

## COMMON TRIAL OBJECTIONS

### A. VOIR DIRE

1. Attempting to commit jurors to a specific verdict
2. Asking about votes in prior cases
3. Unnecessary probing in juror's background
4. Questions not going to ascertaining juror qualifications

### B. OPENING STATEMENT

1. Arguing the law
2. Discussing inadmissible facts
3. Misstatements of the law
4. Expressing personal belief on the merits

### C. WITNESS QUALIFICATIONS

1. Competency to Testify (prior to swearing in witness)
2. Privilege
3. Non-qualified expert

### D. OBJECTIONS DURING DIRECT EXAMINATION

1. Leading
2. Not relevant
3. Hearsay
4. Calls for Speculation
5. Calls for a narrative answer
6. Asked and answered
7. Cumulative
8. Prejudicial effect outweighs probative value
9. Assumes facts not in evidence
10. Lack of personal knowledge (no foundation)
11. Misstatement of the record (misquoting the witness)
12. No proper foundation (specify missing elements)

### E. OBJECTIONS DURING CROSS-EXAMINATION

1. Beyond the scope of direct
2. Hearsay
3. Asked and answered
4. Assumes facts not in evidence
5. Compound question
6. Misstatement of the record (misquoting the witness)
7. Argumentative
8. Improper impeachment
9. No good faith basis for the question

### F. DOCUMENTS

1. Identification
2. Authentication
3. Relevancy
4. Best Evidence
5. Hearsay
6. Privilege

### G. CLOSING ARGUMENT

1. Improper argument – facts not in evidence
2. Improper argument - Misstatement of the facts
3. Improper argument - Misstatement of the law
4. Stating personal belief in the merits of the case
5. Asking jurors to place themselves in the party's position
6. Deals with improper subject matter – settlement discussions, insurance, right to remain silent, etc.
7. Unduly prejudicial/inflammatory

### H. JURY INSTRUCTIONS

1. Misstating the facts of the case
2. Misstatement of the law
3. Unduly placing weight on certain legal issues or evidence
4. Failing to give instructions consistent with theory of the case
5. Failing to give requested instructions
6. Confusing/ambiguous