

TABLE OF CONTENTS

**CHAPTER 1 - SOUTH CAROLINA RULES OF EVIDENCE..... 1**

ARTICLE I. GENERAL PROVISIONS ..... 1

    Rule 101. Scope ..... 1

    Rule 102. Purpose and Construction ..... 2

    Rule 103. Rulings on Evidence ..... 2

        (a) Effect of erroneous ruling..... 2

            (1) Objection. .... 2

            (2) Offer of proof. .... 2

        (b) Record of offer and ruling..... 2

        (c) Hearing of jury. .... 3

    Rule 104. Preliminary Questions..... 8

        (a) Questions of admissibility generally..... 8

        (b) Relevancy conditioned on fact. .... 8

        (c) Hearing of jury. .... 8

        (d) Testimony by accused..... 9

        (e) Weight and credibility. .... 9

    Rule 105. Limited Admissibility ..... 10

    Rule 106. Remainder of or Related Writings or Statements..... 11

ARTICLE II. JUDICIAL NOTICE..... 15

    Rule 201. Judicial Notice of Adjudicative Facts ..... 15

        (a) Scope of rule. .... 15

        (b) Kinds of facts. .... 15

        (c) When discretionary. .... 15

        (d) When mandatory..... 15

        (e) Opportunity to be heard. .... 15

        (f) Time of taking notice..... 15

        (g) Instructing jury..... 15

ARTICLE III. PRESUMPTIONS IN CIVIL ACTIONS AND PROCEEDINGS ..... 17

    Rule 301. Presumptions in General in Civil Actions and Proceedings ..... 17

ARTICLE IV. RELEVANCY AND ITS LIMITS ..... 18

    Rule 401. Definition of “Relevant Evidence” ..... 18

    Rule 402. Relevant Evidence Generally Admissible; Irrelevant Evidence Inadmissible ..... 22

    Rule 403. Exclusion of Relevant Evidence on Grounds of Prejudice, Confusion, or Waste  
        of Time ..... 24

    Rule 404. Character Evidence not Admissible to Prove Conduct; Exception; Other  
        Crimes ..... 31

        (a) Character evidence generally. .... 31

            (1) Character of accused..... 32

            (2) Character of victim..... 32

            (3) Character of witness. .... 32

        (b) Other crimes, wrongs, or acts. .... 32

    Rule 405. Methods of Proving Character ..... 51

        (a) Reputation or opinion. .... 51

        (b) Specific instances of conduct. .... 51

    Rule 406. Habit; Routine Practice ..... 52

    Rule 407. Subsequent Remedial Measures ..... 53

TABLE OF CONTENTS

Rule 408. Compromise and Offers to Compromise ..... 55

Rule 409. Payment of Medical and Similar Expenses ..... 56

Rule 410. Inadmissibility of Pleas, Plea Discussions, and Related Statements..... 56

Rule 411. Liability Insurance..... 58

Rule 412. Admissibility of Evidence Concerning Victim's Sexual Conduct in Criminal  
Sexual Conduct Cases ..... 60

ARTICLE V. PRIVILEGES..... 61

    Rule 501. General Rule ..... 61

ARTICLE VI. WITNESSES..... 62

    Rule 601. Competency ..... 62

        (a) General Rule ..... 62

        (b) Disqualification of a witness..... 62

    Rule 602. Lack of Personal Knowledge..... 64

    Rule 603. Oath or Affirmation ..... 66

    Rule 604. Interpreters ..... 66

    Rule 605. Competency of Judge as Witness..... 66

    Rule 606. Competency of Juror as Witness..... 67

        (a) At the trial..... 67

        (b) Inquiry into validity of verdict or indictment..... 67

    Rule 607. Who May Impeach..... 69

    Rule 608. Evidence of Character, Conduct and Bias of Witness ..... 70

        (a) Opinion and reputation evidence of character..... 70

        (b) Specific instances of conduct..... 71

        (c) Evidence of Bias..... 71

    Rule 609. Impeachment by Evidence of Conviction of Crime ..... 76

        (a) General rule..... 76

        (b) Time limit..... 77

        (c) Effect of pardon, annulment, or certificate of rehabilitation or other equivalent  
        procedure..... 77

        (d) Juvenile adjudications..... 78

        (e) Pendency of appeal..... 78

    Rule 610. Religious Beliefs or Opinions..... 92

    Rule 611. Mode and Order of Interrogation and Presentation..... 92

        (a) Control by court..... 92

        (b) Scope of cross-examination..... 92

        (c) Leading questions..... 92

        (d) Re-examination and recall..... 93

    Rule 612. Writing Used to Refresh Memory..... 95

    Rule 613. Prior Statements of Witnesses ..... 96

        (a) Examining witness concerning prior statement..... 97

        (b) Extrinsic evidence of prior inconsistent statement of witness..... 97

    Rule 614. Calling and Interrogation of Witnesses by Court..... 100

        (a) Calling by court..... 100

        (b) Interrogation by court..... 100

    Rule 615. Exclusion of Witnesses ..... 100

ARTICLE VII. OPINIONS AND EXPERT TESTIMONY ..... 103

    Rule 701. Opinion Testimony by Lay Witnesses..... 103

TABLE OF CONTENTS

Rule 702. Testimony by Experts..... 105

Rule 703. Bases of Opinion Testimony by Experts ..... 123

Rule 704. Opinion on Ultimate Issue ..... 126

Rule 705. Disclosure of Facts or Data Underlying Expert Opinion ..... 127

ARTICLE VIII. HEARSAY ..... 128

    Rule 801. Definitions ..... 128

        (a) Statement ..... 128

        (b) Declarant ..... 128

        (c) Hearsay ..... 128

        (d) Statements which are not hearsay..... 128

            (1) Prior statement by witness ..... 128

            (2) Admission by party-opponent ..... 129

    Rule 802. Hearsay Rule..... 140

    Rule 803. Hearsay Exceptions; Availability of Declarant Immaterial ..... 141

        (1) Present sense impression ..... 141

        (2) Excited utterance ..... 141

        (3) Then existing mental, emotional, or physical condition ..... 141

        (4) Statements for purposes of medical diagnosis or treatment. .... 142

        (5) Recorded recollection ..... 142

        (6) Records of regularly conducted activity ..... 142

        (7) Absence of entry in records kept in accordance with the provisions of subsection (6).. 143

        (8) Public Records and Reports..... 143

        (9) Records of vital statistics..... 143

        (10) Absence of public record or entry. .... 143

        (11) Records of religious organizations. .... 144

        (12) Marriage, baptismal, and similar certificates. .... 144

        (13) Family records ..... 144

        (14) Records of documents affecting an interest in property..... 144

        (15) Statements in documents affecting an interest in property..... 144

        (16) Statements in ancient documents..... 144

        (17) Market reports, commercial publications. .... 145

        (18) Learned treatises. .... 145

        (19) Reputation concerning personal or family history..... 145

        (20) Reputation concerning boundaries or general history..... 145

        (21) Reputation as to character..... 145

        (22) Judgment of previous conviction..... 145

        (23) Judgment as to personal, family or general history, or boundaries..... 146

    Rule 804. Hearsay Exceptions; Declarant Unavailable..... 161

        (a) Definition of unavailability ..... 161

        (b) Hearsay exceptions. .... 161

            (1) Former testimony..... 161

            (2) Statement under belief of impending death. .... 162

            (3) Statement against interest. .... 162

            (4) Statement of personal or family history..... 162

    Rule 805. Hearsay Within Hearsay ..... 168

    Rule 806. Attacking and Supporting Credibility of Declarant ..... 168

ARTICLE IX. AUTHENTICATION AND IDENTIFICATION..... 169

    Rule 901. Requirement of Authentication or Identification..... 169

TABLE OF CONTENTS

(a) General provision. .... 169

(b) Illustrations. .... 169

(1) Testimony of witness with knowledge..... 169

(2) Nonexpert opinion on handwriting..... 170

(3) Comparison by trier or expert witness..... 170

(4) Distinctive characteristics and the like..... 170

(5) Voice identification..... 170

(6) Telephone conversations..... 170

(7) Public records or reports..... 170

(8) Ancient documents or data compilation. .... 170

(9) Process or system. .... 171

(10) Methods provided by statute or rule..... 171

Rule 902. Self-Authentication ..... 178

(1) Domestic public documents under seal..... 178

(2) Domestic public documents not under seal. .... 178

(3) Foreign public documents..... 178

(4) Certified copies of public records. .... 179

(5) Official publications..... 179

(6) Newspapers and periodicals..... 179

(7) Trade inscriptions and the like. .... 179

(8) Acknowledged documents. .... 179

(9) Commercial paper and related documents..... 180

(10) Presumptions under statutes. .... 180

Rule 903. Subscribing Witness’ Testimony Unnecessary ..... 182

ARTICLE X. CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS..... 182

Rule 1001. Definitions ..... 182

(1) Writings and recordings..... 182

(2) Photographs. .... 182

(3) Original..... 183

(4) Duplicate. .... 183

Rule 1002. Requirement of Original..... 185

Rule 1003. Admissibility of Duplicates ..... 186

Rule 1004. Admissibility of Other Evidence of Contents ..... 186

(1) Originals lost or destroyed. .... 186

(2) Original not obtainable..... 187

(3) Original in possession of opponent..... 187

(4) Collateral matters..... 187

Rule 1005. Public Records ..... 187

Rule 1006. Summaries ..... 188

Rule 1007. Testimony or Written Admission of Party ..... 189

Rule 1008. Functions of Court and Jury ..... 189

ARTICLE XI. MISCELLANEOUS RULES ..... 190

Rule 1101. Applicability of Rules ..... 190

(a) Courts and Judges. .... 190

(b) Proceedings Generally. .... 190

(c) Rule of privilege. .... 190

(d) Rules inapplicable. .... 190

TABLE OF CONTENTS

(1) Preliminary questions of fact ..... 190  
 (2) Grand jury..... 190  
 (3) Miscellaneous proceedings ..... 191  
 Rule 1102. Amendments ..... 192  
 Rule 1103. Title and Effective Date ..... 193  
     (a) Title. .... 193  
     (b) Effective Date..... 193  
 EVIDENCE MISCELLANEOUS ANNOTATIONS ..... 193  
**CHAPTER 2 - SELECT CONSTITUTIONAL PROVISIONS ..... 197**  
*CONSTITUTION of the UNITED STATES of AMERICA*..... 197  
 AMENDMENT 4 SEARCHES AND SEIZURES ..... 197  
 AMENDMENT 5 GRAND JURY INDICTMENT; DOUBLE JEOPARDY; SELF-  
 INCRIMINATION; DUE PROCESS OF LAW; JUST COMPENSATION ..... 197  
 AMENDMENT 6 JURY TRIAL; NATURE OF ACCUSATION; CONFRONTATION  
 OF WITNESSES; ASSISTANCE OF COUNSEL ..... 197  
*SOUTH CAROLINA CONSTITUTION*..... 198  
 ART. 1, § 3 PRIVILEGES AND IMMUNITIES; DUE PROCESS; EQUAL  
 PROTECTION OF LAWS ..... 198  
 ART. 1, § 4 ATTAINDER; EX POST FACTO LAWS; TITLES; EFFECT OF  
 CONVICTION..... 198  
 ART. 1, § 9 COURTS PUBLIC; SPEEDY REMEDY ..... 198  
 ART. 1, § 10 SEARCHES AND SEIZURES; INVASIONS OF PRIVACY; WARRANTS  
 UPON PROBABLE CAUSE..... 198  
 ART. 1, § 11 PRESENTMENT OR INDICTMENT ..... 198  
 ART. 1, § 12 DOUBLE JEOPARDY; SELF-INCRIMINATION ..... 199  
 ART. 1, § 13 TAKING PRIVATE PROPERTY ..... 199  
 ART. 1, § 14 TRIAL BY JURY; WITNESSES; SPEEDY TRIAL; IMPARTIAL JURY;  
 DEFENSE ..... 199  
 ART. 1, § 15 RIGHT OF BAIL; EXCESSIVE BAIL; CRUEL, UNUSUAL OR  
 CORPORAL PUNISHMENT; DETENTION OF WITNESSES ..... 199  
 ART. 1, § 16 LIBEL ..... 200  
 ART. 1, § 17 TREASON ..... 200  
 ART. 1, § 22 PROCEDURE BEFORE ADMINISTRATIVE AGENCIES; RIGHT TO  
 JUDICIAL REVIEW ..... 200  
 ART. 5, § 4A SUBMISSION OF SUPREME COURT RULES TO JUDICIARY  
 COMMITTEES; DISAPPROVAL BY GENERAL ASSEMBLY ..... 200  
 ART. 5, § 21 CHARGE TO JURY ..... 201  
**CHAPTER 3 - SELECT EVIDENTIARY STATUTES ..... 203**  
 TITLE 1. ADMINISTRATION OF THE GOVERNMENT ..... 203  
 ATTORNEY GENERAL AND SOLICITORS ..... 203

TABLE OF CONTENTS

1-7-50. Defense of actions against public officers and employees..... 203

1-7-60. Investigation required prior to defense of actions against public officers and employees; effect of insurance. .... 203

1-7-70. Information obtained pursuant to 1-7-50 and 1-7-60 shall be confidential and inadmissible as evidence..... 203

PROVISIONS AFFECTING ATTORNEY GENERAL AND SOLICITORS.....203

1-7-710. Defense of persons claiming under State. .... 203

ADMINISTRATIVE PROCEDURES.....204

1-23-320. Notice and hearing in contested case; depositions; subpoenas; informal disposition; content of record. .... 204

1-23-330. Evidentiary matters in contested cases. .... 204

1-23-380. Judicial review upon exhaustion of administrative remedies. .... 205

SOUTH CAROLINA ADMINISTRATIVE LAW COURT .....206

1-23-600. Hearings and proceedings. .... 206

1-23-610. Judicial review of final decision of administrative law judge; stay of enforcement of decision. .... 208

TITLE 2. GENERAL ASSEMBLY .....209

LOBBYISTS AND LOBBYING .....209

2-17-140. Groundless allegations of violations to be stricken from public record; penalties for wilful filing of groundless complaint..... 209

JOINT COMMITTEE TO REVIEW CANDIDATES FOR OFFICES ELECTED BY THE GENERAL ASSEMBLY.....209

2-19-60. Powers of committee..... 209

INTERNAL SECURITY COMMITTEE.....210

2-31-30. Powers. .... 210

SUBPOENAS AND SUBPOENAS DUCES TECUM .....211

2-69-30. Authority of committee to administer oaths and affirmations, take depositions, and receive testimony and evidence..... 211

2-69-50. Requests for protective order; receipt of evidence in executive session..... 211

2-69-60. Issuance by court of common pleas of order requiring obedience to subpoena; punishment of disobedience as contempt. .... 211

TITLE 4. COUNTIES .....211

CHANGE OF BOUNDARIES .....211

4-5-210. Protests or contests; appeals..... 211

CREATION OF NEW COUNTIES AND CONSOLIDATION OF COUNTIES .....212

4-7-120. Election protests or contests..... 212

CLAIMS AGAINST COUNTIES.....212

4-13-60. Custody of claim; withdrawal from custody. .... 212

COUNTY PLANNING - COUNTY PLANNING COMMISSIONS.....212

4-27-640. Effect of findings of fact by commission. .... 212

TITLE 5. MUNICIPAL CORPORATIONS.....212

GENERAL STRUCTURE, ORGANIZATION, POWERS, DUTIES, FUNCTIONS AND RESPONSIBILITIES OF ALL MUNICIPALITIES.....212

TABLE OF CONTENTS

5-7-90. Trial of persons charged with violations of ordinances of municipality or laws of State. .... 212

5-7-100. Investigations of departments of municipal government by governing body; compelling attendance of witnesses; subpoenas; contempt. .... 212

5-7-210. Council as judge of election and qualifications of its members and of grounds for forfeiture of their office. .... 213

ZONING AND PLANNING - ZONING..... 213

    5-23-160. Hearing and decision on appeal. .... 213

TITLE 6. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS AND OTHER POLITICAL SUBDIVISIONS ..... 213

SOLID WASTE DISPOSAL RESOURCE RECOVERY FACILITIES ACT ..... 213

    6-16-50. Representatives to joint agency; application to Secretary of State; Secretary to examine application; corporate certificate; agency deemed valid. .... 213

JOINT MUNICIPAL ELECTRIC POWER AND ENERGY ACT ..... 214

    6-23-50. Formation of joint agency; certificate as proof of existence..... 214

TITLE 7. ELECTIONS ..... 214

CANVASS OF VOTE; CERTIFICATES AND RECORDS OF RESULTS - COUNTY

    BOARDS OF CANVASSERS ..... 214

    7-17-50. Hearings on protests or contests..... 214

    7-17-70. Hearing of appeals. .... 214

    7-17-270. Hearing of protest or contest; procedure at hearing; notice of decision; appeals. .... 215

    7-17-530. Hearing by county executive committee. .... 215

    7-17-570. Procedure for hearing protest or contest; notice of decision. .... 215

TITLE 12. TAXATION..... 216

STAMP AND BUSINESS LICENSE ACT- COLLECTION AND ENFORCEMENT

    GENERALLY ..... 216

    12-21-2980. Possession of unstamped goods as prima facie evidence of violation. .... 216

THE MARIJUANA AND CONTROLLED SUBSTANCE TAX ACT ..... 216

    12-21-5050. Dealer not to possess taxed marijuana or controlled substance without evidence that tax was paid. .... 216

    12-21-6020. Dealer to have indicia evidence tax payment affixed; indicia may be used once; taxes due and payable immediately upon acquisition or possession..... 216

ROAD TAX ON MOTOR CARRIERS - PENALTIES ..... 217

    12-33-610. Person possessing mixture for production of alcohol liable for tax; rate; possession as prima facie evidence of nonpayment. .... 217

ALTERNATE PROCEDURE FOR COLLECTION OF PROPERTY TAXES ..... 217

    12-51-160. Deed as evidence of good title; statute of limitations. .... 217

FORFEITED LANDS - TITLES TO LANDS FORFEITED PRIOR TO DECEMBER 24, 1887 RENOUNCED ..... 217

    12-59-310. Title of State by forfeiture prior to 1887 renounced. .... 217

TITLE 14. COURTS ..... 217

JURIES AND JURORS IN CIRCUIT COURTS - STATE GRAND JURY SYSTEM ..... 217

TABLE OF CONTENTS

14-7-1760. Evidence given or information derived from evidence not to be received  
against witness in criminal prosecution; waiver of immunity; perjury. ....217

TITLE 15. CIVIL REMEDIES AND PROCEDURES.....218

LIMITATION OF CIVIL ACTIONS - GENERAL PROVISIONS.....218

15-3-120. Effect of new promises in writing or part payments.....218

15-3-130. Suits on causes saved from bar of statute by part payment or written  
acknowledgment. ....218

VERDICTS.....218

15-33-125. Limitations on granting of new trial. ....218

15-33-135. Punitive damages: burden of proof.....218

EXECUTIONS AND JUDICIAL SALES GENERALLY - GENERAL PROVISIONS.....219

15-39-330. Examination of witnesses and debtor.....219

ABATEMENT OF NUISANCES .....219

15-43-30. Temporary injunction. ....219

15-43-40. Trial; evidence of general reputation.....219

DEATH BY WRONGFUL ACT AND LYNCHING.....219

15-51-42. Approval of settlements of wrongful death or survival actions. ....219

SUITS INVOLVING MISCELLANEOUS ACTS OF WRONGFUL CONDUCT.....221

15-75-10. Imputation of want of chastity to female. ....221

TITLE 16. CRIMES AND OFFENSES .....221

OFFENSES AGAINST PERSON - DUELING.....221

16-3-440. Principal or second shall be compelled to give testimony. ....221

ASSAULT AND CRIMINAL SEXUAL CONDUCT.....221

16-3-659.1. Criminal sexual conduct: admissibility of evidence concerning victim’s sexual  
conduct.....221

16-3-670. Procedure for taking deposition. ....222

SEXUAL PERFORMANCE BY CHILDREN.....222

16-3-840. Methods of judicial determination of age of child.....222

FORGERY, LARCENY, EMBEZZLEMENT, FALSE PRETENSES AND CHEATS .....222

16-13-120. Shoplifting; presumptions from concealment of unpurchased goods. ....222

16-13-220. Embezzlement of public funds; presumption on proof of failure to account for  
receipts. ....222

16-13-331. Unauthorized removal or concealment of library property prohibited;  
penalty. ....223

16-13-385. Altering, tampering with or bypassing electric, gas or water meters.....223

FINANCIAL TRANSACTION CARD CRIME ACT.....223

16-14-30. Possession of two or more cards issued to other persons prima facie evidence  
of violation.....223

16-14-50. Possession of two or more cards falsely made or embossed prima facie  
evidence of violation.....223

OFFENSES INVOLVING MOTOR VEHICLE TITLES.....224

16-21-150. Admissibility of evidence of prior similar acts. ....224

CRIMINAL DOMESTIC VIOLENCE – .....224



TABLE OF CONTENTS

GENERAL PROVISIONS .....224  
 16-25-70. Warrantless arrest or search; admissibility of evidence. .... 224

TITLE 17. CRIMINAL PROCEDURE .....225

GENERAL PROVISIONS .....225  
 17-1-40. After discharge, dismissal or finding of innocence, criminal records must be  
 destroyed..... 225

CORONERS AND MEDICAL EXAMINERS - MEDICAL EXAMINERS .....225  
 17-5-280. Records to be kept in office of medical examiner; index; copies; admissibility  
 in evidence. .... 225

AUTOPSIES AND INQUEST ON THE DEAD - .....226

AUTOPSIES, PRELIMINARY EXAMINATIONS AND INQUESTS .....226  
 17-7-30. Findings on preliminary examination and filing of evidence. .... 226  
 17-7-330. Books of inquisitions..... 226

BAIL AND RECOGNIZANCES .....226  
 17-15-60. Rules of evidence are inapplicable. .... 226

MENTALLY ILL OR INSANE DEFENDANTS .....226  
 17-24-10. Affirmative defense..... 226  
 17-24-20. Guilty but mentally ill; general requirements for verdict. .... 226

JUDGMENT AND EXECUTION - ENFORCEMENT AND EXECUTION .....227  
 17-25-325. Enforcement and execution of judgment in criminal case; findings supported  
 by evidence. .... 227  
 17-25-326. Alteration, modification or rescission of order; petition upon good cause;  
 preponderance of evidence. .... 227

UNIFORM POST-CONVICTION PROCEDURE ACT.....227  
 17-27-20. Persons who may institute proceeding; exclusiveness of remedy. .... 227  
 17-27-50. Form and contents of application. .... 228  
 17-27-80. Hearing on application; final judgment ..... 228

TITLE 18. APPEALS.....228

APPEALS TO CIRCUIT AND COUNTY COURTS IN OTHER CASES - .....228

GENERAL PROVISIONS .....228  
 18-7-110. Offer to allow judgment on appeal..... 228

APPEALS TO SUPREME COURT .....229  
 18-9-280. Written opinions required; memorandum opinions. .... 229

TITLE 19. EVIDENCE.....229

GENERAL PROVISIONS .....229  
 19-1-10. Rules of construction..... 229  
 19-1-20. "Clerk" defined. .... 229  
 19-1-30. Pleading shall not be evidence against accused. .... 229  
 19-1-60. Request for admission of authenticity of documents and other papers. .... 229  
 19-1-70. Proof of negligence by plaintiff in certain motor vehicle cases..... 229  
 19-1-80. Conditions on examination of witness in criminal proceeding concerning written  
 statement made to public employee. .... 230  
 19-1-90. Admissibility in criminal proceeding of written statement made to public  
 employee..... 230

TABLE OF CONTENTS

19-1-100. No statement shall be used for impeachment in civil proceeding unless copy furnished when signed. .... 230

19-1-110. Introduction of certain instruments or copies thereof issued by common carriers. .... 230

19-1-120. Proving signature of absent witness to bond or note; effect of sworn denial of signature. .... 230

19-1-130. Situations in which notary's protest is sufficient evidence. .... 230

19-1-140. Use of testimony in subsequent trials when witness is in armed forces. .... 231

19-1-150. Life expectancy tables. .... 231

19-1-160. Non-sealed instruments may be considered as sealed. .... 234

19-1-180. Out-of-court statements by certain children. .... 234

19-1-190. South Carolina Unanticipated Medical Outcome Reconciliation Act; legislative purpose; definitions; inadmissibility of certain statements; waiver of inadmissibility; impact of South Carolina Rules of Evidence. .... 235

**PROOF OF ORDINANCES AND LAWS** ..... 237

    19-3-10. Proof of ordinances of municipalities. .... 237

**UNIFORM JUDICIAL NOTICE OF FOREIGN LAW ACT** ..... 237

    19-3-110. Short title. .... 237

    19-3-120. Judicial notice of laws of other United States jurisdictions. .... 237

    19-3-130. Means by which court may inform itself of other United States laws. .... 237

    19-3-140. Court shall determine other United States laws. .... 237

    19-3-150. Parties may also present evidence of other United States laws; notice. .... 238

    19-3-160. Proof of laws of other jurisdictions. .... 238

    19-3-170. No evidence of foreign law shall be received or noticed judicially unless pleaded. .... 238

    19-3-180. Rule of construction. .... 238

**PUBLIC DOCUMENTS, RECORDS AND BOOKS** ..... 238

    19-5-10. Admissibility of certified copies or certified photostatic copies of documents. .... 238

    19-5-20. Notice required under 19-5-10. .... 238

    19-5-30. Admissibility of photostatic or certified copies of certain motor vehicle records. .... 239

    19-5-40. Admissibility of certified photographic copy of instrument or record pertaining to business or government when original is lost or destroyed. .... 239

    19-5-50. Evidence of appointment of executors or administrators. .... 239

    19-5-60. Production of instruments required to be recorded as evidence of execution and recording. .... 239

    19-5-70. Applicability of foregoing section when fraud is alleged. .... 239

**FOREIGN DOCUMENTS** ..... 239

    19-5-210. Admissibility of certified copies of grants issued by North Carolina. .... 239

    19-5-220. Proof of various instruments. .... 240

    19-5-230. Foreign evidences of debt shall be admissible only on basis of reciprocity. .... 240

**REPORTS AS TO MISSING PERSONS** ..... 240

    19-5-310. Effect of finding of presumed death under Federal Missing Persons Act. .... 240

    19-5-320. Effect of report that person is missing, besieged, captured by the enemy or the like. .... 240

    19-5-330. Signature of reports or copies shall prima facie be deemed authorized. .... 241

**MEDICAL OR SCIENTIFIC BOOKS** ..... 241

TABLE OF CONTENTS

19-5-410. Competency and admissibility of medical or scientific books .....241

BUSINESS RECORDS .....241

19-5-510. Uniform Business Records as Evidence Act. ....241

19-5-520. Certified business records.....241

PHOTOGRAPHIC COPIES .....242

19-5-610. Uniform Photographic Copies of Business and Public Records as Evidence Act. .... 242

COMPELLING ATTENDANCE OF WITNESSES .....242

19-7-50. Means by which prisoners shall be brought into court as witnesses. ....242

19-7-60. Process to compel attendance of criminal defendant's witnesses; sanctions for disobedience. ....242

OUT-OF-STATE WITNESSES.....243

19-9-10. Short title. ....243

19-9-20. Definitions. ....243

19-9-30. Holding of hearing when resident is wanted as witness in another state. ....243

19-9-40. Ordering resident witness to attend out-of-State proceedings. ....243

19-9-50. Delivery of witness to custody of officer of requesting state.....243

19-9-60. Penalty for failure to attend as witness out of state. ....244

19-9-70. Request by this State for witness from reciprocating state.....244

19-9-80. Costs and fees paid to non-resident witness.....244

19-9-90. Limit on time non-resident witness may be kept in State.....244

19-9-100. Penalty for failure to attend as witness in this State.....244

19-9-110. Non-resident witness shall not be subject to arrest or service of process. ....244

19-9-120. Witnesses passing through State shall not be subject to arrest or service of process.....245

19-9-130. Rule of construction.....245

COMPETENCY OF WITNESSES .....245

19-11-10. Competency of parties as witnesses.....245

19-11-20. “Dead man’s” statute.....245

19-11-25. Presumed competency of children as witnesses. ....245

19-11-30. Competency of husband or wife of party as witness. ....246

19-11-40. Interest in action shall not disqualify witness. ....246

19-11-50. Testimony of defendant in criminal cases.....246

19-11-60. Person convicted and sentenced for crime may testify.....246

19-11-70. Testimony of survivors of parties to a transaction which is attacked on grounds of fraud. ....246

19-11-80. Privilege against self-incrimination.....246

19-11-90. Priest-penitent privilege. ....247

19-11-95. Confidences of patients of mental illness or emotional conditions. ....247

19-11-100. Qualified privilege against disclosure for news media; waiver .....248

PERPETUATION OF EVIDENCE .....249

19-21-10. Substituting new records for lost, destroyed or abstracted records of decrees and judgments.....249

19-21-20. Perpetuation of testimony as to lost, destroyed or defective instruments.....249

19-21-30. Issuance of orders in action to perpetuate testimony. ....249

19-21-40. Recordation and force and effect of perpetuated testimony. ....250

TABLE OF CONTENTS

19-21-50. Proof of lost papers other than by perpetuation of testimony. .... 250

19-21-60. Costs..... 250

TITLE 22. MAGISTRATES AND CONSTABLES ..... 250

JURISDICTION AND PROCEDURE IN MAGISTRATES’ COURTS - CIVIL

    PROCEDURE GENERALLY ..... 250

    22-3-110. Forms of action, parties, commencement of actions, service of process upon  
        corporations and evidence. .... 250

    22-3-290. Requiring exhibit of account or statement of nature thereof. .... 250

PROVISIONS APPLICABLE TO BOTH CIVIL AND CRIMINAL CASES ..... 250

    22-3-930. Compelling attendance of witnesses and the giving of testimony..... 250

    22-3-940. Magistrates empowered to take testimony *de bene esse*..... 251

TITLE 23. LAW ENFORCEMENT AND PUBLIC SAFETY ..... 251

CHAPTER 31. FIREARMS ..... 251

ARTICLE 6. USING A FIREARM WHILE UNDER THE INFLUENCE OF ALCOHOL  
OR A CONTROLLED SUBSTANCE ..... 251

    23-31-410. Blood and urine testing ..... 251

    23-31-415. Testing following death or serious personal injury; effect of refusal;  
        evidentiary use. .... 252

    23-31-420. Presumptions..... 252

SOUTH CAROLINA HAZARDOUS SUBSTANCES ACT ..... 253

    23-39-110. Access to records of shipment..... 253

ARSON REPORTING-IMMUNITY ACT ..... 253

    23-41-30. Release of information by insurance company..... 253

TITLE 24. CORRECTIONS, JAILS, PROBATIONS, PAROLES AND PARDONS

    PROBATION, PAROLE AND PARDON ..... 254

- EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PROBATION, PAROLE,  
AND PARDON SERVICES; PROBATION OFFICERS ..... 254

    24-21-290. Information received by probation agents privileged. .... 254

PARDONS; COMMUTATION OF DEATH SENTENCES ..... 254

    24-21-990. Civil rights restored upon pardon. .... 254

TITLE 25. MILITARY, CIVIL DEFENSE AND VETERANS AFFAIRS MILITARY  
CODE – ..... 254

CODE OF MILITARY JUSTICE FOR THE NATIONAL GUARD ..... 254

    25-1-2665. Compulsory self-incrimination prohibited; informing accused of rights;  
        evidence; admissibility..... 254

    25-1-2690. Evidentiary rules. .... 255

    25-1-2760. Admissibility of records of courts of inquiry..... 255

SOUTH CAROLINA RESIDENTIAL LANDLORD AND TENANT ACT - ..... 255

GENERAL DEFINITIONS AND PRINCIPLES INTERPRETATION; NOTICE..... 255

    27-40-230. Unconscionability. .... 255

TITLE 27. PROPERTY AND CONVEYANCES ..... 256

REMOVAL OF ABANDONED CEMETERIES ..... 256

    27-43-40. Evidence of abandonment. .... 256

TABLE OF CONTENTS

TITLE 28. EMINENT DOMAIN .....256  
 THE EMINENT DOMAIN PROCEDURE ACT – .....256  
 TRIAL OF CONDEMNATION ACTIONS .....256  
     28-2-330. Rules of evidence. .... 256  
     28-2-340. Evidence which may be admitted in trials of condemnation actions;  
         inspection of property. .... 256  
     28-2-500. Amount deposited with or withdrawn from clerk of court not relevant  
         evidence..... 257  
 TITLE 30. PUBLIC RECORDS RECORDING GENERALLY .....257  
     30-5-220. Use of photostatic or photo recording in any county. .... 257  
 RECORDING OF DEEDS AND DOCUMENTS OF RAILROADS .....257  
     30-11-50. Effect of certified copy of recorded instrument..... 257  
 TITLE 32. CONTRACTS AND AGENTS CONTRACTS FOR FUTURE DELIVERY .....257  
     32-1-270. Statements to be furnished by agents; effect of failure to furnish..... 257  
 TITLE 33. CORPORATIONS, PARTNERSHIPS AND ASSOCIATIONS .....257  
 GENERAL PROVISIONS – .....257  
 FILING DOCUMENTS .....257  
     33-1-270. Evidentiary effect of copy of filed document. .... 257  
 NONPROFIT CORPORATIONS GENERALLY - GENERAL PROVISIONS .....258  
     33-31-160. Certified copy of charter or amendment as evidence of incorporation. .... 258  
 NONPROFIT CORPORATIONS FINANCED BY FEDERAL LOANS .....258  
     33-35-130. Certified copy of charter and amendments is evidence of incorporation..... 258  
 UNIFORM PARTNERSHIP ACT - NATURE OF PARTNERSHIP .....258  
     33-41-220. Determining existence of partnership. .... 258  
     33-41-330. Admission or representation by partner as evidence. .... 259  
 RELATION OF PARTNERS TO ONE ANOTHER .....259  
     33-41-560. Continuation of partnership beyond fixed term or particular undertaking. .... 259  
 MARKETING COOPERATIVE ASSOCIATIONS – .....259  
 ARTICLES OF INCORPORATION AND AMENDMENTS; POWERS .....259  
     33-47-220. Execution and filing of articles; effect thereof. .... 259  
 TITLE 34. BANKING, FINANCIAL INSTITUTIONS AND MONEY BANKS AND  
     BANKING GENERALLY - .....259  
 RETENTION OF RECORDS .....259  
     34-3-540. Copies and reproductions of bank records; admissibility in evidence. .... 259  
 BANK DEPOSITS .....260  
     34-11-60. Drawing and uttering fraudulent check, draft or other written order..... 260  
     34-11-70. Prima facie evidence of fraudulent intent in drawing and uttering check, draft  
         or other written order, reasonable and probable cause for prosecution..... 261  
 CHAPTER 26. SOUTH CAROLINA CREDIT UNION ACT .....261  
 ARTICLE 2. SUPERVISION AND REGULATION .....261  
     34-26-250. Duty of credit union to maintain books, records, accounting systems, and  
         procedures. .... 261

TABLE OF CONTENTS

SAVINGS ASSOCIATIONS – .....262

CORPORATE ADMINISTRATION.....262

    34-28-450. Books, records, and accounting practices.....262

CONSUMER FINANCE LAW .....262

    34-29-210. Appointment of Director as agent for service of process. ....262

TITLE 35. SECURITIES.....262

UNIFORM SECURITIES ACT - GENERAL PROVISIONS .....262

    35-1-130. Copies of records; use as evidence.....262

ENFORCEMENT, REMEDIES, LIABILITIES AND PENALTIES.....263

    35-1-1470. Immunity of witness compelled to give evidence. ....263

TITLE 36. COMMERCIAL CODE .....263

GENERAL DEFINITIONS AND PRINCIPLES OF INTERPRETATION .....263

    36-1-201. Definitions.....263

    36-1-202. Prima facie evidence by third party documents. ....263

    36-1-205. Course of dealing and usage of trade.....263

COMMERCIAL CODE - SALES - .....264

FORM, FORMATION AND READJUSTMENT OF CONTRACT .....264

    36-2-202. Final written expression; parol or extrinsic evidence. ....264

GENERAL OBLIGATION AND CONSTRUCTION OF CONTRACT .....264

    36-2-302. Unconscionable contract or clause.....264

    36-2-326. Sale on approval and sale or return; consignment sales and rights of creditors. ...264

PERFORMANCE .....265

    36-2-515. Preserving evidence of goods in dispute.....265

REMEDIES.....265

    36-2-723. Proof of market price; time and place. ....265

    36-2-724. Admissibility of market quotations.....265

RIGHTS OF A HOLDER .....266

    36-3-307. Burden of establishing signatures, defenses and due course. ....266

COMMERCIAL PAPER - .....266

PRESENTMENT, NOTICE OF DISHONOR AND PROTEST .....266

    36-3-510. Evidence of dishonor and notice of dishonor.....266

COMMERCIAL CODE - INVESTMENT SECURITIES .....266

    36-8-105. Certificated securities negotiable; statements and instructions not negotiable;  
    presumptions. ....266

TITLE 37. CONSUMER PROTECTION CODE .....267

GENERAL PROVISIONS - DEFINITIONS .....267

    37-1-301. General Definitions.....267

ADMINISTRATION - .....267

ADMINISTRATIVE PROCEDURE AND JUDICIAL REVIEW .....267

    37-6-411. Rules of evidence; official notice.....267

MISCELLANEOUS LOAN PROVISIONS .....268

    37-10-105. Penalties for violations.....268

TABLE OF CONTENTS

TITLE 38. INSURANCE .....268

INSURANCE COMMISSION AND THE DEPARTMENT OF INSURANCE.....268

    38-3-220. Certificates and papers of Commissioner as evidence.....268

    38-3-230. Commissioner's certificate as evidence of authority to do business.....268

AUTHORITY TO TRANSACT BUSINESS.....268

    38-5-70. Appointment of director as attorney for service of process. ....268

HEALTH MAINTENANCE ORGANIZATIONS .....269

    38-33-260. Confidentiality of health records.....269

TRADE PRACTICES .....269

    38-57-220. Immunity from prosecution.....269

PROPERTY, CASUALTY, INLAND MARINE, AND SURETY .....269

RATES AND RATE-MAKING ORGANIZATIONS - .....269

GENERAL PROVISIONS.....269

    38-73-130. Hearing procedure; judicial review.....269

AUTOMOBILE INSURANCE - .....270

MANDATE TO WRITE AND INSURANCE COVERAGE.....270

    38-77-120. Requirements for notice of cancellation of or refusal to renew policy. ....270

    38-77-150. Uninsured motorist provision; defense of action by insurer.....270

    38-77-160. Additional uninsured motorist coverage; underinsured motorist coverage.....271

TITLE 39. TRADE AND COMMERCE.....271

TRUSTS, MONOPOLIES AND RESTRAINTS OF TRADE - .....271

INVESTIGATIONS AND DISCOVERY IN AID OF ANTITRUST LAWS OR OTHER VIOLATIONS OF CORPORATIONS.....271

    39-3-350. Testimony may be compelled; immunity of witness. ....271

UNFAIR TRADE PRACTICES - GENERAL PROVISIONS .....271

    39-5-140. Actions for damages.....271

LABELS AND TRADEMARKS - .....272

TRADEMARKS AND SERVICE MARKS GENERALLY.....272

    39-15-140. Issuance and contents of certificate of registration; admissibility of certificate as evidence.....272

AGRICULTURAL OR HORTICULTURAL BRANDS OR MARKS .....272

    39-15-430. Issuance of certificate; fees; admissibility of certificate as evidence. ....272

    39-15-450. Effect of use of brand or mark.....272

    39-15-470. Purchase or receipt of containers marked or branded from other than registered owner.....273

    39-15-480. Unauthorized possession of marked or branded containers.....273

    39-15-490. Effect of refusal to deliver containers to lawful owner.....273

MILK AND MILK PRODUCTS MARKETING - .....273

BOTTLES, CANS AND OTHER CONTAINERS.....273

    39-33-1530. Possession of milk can without consent shall be presumptive evidence of unlawful trafficking.....273

BUTTER AND CHEESE IMITATIONS - .....274

TABLE OF CONTENTS

GENERAL PROVISIONS .....274  
 39-35-80. Penalties; certificate of analysis shall be prima facie evidence. ....274  
 ELECTRIC STORAGE BATTERIES .....274  
 39-49-60. Unauthorized retention of marked battery of another; demand for possession. ..274  
 ANTI-FREEZE .....274  
 39-51-110. Commissioner may require disclosure of formula of antifreeze. ....274  
 TITLE 40. PROFESSIONS AND OCCUPATIONS.....275  
 ENVIRONMENTAL SYSTEMS OPERATORS .....275  
 40-15-180. Complaint to Board against dentist, dental hygienist or dental technician;  
 investigation; accusation; notice; hearing; confidentiality of proceedings;  
 privileged communications.....275  
 DENTISTS, DENTAL HYGIENISTS AND DENTAL TECHNICIANS .....275  
 40-15-320. Possession of prosthetic or orthodontic model, impression or appliance  
 without work authorization as prima facie evidence of violation.....275  
 40-23-120. Board to receive complaints. ....276  
 NURSES - .....276  
 STATE BOARD OF NURSING .....276  
 40-33-290. Records and registers.....276  
 OPTOMETRISTS .....277  
 40-37-210. Complaints to Board against licensed optometrists; accusation; notice;  
 hearing; confidentiality of proceedings; privileged communications.....277  
 40-37-250. Prima facie evidence of violation.....277  
 PHYSICAL THERAPISTS .....277  
 40-47-230. Records of Board; register of applicants. ....277  
 PODIATRISTS AND PODIATRY .....278  
 40-51-200. Acts deemed prima facie evidence of practicing podiatry.....278  
 PSYCHOLOGISTS .....278  
 40-55-130. Complaint to Board against licensed psychologist; investigation; accusation;  
 notice; hearing; confidentiality of proceedings; privileged communications. ....278  
 SANITARIANS .....278  
 40-61-80. Complaints and proceedings against registered environmental sanitarians. ....278  
 SOCIAL WORKERS .....279  
 40-63-100. Complaint, investigation, and accusation against licensed social worker.....279  
 SOIL CLASSIFIERS.....280  
 40-65-90. Records of proceedings; admissibility.....280  
 LIABILITY OF MEMBERS OF PROFESSIONAL COMMITTEES.....280  
 40-71-20. Confidentiality of certain proceedings, records and information. ....280  
 PROFESSIONAL COUNSELORS, ASSOCIATE COUNSELORS, AND MARITAL  
 AND FAMILY THERAPISTS.....281  
 40-75-160. Complaints; investigation; procedural rights of licensee; privileged nature of  
 communications.....281  
 GEOLOGISTS.....281



TABLE OF CONTENTS

40-77-120. Record of board proceedings; register of applications for registration; evidentiary value of board records..... 281

40-77-270. Issuance of certificate of registration as evidence of entitlement to rights and privileges of registered professional geologist..... 282

TITLE 41. LABOR AND EMPLOYMENT .....282

EMPLOYMENT SECURITY - GENERAL PROVISIONS .....282

DEFINITIONS.....282

41-27-620. Commission’s certificate as prima facie evidence..... 282

EMPLOYMENT SECURITY – .....282

EMPLOYMENT SECURITY COMMISSION.....282

41-29-200. Self-incriminating testimony..... 282

BENEFITS AND CLAIMS THEREFOR ALLOWANCE OF CLAIMS .....282

41-35-680. Decision on appeal..... 282

TITLE 42. WORKERS’ COMPENSATION .....283

GENERAL PROVISIONS - .....283

APPLICATION AND EFFECT OF TITLE .....283

42-1-340. Effective date of and manner of giving notice of non-acceptance or waiver..... 283

42-1-560. Right to compensation not affected by liability of third party; rights and remedies against third party..... 283

42-1-570. Amount of compensation shall not be admissible in suits against third parties.... 284

42-1-630. Situation in which provisions of Title shall not be admissible in trial..... 284

INDUSTRIAL COMMISSION .....284

42-3-195. Commission to provide information and statistics; uses to which same may be put; confidentiality..... 284

42-3-210. Tabulation and publication of accident reports..... 284

OCCUPATIONAL DISEASES .....285

42-11-30. Presumption that heart or respiratory diseases occurring in fire fighters arose out of and in course of employment..... 285

TITLE 43. SOCIAL SERVICES .....285

PUBLIC AID, ASSISTANCE AND RELIEF GENERALLY.....285

43-5-100. Physical or mental incapacity of parent..... 285

ADULT PROTECTION - .....285

DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES.....285

43-35-50. Abrogation of privilege for certain communications..... 285

TITLE 44. HEALTH.....286

ABORTIONS.....286

44-41-35. Failure to obtain required consent..... 286

POISONS, DRUGS AND OTHER CONTROLLED SUBSTANCES - .....286

NARCOTICS AND CONTROLLED SUBSTANCES.....286

44-53-395. Prohibited acts; penalties..... 286

TITLE 45. HOTELS, MOTELS, RESTAURANTS AND BOARDINGHOUSES .....286

GENERAL PROVISIONS .....286

TABLE OF CONTENTS

45-1-50. Defrauding keeper of hotel, motel, inn, boardinghouse, rooming house, cafe or restaurant.....286

EQUAL ENJOYMENT AND PRIVILEGES TO PUBLIC .....287

ACCOMMODATIONS - COMPLAINTS; HEARINGS, PERMIT OR LICENSE

    REVOCATION .....287

    45-9-60. State Human Affairs Commission may establish rules of procedure for hearings; subpoenas; rights of persons charged; rules of evidence; scope of hearing; deliberations of panel; remedies for violation..... 287

TITLE 46. AGRICULTURE .....288

COMMERCIAL FEEDING STUFFS - .....288

SAMPLES AND ANALYSES .....288

    46-27-460. Certificate of analyst as prima facie evidence. ....288

STOCK OR POULTRY PREPARATIONS.....288

    46-27-860. Commissioner shall enforce article..... 288

TITLE 47. ANIMALS, LIVESTOCK AND POULTRY.....288

RABIES CONTROL .....288

    47-5-60. Pets shall be inoculated annually; certificates & tags..... 288

LIVESTOCK GENERALLY - BRANDING OR EARMARKING .....289

    47-9-290. Certificate as evidence of ownership of livestock; foreign certificates. .... 289

TITLE 48. ENVIRONMENTAL PROTECTION AND CONSERVATION .....289

SOIL AND WATER CONSERVATION DISTRICTS LAW -.....289

CREATION OF SOIL AND WATER CONSERVATION DISTRICTS.....289

    48-9-650. Certificate conclusive as to establishment of district; admissibility of certificate as evidence..... 289

TITLE 49. WATERS, WATER RESOURCES AND DRAINAGE.....290

DRAINAGE DISTRICTS UNDER 1920 ACT - .....290

PROCEDURE TO ESTABLISH DISTRICT .....290

    49-19-270. Evidence of publication of notice..... 290

ASSESSMENT AND COLLECTION OF TAX FOR CONSTRUCTION COSTS;

    DELINQUENT TAXES .....290

    49-19-1780. Drainage Tax Book as prima facie evidence. ....290

LAKE WYLIE MARINE COMMISSION.....290

    49-27-70. Filing and distribution of ordinances or joint resolutions; effective date; admissibility as evidence..... 290

    49-27-80. Authority to make regulations; penalties for violations; effective date; notice and filing requirements; publication and filing requirements not prerequisite to validity. .... 291

TITLE 50. FISH, GAME AND WATERCRAFT .....291

GENERAL PROVISIONS .....291

    50-1-95. Reporting hunting accidents..... 291

PROTECTION OF FISH - .....292

RESTRICTIONS ON FISHING GENERALLY .....292

TABLE OF CONTENTS

50-13-80. Conduct which is prima facie evidence of violating season closed on recommendation of county legislative delegation. .... 292

POLLUTION AND POISONING OF WATERS; USE OF EXPLOSIVES .....292

50-13-1450. Prima facie evidence of using explosives to take fish. .... 292

COASTAL FISHERIES LAWS - .....292

USE OF NETS, SEINES, AND LIKE DEVICES.....292

50-17-422. Restrictions upon use of gill nets for taking American shad in state waters of Atlantic Ocean; evidence of violation. .... 292

SHRIMP .....293

50-17-675. Certain conduct constitutes prima facie evidence of illegal trawling..... 293

EQUIPMENT AND OPERATION OF WATERCRAFT - .....293

GENERAL PROVISIONS .....293

50-21-130. Duties of vessel operator involved in collision, accident or other casualty; immunity of person rendering assistance; reports of accidents; State Casualty Reporting System. .... 293

AIDS TO NAVIGATION AND REGULATORY MARKERS.....294

50-21-710. Placing of aids to navigation and regulatory markers; certain conduct prima facie evidence of negligence; prohibited acts. .... 294

TITLING OF WATERCRAFT AND OUTBOARD MOTORS .....294

50-23-90. Contents of certificate; effect as evidence. .... 294

TITLE 54. PORTS AND MARITIME MATTERS .....295

OFFENSES RELATING TO SEAMAN .....295

54-9-40. Admissibility of articles of ship in evidence. .... 295

54-9-50. Evidence of masters of vessels or other transient persons may be taken *de bene esse*. .... 295

INTERFERENCE WITH NAVIGATION.....295

54-11-50. Destroying, damaging or obstructing monuments or buildings of United States coast surveys..... 295

TITLE 55. AERONAUTICS .....296

GENERAL PROVISIONS .....296

55-1-100. Operating or acting as flightcrew member of aircraft while under influence of alcohol or drugs unlawful; penalties..... 296

UNIFORM STATE AERONAUTICAL REGULATORY LAW .....296

55-5-160. Use of testimony obtained during investigations; employees not required to testify..... 296

UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT .....296

55-8-110. Records shall be inadmissible as evidence; disclosure of information. .... 296

TITLE 56. MOTOR VEHICLES .....297

DRIVER’S LICENSE - POINT SYSTEM FOR EVALUATING .....297

OPERATING RECORDS OF DRIVERS .....297

56-1-800. Certified copies of reports as evidence of convictions. .... 297

REGULATION AND LICENSING - .....297

TABLE OF CONTENTS

ENFORCEMENT; RECORDS AND REPORTS .....297  
56-3-2450. Certified copies of Department records; use thereof as evidence. ....297  
56-3-2460. Affidavit as to registration records of Department as evidence of ownership. ....297  
TRAFFIC REGULATIONS -.....297  
OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS.....297  
56-5-750. Failure to stop motor vehicle when signaled by law-enforcement vehicle. ....297  
TRAFFIC SIGNS, SIGNALS AND MARKINGS .....298  
56-5-950. Obedience to and required traffic-control devices. ....298  
ACCIDENT REPORTS .....298  
56-5-1260. Immediate report of accidents resulting in personal injury or death. ....298  
56-5-1270. Operators, owners, and law enforcement officers shall make written reports of certain accidents and investigations. ....298  
56-5-1280. In case driver shall be unable to report, other occupant or owner shall report.....299  
56-5-1290. Evidentiary use of reports. ....299  
56-5-1340. Accident reports shall be without prejudice and confidential; use; permissible disclosures.....299  
RESTRICTIONS ON SPEED; RACING .....299  
56-5-1570. Special speed limitations for certain vehicles and places.....299  
RIGHT OF WAY .....300  
56-5-2330. Stop signs and yield signs. ....300  
REQUIRED STOPS .....301  
56-5-2773. Violation of Section 56-5-2770; digital images admissible in evidence. ....301  
RECKLESS HOMICIDE; RECKLESS DRIVING; DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, DRUGS OR NARCOTICS .....301  
56-5-2950. Implied consent to chemical tests of breath, blood, and urine to determine presence of alcohol or drugs of operator of motor vehicle; procedures; penalties. ...301  
56-5-2955. Admissibility of evidence obtained under Section 56-5-2950. ....301  
56-5-2980. Copies of reports as prima facie evidence of certain matters; effect of stipulating subsequent offense. ....301  
PEDESTRIANS; RIGHTS AND DUTIES THEREOF .....302  
56-5-3220. Effect of failure of incapacitated person to carry walking stick or cane, or to be guided by dog. ....302  
ENFORCEMENT; TRAFFIC VIOLATIONS PROCEDURE .....302  
56-5-6160. Evidence of conviction inadmissible in civil action. ....302  
56-5-6170. Enforcement. ....302  
CHILD PASSENGER RESTRAINT SYSTEM .....302  
56-5-6450. Custodial arrest not authorized; penalties for violation of article; waiver. ....302  
56-5-6460. Violation of article not to constitute negligence. ....302  
SAFETY BELTS .....302  
56-5-6540. Penalties; Enforcement; violation not negligence; violation inadmissible in civil action. ....302  
MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT - .....303  
SECURITY FOLLOWING MOTOR VEHICLE ACCIDENTS.....303

TABLE OF CONTENTS

56-9-350. Verification of insurance coverage form to be issued following certain accidents; effect of failure to return form; uninvestigated accidents..... 303

56-9-362. Actions or findings of Department and security as not constituting evidence of negligence..... 303

REGULATION OF MANUFACTURERS, DISTRIBUTORS AND DEALERS .....303

56-15-110. Suits for damages. .... 303

REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS .....304

56-16-180. Denial, suspension, or revocation of license. .... 304

56-16-200. Civil actions; damages; effect of judgments as prima facie evidence..... 304

PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES - CERTIFICATES OF TITLE .....305

56-19-320. Certificate as prima facie evidence of facts therein..... 305

TITLE 58 PUBLIC UTILITIES, SERVICES AND CARRIERS .....305

PUBLIC SERVICE COMMISSION - .....305

REGULATION OF RATES AND SERVICE GENERALLY .....305

58-5-310. Record of proceedings; transcript of evidence. .... 305

SOUTH CAROLINA GAS SAFETY ACT OF 1970.....305

58-5-1010. Records and reports of gas utilities; inspections and investigations by Commission; accident reports. .... 305

TELEPHONE, TELEGRAPH AND EXPRESS COMPANIES - .....306

TELEPHONE COMPANIES - COMMISSION HEARINGS, INVESTIGATIONS AND PROCEEDINGS.....306

58-9-1050. Self-incrimination shall not be invoked; immunity from prosecution. .... 306

TELEPHONE COMPANIES - COMMISSION HEARINGS, .....306

INVESTIGATIONS AND PROCEEDINGS .....306

58-9-1230. Certified copies of documents and orders as evidence..... 306

THE GENERAL RAILROAD LAW .....307

58-17-120. Rules of evidence shall be same as in civil cases. .... 307

INCORPORATION AND OPERATION BY PURCHASER OF RAILROAD .....307

58-17-430. Certificate as evidence of incorporation..... 307

RATES AND CHARGES; ROUTES .....307

58-17-1890. Printed schedules shall be prima facie evidence. .... 307

58-17-1990. Discriminating rates shall be prima facie evidence of unjust discrimination..... 307

PENALTIES AND LIABILITIES GENERALLY .....307

58-17-4010. Testimony may be compelled; immunity from prosecution; production of books and papers. .... 307

ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES-COMMISSION HEARINGS, INVESTIGATIONS AND PROCEEDINGS .....308

58-27-2060. Self-incrimination shall not excuse testimony; immunity from prosecution. .... 308

58-27-2070. Copies of official documents and orders as evidence. .... 308

TITLE 61. ALCOHOL AND ALCOHOLIC BEVERAGES.....308

BEER, ALE, PORTER AND WINE.....308

TABLE OF CONTENTS

61-9-40. Sale to person under designated age; penalties; evidence..... 308

ALCOHOL - .....309

OFFENSES, PROHIBITIONS AND ENFORCEMENT ..... 309

61-11-290. Prima facie evidence of violation..... 309

61-13-300. Manufacture, transfer or possession of distillery or integral part thereof is  
unlawful..... 309

61-13-470. Certificates of general sessions courts convictions; use as evidence; copies to  
Department of Public Safety..... 309

61-13-820. Debts contracted for transporting or selling illicit liquors are void..... 309

TITLE 62. SOUTH CAROLINA PROBATE CODE.....310

GENERAL PROVISIONS - ..... 310

SHORT TITLE, CONSTRUCTION, GENERAL PROVISIONS .....310

62-1-107. Evidence as to death or status. .... 310

GENERAL PROVISIONS .....310

62-2-803. Effect of homicide on intestate succession, wills, joint assets, life insurance,  
and beneficiary designations..... 310

PROBATE OF WILLS AND ADMINISTRATION - .....311

FORMAL TESTACY AND APPOINTMENT PROCEEDINGS.....311

62-3-405. Formal testacy proceedings; uncontested cases; hearings and proof..... 311

62-3-406. Formal testacy proceedings; contested cases; testimony of attesting witnesses... 311

DUTIES AND POWERS OF PERSONAL REPRESENTATIVES.....311

62-3-709. Duty of personal representative; possession of estate. .... 311

SPECIAL PROVISIONS RELATING TO DISTRIBUTION.....312

62-3-907. Distribution in kind; evidence. .... 312

62-3-908. Distribution; right or title of distributee..... 312

62-3-910. Purchasers from distributees protected..... 312

UNIFORM VETERAN’S GUARDIANSHIP ACT .....312

62-5-606. Facts which constitute prima facie evidence of need for guardian of a minor  
ward. .... 312

62-5-607. Facts which constitute prima facie evidence of need for guardian of a mentally  
incompetent ward..... 313

TITLE 63. SOUTH CAROLINA CHILDREN’S CODE .....313

Chapter 3. Family Court.....313

Article 7. Private Guardians Ad Litem.....313

63-3-830. Responsibilities. .... 313

63-7-40. Safe Haven for Abandoned Babies..... 313

63-7-420. Abrogation of privileged communication; exceptions..... 313

63-7-940. Use of unfounded case information..... 314

CHAPTER 11. CHILDREN’S SERVICES AGENCIES.....314

ARTICLE 19. DEPARTMENT OF CHILD FATALITIES STATE CHILD FATALITY  
ADVISORY COMMITTEE.....314

63-11-1990. Confidentiality of information. .... 314

CHAPTER 13. CHILDCARE FACILITIES .....315

TABLE OF CONTENTS

ARTICLE 3. PRIVATE CHILDCARE CENTERS AND GROUP CHILDCARE HOMES..315  
 63-13-460. License denial; nonrenewal; notice, hearings; appeals..... 315  
 CHAPTER 15. CHILD CUSTODY AND VISITATION .....316  
 ARTICLE 1. GENERAL PROVISIONS .....316  
 63-15-60. De facto custodian..... 316  
 CHAPTER 15. CHILD CUSTODY AND VISITATION .....316  
 ARTICLE 3. UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT  
 ACT.....316  
 SUBARTICLE 1. GENERAL PROVISIONS.....316  
 63-15-320. Testimony of out-of-state witnesses..... 316  
 CHAPTER 17. PATERNITY AND CHILD SUPPORT .....317  
 ARTICLE 1. PATERNITY .....317  
 63-17-60. Admissibility of evidence..... 317  
 CHAPTER 17. PATERNITY AND CHILD SUPPORT .....318  
 ARTICLE 3. CHILD SUPPORT GENERAL PROVISIONS.....318  
 63-17-460. Medical bills as evidence of costs..... 318  
 CHAPTER 17. PATERNITY AND CHILD SUPPORT .....318  
 ARTICLE 5. ADMINISTRATIVE PROCESS FOR ESTABLISHING AND  
 ENFORCING PATERNITY AND CHILD SUPPORT .....318  
 63-17-740. Service of notice of financial responsibility..... 318  
 CHAPTER 17. PATERNITY AND CHILD SUPPORT .....318  
 ARTICLE 5. ADMINISTRATIVE PROCESS FOR ESTABLISHING AND  
 ENFORCING PATERNITY AND CHILD SUPPORT .....318  
 63-17-810. Qualified expert; admissibility of report..... 318  
 CHAPTER 17. PATERNITY AND CHILD SUPPORT .....319  
 ARTICLE 11. INCOME WITHHOLDING TO ENFORCE CHILD SUPPORT .....319  
 63-17-1530. Record of payments and disbursements..... 319  
 CHAPTER 17. PATERNITY AND CHILD SUPPORT .....319  
 ARTICLE 23. UNIFORM INTERSTATE FAMILY SUPPORT ACT .....319  
 PART II. JURISDICTION.....319  
 63-17-3100. Evidence from another state..... 319  
 CHAPTER 17. PATERNITY AND CHILD SUPPORT .....319  
 ARTICLE 23. UNIFORM INTERSTATE FAMILY SUPPORT ACT .....319  
 PART III. CIVIL PROVISIONS OF GENERAL APPLICATION .....319  
 63-17-3360. Nonresident party proceedings..... 319  
 CHAPTER 19. JUVENILE JUSTICE CODE .....320  
 ARTICLE 23. OFFENSES INVOLVING MINORS.....320  
 63-19-2440. Beer and wine purchase, consumption, possession..... 320  
 CHAPTER 19. JUVENILE JUSTICE CODE .....321  
 ARTICLE 23. OFFENSES INVOLVING MINORS.....321  
 63-19-2450. Alcoholic beverages purchase, consumption, possession..... 321

TABLE OF CONTENTS

**CHAPTER 4 FEDERAL RULES OF EVIDENCE .....323**

**ARTICLE I. GENERAL PROVISIONS .....323**

    Rule 101. Scope; Definitions..... 323

        (a) Scope ..... 323

        (b) Definitions. .... 323

    Rule 102. Purpose..... 323

    Rule 103. Rulings on Evidence ..... 323

        (a) Preserving a Claim of Error. .... 323

        (b) Not Needing to Renew an Objection or Offer of Proof..... 324

        (c) Court’s Statement About the Ruling; Directing an Offer of Proof. .... 324

        (d) Preventing the Jury from Hearing Inadmissible Evidence. .... 324

        (e) Taking Notice of Plain Error..... 324

    Rule 104. Preliminary Questions..... 324

        (a) In General..... 324

        (b) Relevance That Depends on a Fact. .... 324

        (c) Conducting a Hearing So That the Jury Cannot Hear It..... 324

        (d) Cross-Examining a Defendant in a Criminal Case..... 324

        (e) Evidence Relevant to Weight and Credibility. .... 324

    Rule 105. Limiting Evidence That Is Not Admissible Against Other Parties or for Other Purposes..... 325

    Rule 106. Remainder of or Related Writings or Recorded Statements..... 325

**ARTICLE II. JUDICIAL NOTICE.....325**

    Rule 201. Judicial Notice of Adjudicative Facts ..... 325

        (a) Scope. .... 325

        (b) Kinds of Facts That May Be Judicially Noticed..... 325

        (c) Taking Notice..... 325

        (d) Timing. .... 325

        (e) Opportunity to Be Heard..... 325

        (f) Instructing the Jury. .... 326

**ARTICLE III. PRESUMPTIONS IN CIVIL CASES .....326**

    Rule 301. Presumptions in Civil Actions Generally ..... 326

    Rule 302. Applying State Law to Presumptions in Civil Cases ..... 326

**ARTICLE IV. RELEVANCE AND ITS LIMITS .....326**

    Rule 401. Test for Relevant Evidence..... 326

    Rule 402. General Admissibility of Relevant Evidence..... 326

    Rule 403. Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons ..... 326

    Rule 404. Character Evidence; Crimes or Other Acts ..... 327

        (a) Character Evidence. .... 327

            (1) Prohibited Uses. .... 327

            (2) Exceptions for a Defendant or Victim in a Criminal Case..... 327

            (3) Exceptions for a Witness..... 327

        (b) Crimes, Wrongs, or Other Acts..... 327

            (1) Prohibited Uses. .... 327

            (2) Permitted Uses; Notice in a Criminal Case..... 327

    Rule 405. Methods of Proving Character ..... 328



TABLE OF CONTENTS

(a) By Reputation or Opinion ..... 328

(b) By Specific Instances of Conduct ..... 328

Rule 406. Habit; Routine Practice ..... 328

Rule 407. Subsequent Remedial Measures ..... 328

Rule 408. Compromise Offers and Negotiations..... 328

(a) Prohibited uses..... 328

(b) Exceptions..... 329

Rule 409. Offers to Pay Medical and Similar Expenses ..... 329

Rule 410. Pleas, Plea Discussions, and Related Statements..... 329

(a) Prohibited Uses..... 329

(b) Exceptions..... 329

Rule 411. Liability Insurance..... 330

Rule 412. Sex-Offense Cases: The Victim’s Sexual Behavior or Predisposition ..... 330

(a) Prohibited Uses..... 330

(b) Exceptions..... 330

(1) Criminal Cases..... 330

(2) Civil Cases..... 330

(c) Procedure To Determine Admissibility..... 330

(1) Motion..... 330

(2) Hearing ..... 331

(d) Definition of “Victim.” ..... 331

Rule 413. Similar Crimes in Sexual-Assault Cases..... 331

(a) Permitted Uses..... 331

(b) Disclosure to the Defendant ..... 331

(c) Effect on Other Rules. .... 331

(d) Definition of “Sexual Assault.” ..... 331

Rule 414. Similar Crimes in Child-Molestation Cases ..... 332

(a) Permitted Uses..... 332

(b) Disclosure to the Defendant ..... 332

(c) Effect on Other Rules. .... 332

(d) Definition of “Child” and “Child Molestation.” ..... 332

Rule 415. Similar Acts in Civil Cases Involving Sexual Assault or Child Molestation..... 333

(a) Permitted Uses..... 333

(b) Disclosure to the Opponent. .... 333

(c) Effect on Other Rules. .... 333

ARTICLE V. PRIVILEGES ..... 333

Rule 501. Privileges in General ..... 333

Rule 502. Attorney-Client Privilege and Work Product; Limitations on Waiver ..... 333

(a) Disclosure Made in a Federal Proceeding or to a Federal Office or Agency; Scope of a Waiver. .... 333

(b) Inadvertent Disclosure..... 334

(c) Disclosure Made in a State Proceeding..... 334

(d) Controlling Effect of a Court Order..... 334

(e) Controlling Effect of a Party Agreement. .... 334

(f) Controlling Effect of This Rule. .... 334

(g) Definitions ..... 334

ARTICLE VI. WITNESSES..... 335

Rule 601. Competency to Testify in General ..... 335

TABLE OF CONTENTS

Rule 602. Need for Personal Knowledge ..... 335

Rule 603. Oath or Affirmation to Testify Truthfully ..... 335

Rule 604. Interpreter ..... 335

Rule 605. Judge’s Competency as a Witness ..... 335

Rule 606. Juror ..... 335

    (a) At the Trial ..... 335

    (b) During an Inquiry into the Validity of a Verdict or Indictment. .... 335

        (1) Prohibited Testimony or Other Evidence. .... 335

        (2) Exceptions ..... 336

Rule 607. Who May Impeach a Witness ..... 336

Rule 608. A Witness’s Character for Truthfulness or Untruthfulness ..... 336

    (a) Reputation or Opinion Evidence. .... 336

    (b) Specific Instances of Conduct ..... 336

Rule 609. Impeachment by Evidence of a Criminal Conviction ..... 337

    (a) In General ..... 337

    (b) Limit on Using the Evidence After 10 Years. .... 337

    (c) Effect of a Pardon, Annulment, or Certificate of Rehabilitation. .... 337

    (d) Juvenile Adjudications. .... 337

    (e) Pendency of an Appeal ..... 338

Rule 610. Religious Beliefs or Opinions ..... 338

Rule 611. Mode and Order of Examining Witnesses and Presenting Evidence ..... 338

    (a) Control by the Court; Purposes ..... 338

    (b) Scope of Cross-Examination ..... 338

    (c) Leading Questions ..... 338

Rule 612. Writing Used to Refresh a Witness’s Memory ..... 338

    (a) Scope ..... 338

    (b) Adverse Party’s Options; Deleting Unrelated Matter ..... 338

    (c) Failure to Produce or Deliver the Writing ..... 339

Rule 613. Witness’s Prior Statement ..... 339

    (a) Showing or Disclosing the Statement During Examination ..... 339

    (b) Extrinsic Evidence of a Prior Inconsistent Statement. .... 339

Rule 614. Court’s Calling or Examining a Witness ..... 339

    (a) Calling ..... 339

    (b) Examining ..... 339

    (c) Objections ..... 339

Rule 615. Excluding Witnesses ..... 340

ARTICLE VII. OPINIONS AND EXPERT TESTIMONY ..... 340

    Rule 701. Opinion Testimony by Lay Witnesses ..... 340

    Rule 702. Testimony by Expert Witnesses ..... 340

    Rule 703. Bases of an Expert’s Opinion Testimony ..... 340

    Rule 704. Opinion on an Ultimate Issue ..... 341

        (a) In General — Not Automatically Objectionable. .... 341

        (b) Exception. .... 341

    Rule 705. Disclosing the Facts or Data Underlying an Expert’s Opinion ..... 341

    Rule 706. Court-Appointed Expert Witnesses ..... 341

        (a) Appointment Process. .... 341

        (b) Expert’s Role ..... 341

TABLE OF CONTENTS

(c) Compensation ..... 342

(d) Disclosing the Appointment to the Jury..... 342

(e) Parties’ Choice of Their Own Experts. .... 342

ARTICLE VIII. HEARSAY .....342

    Rule 801. Definitions That Apply to This Article; Exclusions from Hearsay ..... 342

    Rule 802. The Rule Against Hearsay ..... 343

    Rule 803. Exceptions to the Rule Against Hearsay — Regardless of Whether the  
         Declarant Is Available as a Witness ..... 344

        (1) Present Sense Impression..... 344

        (2) Excited Utterance..... 344

        (3) Then-Existing Mental, Emotional, or Physical Condition..... 344

        (4) Statement Made for Medical Diagnosis or Treatment..... 344

        (5) Recorded Recollection..... 344

        (6) Records of a Regularly Conducted Activity..... 344

        (7) Absence of a Record of a Regularly Conducted Activity. .... 345

        (8) Public Records. .... 345

        (9) Public Records of Vital Statistics. .... 345

        (10) Absence of a Public Record. .... 346

        (11) Records of Religious Organizations Concerning Personal or Family History. .... 346

        (12) Certificates of Marriage, Baptism, and Similar Ceremonies..... 346

        (13) Family Records..... 346

        (14) Records of Documents That Affect an Interest in Property..... 346

        (15) Statements in Documents That Affect an Interest in Property..... 347

        (16) Statements in Ancient Documents. .... 347

        (17) Market Reports and Similar Commercial Publications..... 347

        (18) Statements in Learned Treatises, Periodicals, or Pamphlets..... 347

        (19) Reputation Concerning Personal or Family History. .... 347

        (20) Reputation Concerning Boundaries or General History. .... 347

        (21) Reputation Concerning Character..... 348

        (22) Judgment of a Previous Conviction. .... 348

        (23) Judgments Involving Personal, Family, or General History, or a Boundary. .... 348

        (24) [Other Exceptions.] ..... 348

    Rule 804. Exceptions to the Rule Against Hearsay — When the Declarant Is Unavailable  
         as a Witness ..... 348

        (a) Criteria for Being Unavailable. .... 348

        (b) The Exceptions..... 349

            (1) Former Testimony..... 349

            (2) Statement Under the Belief of Imminent Death. .... 349

            (3) Statement Against Interest..... 349

            (4) Statement of Personal or Family History..... 350

            (5) [Other Exceptions.]..... 350

            (6) Statement Offered Against a Party That Wrongfully Caused the Declarant’s  
                 Unavailability..... 350

    Rule 805. Hearsay Within Hearsay ..... 350

    Rule 806. Attacking and Supporting the Declarant’s Credibility ..... 350

    Rule 807. Residual Exception..... 351

        (a) In General..... 351

        (b) Notice. .... 351

TABLE OF CONTENTS

ARTICLE IX. AUTHENTICATION AND IDENTIFICATION.....351

    Rule 901. Authenticating or Identifying Evidence..... 351

        (a) In General..... 351

        (b) Examples. .... 351

            (1) Testimony of a Witness with Knowledge..... 351

            (2) Nonexpert Opinion About Handwriting. .... 351

            (3) Comparison by an Expert Witness or the Trier of Fact. .... 351

            (4) Distinctive Characteristics and the Like..... 352

            (5) Opinion About a Voice. .... 352

            (6) Evidence About a Telephone Conversation..... 352

            (7) Evidence About Public Records..... 352

            (8) Evidence About Ancient Documents or Data Compilations..... 352

            (9) Evidence About a Process or System. .... 352

            (10) Methods Provided by a Statute or Rule. .... 352

    Rule 902. Evidence That Is Self-Authenticating ..... 352

        (1) Domestic Public Documents That Are Sealed and Signed. .... 353

        (2) Domestic Public Documents That Are Not Sealed but Are Signed and Certified. .... 353

        (3) Foreign Public Documents. .... 353

        (4) Certified Copies of Public Records. .... 354

        (5) Official Publications..... 354

        (6) Newspapers and Periodicals. .... 354

        (7) Trade Inscriptions and the Like. .... 354

        (8) Acknowledged Documents. .... 354

        (9) Commercial Paper and Related Documents ..... 354

        (10) Presumptions Under a Federal Statute. .... 354

        (11) Certified Domestic Records of a Regularly Conducted Activity. .... 354

        (12) Certified Foreign Records of a Regularly Conducted Activity..... 354

        (13) Certified Records Generated by an Electronic Process or System..... 355

        (14) Certified Data Copied from an Electronic Device, Storage Medium, or File. .... 355

    Rule 903. Subscribing Witness’s Testimony..... 355

ARTICLE X. CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS.....355

    Rule 1001. Definitions That Apply to This Article..... 355

    Rule 1002. Requirement of the Original..... 356

    Rule 1003. Admissibility of Duplicates ..... 356

    Rule 1004. Admissibility of Other Evidence of Content..... 356

    Rule 1005. Copies of Public Records to Prove Content ..... 356

    Rule 1006. Summaries to Prove Content ..... 357

    Rule 1007. Testimony or Statement of a Party to Prove Content..... 357

    Rule 1008. Functions of the Court and Jury ..... 357

ARTICLE XI. MISCELLANEOUS RULES ..... 357

    Rule 1101. Applicability of the Rules..... 357

        (a) To Courts and Judges. .... 357

        (b) To Cases and Proceedings. .... 358

        (c) Rules on Privilege. .... 358

        (d) Exceptions..... 358

        (e) Other Statutes and Rules ..... 358

    Rule 1102. Amendments..... 358

TABLE OF CONTENTS

Rule 1103. Title ..... 358