compound**."

A question is objectionable on the ground that it is compound if:

It joins two or more questions ordinarily joined with the word "or" or the word "and."

"Objection, your Honor, the question is too **general**."

A question is too general, broad, or indefinite, if:

It permits the witness to respond with testimony which may be irrelevant or otherwise inadmissible. Each question should limit the witness to a specific answer on a specific subject.

"Objection, your Honor, the question is **hearsay**."

A question is hearsay if:

It invites the witness to offer an out-of-court statement to prove the truth of some matter in court.

There are many exceptions to the hearsay rule.

"Objection, your Honor, the question is **irrelevant**."

A question is irrelevant if:

It invites or causes the witness to give evidence not related to the facts of the case at hand.

"Objection, your Honor, the question is **leading**."

A question is leading if:

It is one that suggests to the witness the answer the examining party desires. However, this type of question is allowed on cross-examination of a witness.

"Objection, your Honor, the question **mis-states** the evidence."

A question misstates the evidence if:

It misstates or misquotes the testimony of a witness or any other evidence produced at a hearing or at a trial.

"Objection, your Honor, the question calls for a **narrative answer**."

A question calls for a "narrative answer" if:

It invites the witness to narrate a series of occurrences, which may produce irrelevant or otherwise inadmissible testimony.

Question and Answer interrogation is the standard format. It allows opposing counsel to object to improper questions.

"Objection, your Honor, the question calls for **speculation**."

A question is speculative if:

It invites or causes the witness to speculate or answer on the basis of conjecture. For this assignment, anything which is not evidenced in the text of the book will be speculation.