

Entering Into Evidence

1. Your honor, permission to approach opposing counsel with what has been marked for identification as People/Defense Exhibit ____ (show the other side the exhibit)
2. Permission to approach the witness with the same. (hand exhibit to witness and step back)
3. Do you recognize it? (witnesses- take the time to look at it!)
4. What is it?
5. How do you recognize it?
6. Is it in the same or substantially the same condition as when you wrote it/observed it? OR if a picture, Is it a fair and accurate representation of (describe photo) on (date photo taken).
7. Business Record Questions (ASK ONLY IF BUSINESS RECORD)
 1. Who made the report/record?
 2. Is it made in the regular course of business?
 3. Is it made at or near the time of the occurrence?
 4. Is it kept in the regular course of business?
8. Your honor, at this time the People/Defense offer Exhibit ____ into evidence. Its authenticity has been stipulated

Impeachment by Contradiction

1. It's your testimony that you were not present at the murder?
2. Witness, you made a sworn affidavit before coming to court today.?
3. You were told to include all pertinent and relevant information?
4. You were told to tell the truth?
5. You could update it at anytime up until today?
6. Isn't it true that in that sworn affidavit, you said that you were present at the murder scene?
7. Your honor, approaching witness with a copy of the witness' affidavit (show to opposing counsel and say "I'm referring to lines ____")
8. This is your sworn affidavit?
9. It's a fair and accurate copy?
10. That's your signature on the last page?
11. Please read silently with me as I read aloud lines ____: "I was present at the murder scene" Did I read that correctly?
12. Permission to approach and retrieve the affidavit.

Impeachment by Omission

1. It's your testimony that you murdered Mr. Smith?
2. Witness, you made a sworn affidavit before coming to court today.?
3. You were told to include all pertinent and relevant information?
4. You were told to tell the truth?
5. You could update it at anytime up until today?
6. Isn't it true that nowhere in this sworn affidavit do you say that you murdered Mr. Smith?
7. Your honor, approaching witness with a copy of the witness' affidavit (show to opposing counsel and say "I'm referring to the document in whole")
8. This is your sworn affidavit?
9. It's a fair and accurate copy?
10. That's your signature on the last page?
11. Show the court where it says that you murdered Mr. Smith.
12. Permission to approach and retrieve the affidavit.