

List of Objections

Proper reasons for objecting to a question asked to a witness include:

- Ambiguous, confusing, misleading, vague, unintelligible: the question is not clear and precise enough for the witness to properly answer.
- Arguing the law: counsel is instructing the jury on the law.
- Argumentative: the question makes an argument rather than asking a question.
- Asked and answered: when the same attorney continues to ask the same question and they have already received an answer. Usually seen after direct, but not always.
- Asking a question unrelated to an intelligent exercise of a peremptory challenge or challenge for cause: if opposing counsel asks such a question during voir dire (i.e. the jury selection process).
- Asks the jury to prejudge the evidence: the jury cannot promise to vote a certain way, even if certain facts are proved.
- **Assumes facts not in evidence: the question assumes something as true for which no evidence has been shown.**
- Badgering: counsel is antagonizing the witness to provoke a response, either by asking questions without giving the witness an opportunity to answer or by openly mocking the witness.
- Best evidence rule: requires that the original source of evidence is required, if available; for example, rather than asking a witness about the contents of a document, the actual document should be entered into evidence. A full original document should be introduced into evidence instead of a copy, but judges often allow copies if there is no dispute about authenticity. Some documents are exempt from hearsay rules of evidence.[5]
- Beyond the scope: A question asked during cross-examination must be within the scope of direct, and so on.
- Calls for a conclusion: the question asks for an opinion rather than facts.

- **Calls for speculation:** 2 instances: 1-the question posed asks the witness to guess the answer rather than to rely on known facts. 2-if a witness does not know a fact to be true or not, but testifies about it anyway, this testimony would be objectionable as speculation.
- Compound question: multiple questions asked together.
- **Counsel is testifying:** this objection is sometimes used when counsel is "leading" or "argumentative" or "assumes facts not in evidence".
- Foundation: the question relates to matters of which the witness's personal knowledge has not been established
- **Hearsay:** An out of court statement used to prove the fact that the statement is being offered for. However, there are several exceptions to the rule against hearsay in most legal systems.[5]
- **Opinion/Incompetent:** the witness is not qualified to answer the question.
- Inflammatory: the question is intended to cause prejudice.
- Irrelevant or immaterial: the question is not about the issues in the trial.
- **Leading question** (direct examination only): the question suggests the answer to the witness. Leading questions are permitted if the attorney conducting the examination has received permission to treat the witness as a hostile witness. Leading questions are also permitted on cross-examination, as witnesses called by the opposing party are presumed hostile.
- Misstates evidence / misquotes witness / improper characterization of evidence: this objection is often overruled, but can be used to signal a problem to witness, judge and jury.[6]
- Narrative: the question asks the witness to relate a story rather than state specific facts. This objection is not always proper even when a question invites a narrative response, as narrative testimony may be required or preferred due to the circumstances of the case.
- Privilege: the witness may be protected by law from answering the question.