

High School Mock Trial Program

Instructional Resources

Common Objections During a Criminal Trial

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3. ASKED AND ANSWERED

I object on the ground that the witness has already answered that question.

This objection is a form of the immateriality objection in that it attempts to prevent a waste of time by unnecessary repetition and to avoid giving evidence undue emphasis.

5. COMPOUND QUESTION

I object on the ground that the question is compound and calls for one answer to two different questions.

The compound question confuses the jury because it will be uncertain as to whether the answer is to one of the compound parts or to both parts.

8. IRRELEVANT

I object on the ground that the question calls for an irrelevant answer.

Evidence which influences the issues, having probative value in proving a fact; that which tends to render probable a certain inference important in the case is relevant. Any evidence which does not perform these functions is irrelevant. A matter of logic and experience. All evidence must be relevant

9. LEADING QUESTIONS

I object on the ground that the question is leading.

A question that suggests the answer is leading. (test: Whether a reasonable person would get the impression that the examiner desires one answer rather than another.)

Permissible Leading Questions:

To refresh recollection: Hazy recollection goes to the weight of the testimony, not its admissibility.

Hostile Witness: Where a party has to call a hostile witness.

Cross-Examination: Leading questions are allowed on cross-examination, unless it can be shown that the witness is biased in favor of the cross-examiner.

11. NARRATIVE ANSWER (QUESTION IS TOO GENERAL)

I object on the ground that the question calls for a narrative answer (or, is too general).

This objection is in the nature of an "irrelevance" objection in that a question inviting a narrative answer or that is too broad, general or indefinite and allows the witness to inject irrelevant and otherwise inadmissible matter (such as incompetent evidence where no proper foundation has been laid). Each question should limit the witness to a specific answer.

14. SPECULATION

I object on the ground that the question calls for speculation, by the witness.

A witness may testify to facts based on his or her own person knowledge or, in some instances, the witness may give an opinion. The witness may not base an answer, in any event, on speculation.

15. HEARSAY

I object on the ground that the question calls for hearsay.

Hearsay is testimony as to what someone said, other than while testifying in court (an extrajudicial statement), offered as proof of the truth of the matter asserted. As a general rule hearsay statements are not admissible unless the statement is within one of the recognized exceptions