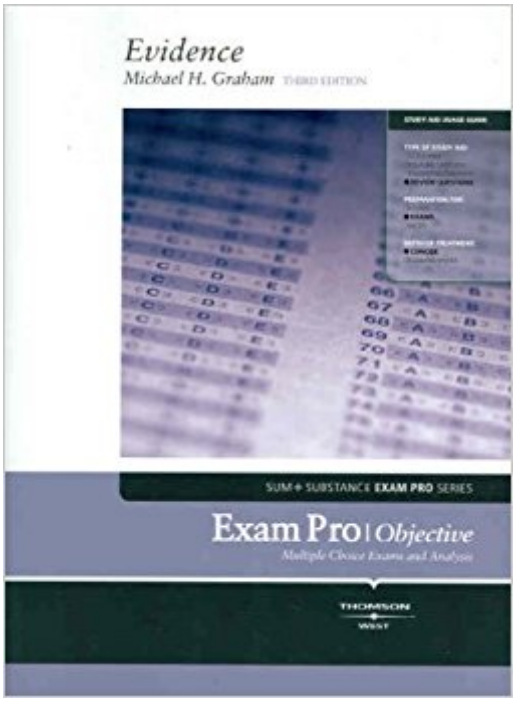
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Evidence Exam Pro-Objective (Sum + Substance Exam Pro Series)



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Synopsis

Exam Pro-Objective is a study aid that helps law students prepare to take their Evidence exam. Taking the sample objective exams and using the corresponding answers and analysis provides students with a more thorough understanding of Evidence and a better understanding of how to take exams.

Book Information

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Customer Reviews

This study guide consists of a lengthy diagnostic true-false examination covering all of the substantive areas of the Federal Rules of Evidence. It then contains four true-false exams on hearsay, in which a factual situation is presented and you are asked whether it is hearsay and, if so, whether an exception applies. There are then two multiple-choice exams for hearsay, five comprehensive true-false exams, and six comprehensive multiple choice exams.The book does a good job of explaining its answers to particular questions. However, Professor Graham is rather idiosyncratic in his analysis of hearsay, basing it off of his own normative beliefs (what hearsay ought to be) rather than relying on what the Federal Rules and the Advisory Notes actually say. For instance, FRE 801(c) requires hearsay to be an assertive statement offered for the truth of the matter asserted. This definition is intended to exclude the Sea Captain example from Parke's opinion in Wright v. Tatham from the definition of hearsay. (A sea captain boarded inspected a boat, then took his family sailing on it. If offered to prove the seaworthiness of the boat, this is hearsay under the common law, but not under FRE 801(c)). However, on page 393, Professor Graham

insists that this is the wrong view; his answers within the "objective" exams are based on his own subjective preferences. This would be fine if he provided a disclaimer within the answers provided that this is his personal view; because he does not, this could mislead students.Further, Professor Graham insists that statements which serve as circumstantial evidence of the declarant's state of mind are hearsay. He essentially rejects the conventional view (McCormick's) on page 391. Again, it would be fine for him to make the disclaimer that his personal beliefs are idiosyncratic ones within the answer choices he provides, but he does not do so.I would advise using this book only as a final step in preparing for a multiple-choice evidence exam. Relying on Professor Graham's views may cost you valuable questions if you are not able to identify when his views differ from those of your own professor. On evidence issues other than hearsay, this book is helpful and accurate.

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