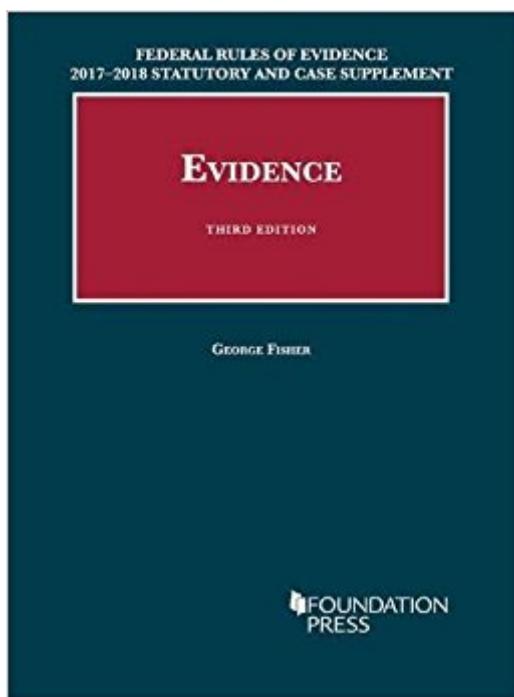


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# **Federal Rules Of Evidence 2017-2018 Statutory And Case Supplement To Fisher's Evidence (University Casebook Series)**



## Synopsis

This statutory and case supplement incorporates the latest statutory changes and proposed revisions and the most recent U.S. Supreme Court decisions bearing on evidence law. The statutory component of this volume includes proposals to amend Rule 803(16) and to add two new authentication rules, 902(13) and 902(14). These changes are set to take effect on December 1, 2017. Also included is a newly proposed revision of Rule 807, recently released for public comment and not set to take hold before December 1, 2019. The Advisory Committee's Notes to all these proposed changes appear along with explanatory editor's notes. The statutory component also presents a side-by-side reprinting of the older (pre-2011), unrestyled Federal Rules of Evidence and the newly restyled rules to allow for ready comparison. Editor's notes point out those areas where the restyling project, contrary to its authors' claimed intentions, worked substantive changes in the rules. The case supplement analyzes the Supreme Court's 2017 decision in *Pena-Rodriguez v. Colorado*, in which the Court ruled that the Sixth Amendment's guarantee of an impartial jury overcomes Rule 606(b) and its state-law equivalents and permits defendants to present juror testimony about certain expressions of ethnic or racial bias in the jury room. The supplement addresses the Court's related 2014 ruling in *Warger v. Shauers* as well as its 2015 decision in *Ohio v. Clark* and 2013 ruling in *Salinas v. Texas*. *Clark* addresses whether the admission against the defendant of a young child's allegation of abuse, made out of court and offered in lieu of the child's testimony at trial, violated the defendant's confrontation right. And *Salinas* examines the prosecution's use in its case-in-chief of a suspect's silence in response to noncustodial police questioning. Throughout the supplement, those who teach with Fisher's *Evidence* (3d ed. 2013) will benefit from paginated cross-references between the casebook and the supplement.

## Book Information

Series: University Casebook Series

Paperback: 564 pages

Publisher: Foundation Press; 2018 edition (August 16, 2017)

Language: English

ISBN-10: 1683288033

ISBN-13: 978-1683288039

Package Dimensions: 9.9 x 7.3 x 0.8 inches

Shipping Weight: 2 pounds ([View shipping rates and policies](#))

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