

Name: _____

Courtroom Vocabulary



During a trial, both sides in the case may present evidence. The testimony of witnesses is important evidence. To guarantee that a trial is fair and to help the jury find the truth, courts have rules about how witnesses give evidence and what kinds of evidence they can give. The judge ensures that everyone follows these rules of evidence. If a lawyer believes that something said in court is against the rules, he or she can object. Lawyers use the guidelines listed below in their objections.

Relevance:

Evidence must be relevant. It must have something to do with proving the case.

Example: In a trial over stolen baseball caps, a lawyer asks a witness about her favorite kind of pizza. The opposing lawyer objects that the question is not relevant.

Hearsay:

Hearsay is not usually allowed as evidence. Hearsay is something a witness may have heard about, but did not hear or see firsthand.

Example: In a case about missing apples, a witness testifies, "A neighbor told me that Kim was hanging around the apple tree." The opposing lawyer objects that the statement is hearsay. The witness did not actually see Kim near the apple tree.

Opinion:

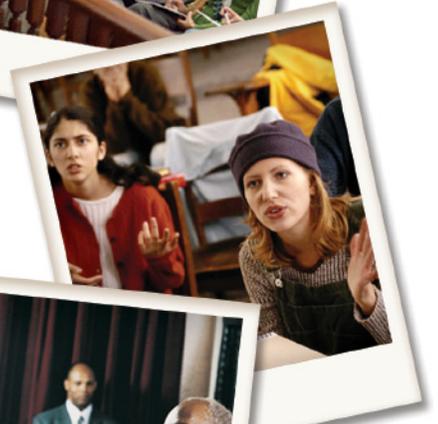
Opinions are generally not allowed as evidence. Witnesses are to stick to the facts. Unless witnesses qualify as experts, their opinions, or what they think about those facts, are not acceptable as evidence.

Example: The witness's first statement in this exchange is a fact. The second statement is an opinion and would not be allowed as evidence. Lawyer: "Did the ticket taker tell you what his name is?" Witness: "He told me his name is Robert. I don't think he was telling the truth."

Speculation, Conclusions:

Speculation, or someone's idea about what might have happened, is not allowed. A witness cannot jump to conclusions that are not based on what the witness experienced.

Example: A witness is asked if he saw his friend Kelly on Saturday. He answers: "No, but she was probably playing soccer. She always plays soccer on Saturday." The other lawyer objects that the answer is speculation. The witness himself didn't see where Kelly was.



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