

HANDOUT 5: I Object!

Discuss the following types of objections with the students and how objections are made in court. Practice the objections in small groups or with the class. The students can try some of their own objections when they prepare the case scenario in the next core activity.

Objection: My Lord/Lady, please ask my friend to refrain from leading the witness.

Response: My Lord/Lady, I am not leading on an "essential element" such as identification of the accused but on an undisputed fact.



Objection: My Lord/Lady, no evidence on that issue was introduced in the direct testimony of the witness.

Response: My Lord/Lady, the witness did mention this when they referred to....

Objection: My Lord/Lady, that question was already asked and answered.

Response: My Lord/Lady, I'll rephrase the question.

Objection: My Lord/Lady, this witness is not qualified to give an opinion, as s/he is not an expert.

Response: My Lord/Lady, this witness has special knowledge of the accused.

Objection: My Lord/Lady, this witness has not been qualified in that particular field. S/he is only a fingerprint expert.

Response: My Lord/Lady, this witness is qualified broadly as a document examiner.

Objection: My Lord/Lady, the witness cannot give hearsay evidence but only direct evidence of what s/he saw.

Response: My Lord/Lady, the witness was present so I'll rephrase the question.

Objection: My Lord/Lady, counsel is badgering the witness as the question has already been answered.

Response: My Lord/Lady, the question has not been answered to my satisfaction.



Objection: My Lord/Lady, evidence of prior bad acts cannot be introduced.

Response: My Lord/Lady, the evidence goes to motive and intent and falls under similar fact evidence.

Objection: My Lord/Lady, counsel is editorializing the witness's evidence by repeating everything s/he says with a tone of disbelief.

Response: My Lord/Lady, I am entitled to confirm the evidence just given.

Objection: My Lord/Lady, whether or not the witness gets bad grades in school is not relevant in this case.

Response: My Lord/Lady, it is relevant as it goes to why s/he is testifying.