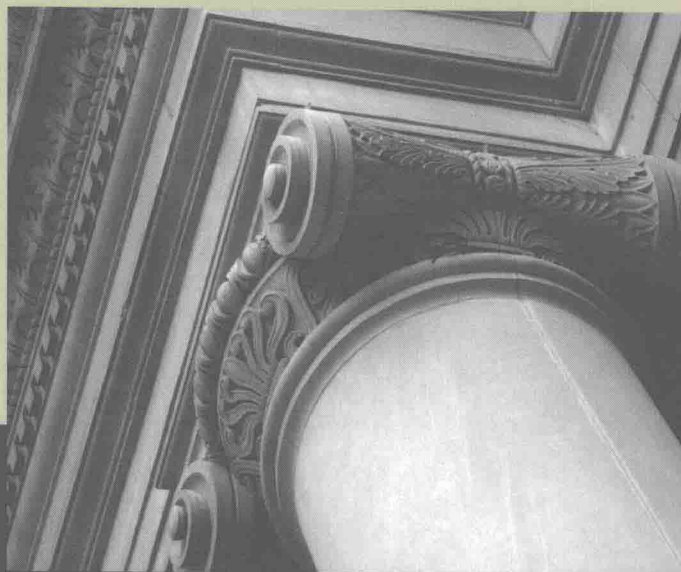


Understanding

EVIDENCE

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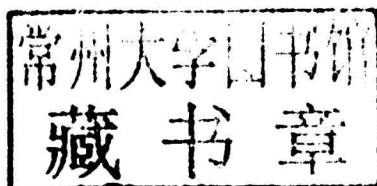
UNDERSTANDING EVIDENCE

FOURTH EDITION

Paul C. Giannelli

Distinguished University Professor and Weatherhead Professor of Law, Case
Western Reserve University

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PREFACE

This book is written for students in evidence and trial practice courses. The focus is on the Federal Rules of Evidence, which have been adopted in one form or another in over forty jurisdictions. A number of major developments have occurred since the last edition of this book. In 2011, the Supreme Court issued “restyled” Rules of Evidence. Restyling was intended to make the Federal Rules more easily understood and to make style and terminology consistent. These changes were not substantive — i.e., they were not intended to change any result in any ruling on evidence admissibility. In addition, the Supreme Court has further defined the parameters of the new approach to Confrontation Clause jurisprudence that it embarked on in *Crawford v. Washington*. The new cases include *Michigan v. Bryant*, *Bullcoming v. New Mexico*, and *Williams v. Illinois*.

In 40 years of teaching, one’s debt to past scholars is immense. Morgan, Wignore, McCormick, Ladd, and Maguire immediately come to mind. The debt is no less to current scholars: Weinstein, Berger, Inwinkelried, Broun, Mosteller, Nance, Park, Mueller, Kirkpatrick, Ken Graham, and Michael Graham, to name but a few.

I owe a special debt of gratitude to my editors Keith Moore, Christine Frost, Leslie Levin and Jennifer Beszley, whose efforts substantially improved the text, to Jackie Braunstein of Brooklyn Law School for making valuable suggestions on the first edition, Kevin Pendergast of Case Western Reserve University for providing the same on the second edition, Susan Friedman of George Washington University on the third edition, and Amy Garrison of Western Reserve University on the fourth edition. Of course, my wife Sue has always been there for me. I should also thank my sons, Mike and Adam, whose tuition bills inspired this book.

Suggestions for improvements and the identification of errors are welcome: pcg@case.edu.

Paul C. Giannelli

February 2013

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