

TEXAS EVIDENCE

by Brock C. Akers

CHAPTER 1

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- B. Demonstrations

§ 2.27 TRUSTWORTHINESS

CHECKLISTS**§ 3.1 FOUNDATION CHECKLISTS**

Charts, Diagrams, and Maps
Child Competency to Testify
Computer Records
Computerized Accident Reconstruction
“Day in the Life” Film
ELMO Images
Enlargements
Excited Utterances
Exhibition of Injury/Demonstrative Evidence
Experiments
Expert Opinion Federal Practice (5th Cir.)
Handwriting Exemplars
HGN (Horizontal Gaze Nystagmus) Test
Impeachment by Prior Inconsistent Statement
Judicial Admissions
Learned Treatises
Medical Expenses—Proof by Oral Testimony
Medical Opinion on Diagnosis—Causation and Future Prognosis Models
Official Records and Reports (Public Records)
Past Recollection Recorded
Personnel Records—Proof by Written Deposition
Photographs
Post-Accident Changes
Prior Consistent Statement
Standard of Care—Medical Malpractice Case
Summaries of Voluminous Records
Tape Recordings
Testimony From Previous Trial or Proceeding (Establishing Unavailability of the Witness)
Proof of X-rays

§ 3.2 CHECKLIST OF EXPERT WITNESSES

Accident Reconstruction Expert
Aerodynamics
Allopath
Anesthesiologist
Appraiser
Architect
Arson Expert
Attorney
Aviation Expert
Automotive Design Engineer
Bank Expert
Biomechanics Expert
Biophysics Expert
Certified Public Accountant
Chemical Engineer
Chemist
Chiropractor
Coroner
Credibility Expert
Dentist
Design Engineer

Economist
Engineer
Farmer
Fire Expert
Fire Inspector
Fire Marshall
General Contractor
Geotechnical Expert
Handwriting Expert
Heart Attack Causation Expert
Human Factors Engineering (or Ergonomics) Expert
Insurance Adjuster
Internist
Jewelry Designer
Mechanic (Auto)
Mechanical Engineer
Medical Examiner
Medical Malpractice Expert
Nurse
Orthopedic Surgeon
Osteopath
Parasitologist
Pharmacist
Plant Pathologist
Podiatrist
Police Officer
Professor of Finance
Psychiatrist
Psychologist
Radiologist
Safety Engineer
Security Expert
Structural Engineer
Survey
Swimming Pool Expert
Tire Defect Expert
Toxicologist
Vocational Rehabilitation Expert
Voiceprint Expert

§ 3.3 CHECKLIST OF MOTION IN LIMINE ITEMS

General Matters
Damages
Automobiles
Medical Malpractice
Products Liability
Will Contest
Workers' Compensation

§ 3.4 HEARSAY EXCEPTIONS CHECKLIST (Texas)

§ 3.5 HEARSAY EXCEPTIONS CHECKLIST (Federal)

§ 3.6 PRIVILEGES CHECKLIST

§ 3.7 OBJECTIONS CHECKLIST

CHAPTER 4

FORMS

§ 4.1 AFFIDAVITS AND COUNTER-AFFIDAVITS

Business Records—Self-Authenticating Affidavit
Notice of Filing of Business Records Affidavit
Doctor’s Services & Charges—Affidavit by Doctor
Medical Services & Charges—Affidavit by Custodian
Counter-Affidavit
Notice of Filing of Medical Services Affidavit
Doctor Records—Affidavit by Doctor
Doctor Records—Affidavit by Custodian
Hospital Records—Affidavit by Medical Records Librarian
Radiologist’s Records
Funeral Home Services & Charges

§ 4.2 MOTIONS AND ORDERS

Sample Motion to Admit Official Records and Reports
Sample Motion to Rule on Expert’s Qualifications
Order—Qualifying Retired Doctor as Expert
Sample Plaintiff’s Motion in Limine
Order on Plaintiff’s Motion in Limine
Motion in Limine (Family Law)
Motion for Withdrawal of Trial Exhibits
Order Permitting Withdrawal of Exhibits
Motion to Suppress Deposition
Order on Motion to Suppress Deposition
Motion to Admit Evidence Pretrial
Order on Motion to Admit Evidence Pretrial
Motion to Release Medical Information
Order on Motion to Release Medical Information
Motion to Strike Evidentiary Facts From Pleadings
Order on Motion to Strike Evidentiary Facts From Pleadings

§ 4.3 STIPULATIONS

Stipulation of Fact
Stipulation of Testimony

§ 4.4 WRITTEN QUESTIONS FOR WRITTEN DEPOSITIONS

Written Questions to Custodian of Medical Records
Written Questions to Custodian of Hospital Records
Written Questions to Custodian of Personnel Records
Written Questions to Doctor Regarding Medical Expenses
Written Questions to Custodian of Medical Expenses Records
Cross-Questions to Custodian of Hospital Records
Cross-Questions to Custodian of Doctor’s Records

CHAPTER 5

RULES OF EVIDENCE

Texas Rules of Evidence
Changes to the Federal Rules of Evidence
Federal Rules of Evidence

