

Carolina Center for Civic Education

Procedure for Introduction of Exhibits

With proper foundation, exhibits may be entered on Direct Examination or Cross Examination. As an example, the following steps effectively introduce evidence:

1. All exhibits are pre-marked, 8½” x 11”, and color or black & white.
2. Ask for permission to approach the witness. “Your Honor, may I approach the witness with what has been marked for identification purposes as Exhibit Number ___?”
3. Show the exhibit to opposing counsel.
4. Ask the witness to identify the exhibit. “I now hand you what has been marked for identification as Exhibit No. _____. Would you identify it, please?” Witness answers with identification only.
5. Ask the witness a series of questions that are offered for proof of the admissibility of the exhibit. These questions lay the foundation for admissibility, including questions of the relevance and materiality of the exhibit.
6. Offer the exhibit into evidence. “Your Honor, we offer Exhibit No. ___ into evidence at this time. The authenticity of this exhibit has been stipulated.”
7. Court: “Is there an objection?” (If opposing counsel believes a proper foundation has not been laid, the attorney should be prepared to object at this time.)
8. Opposing Counsel: “No, Your Honor,” or “Yes, Your Honor.” If the response is “yes,” the objection will be stated for the record. Court: “Is there any response to the objection?”
9. Court: “Exhibit No. ___ is/is not admitted.” If admitted, questions on content may be asked.