

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..... 3

        (c) Hearing of jury..... 3

    Rule 104. Preliminary Questions..... 9

        (a) Questions of admissibility generally..... 9

        (b) Relevancy conditioned on fact..... 9

        (c) Hearing of jury..... 9

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

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

    Rule 105. Limited Admissibility..... 11

    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 ..... 23

    Rule 403. Exclusion of Relevant Evidence on Grounds of Prejudice, Confusion, or  
        Waste of Time..... 25

    Rule 404. Character Evidence not Admissible to Prove Conduct; Exception; Other  
        Crimes..... 35

        (a) Character evidence generally..... 35

            (1) Character of accused..... 35

            (2) Character of victim..... 35

            (3) Character of witness..... 35

        (b) Other crimes, wrongs, or acts..... 35

    Rule 405. Methods of Proving Character..... 57

        (a) Reputation or opinion..... 57

        (b) Specific instances of conduct..... 57

    Rule 406. Habit; Routine Practice ..... 58

    Rule 407. Subsequent Remedial Measures ..... 59

TABLE OF CONTENTS

Rule 408. Compromise and Offers to Compromise ..... 61

Rule 409. Payment of Medical and Similar Expenses ..... 62

Rule 410. Inadmissibility of Pleas, Plea Discussions, and Related Statements ..... 63

Rule 411. Liability Insurance ..... 65

Rule 412. Admissibility of Evidence Concerning Victim’s Sexual Conduct in  
Criminal Sexual Conduct Cases ..... 67

ARTICLE V. PRIVILEGES ..... 67

    Rule 501. General Rule ..... 67

ARTICLE VI. WITNESSES ..... 69

    Rule 601. Competency ..... 69

        (a) General Rule. .... 69

        (b) Disqualification of a witness. .... 69

    Rule 602. Lack of Personal Knowledge ..... 72

    Rule 603. Oath or Affirmation ..... 73

    Rule 604. Interpreters ..... 73

    Rule 605. Competency of Judge as Witness ..... 74

    Rule 606. Competency of Juror as Witness ..... 74

        (a) At the trial ..... 74

        (b) Inquiry into validity of verdict or indictment ..... 75

    Rule 607. Who May Impeach ..... 77

    Rule 608. Evidence of Character, Conduct and Bias of Witness ..... 78

        (a) Opinion and reputation evidence of character. .... 78

        (b) Specific instances of conduct. .... 78

        (c) Evidence of Bias. .... 79

    Rule 609. Impeachment by Evidence of Conviction of Crime ..... 84

        (a) General rule. .... 84

        (b) Time limit ..... 85

        (c) Effect of pardon, annulment, or certificate of rehabilitation or other equivalent  
        procedure ..... 85

        (d) Juvenile adjudications ..... 85

        (e) Pendency of appeal. .... 86

    Rule 610. Religious Beliefs or Opinions ..... 99

    Rule 611. Mode and Order of Interrogation and Presentation ..... 100

        (a) Control by court ..... 100

        (b) Scope of cross-examination. .... 100

        (c) Leading questions. .... 100

        (d) Re-examination and recall. .... 100

    Rule 612. Writing Used to Refresh Memory ..... 104

    Rule 613. Prior Statements of Witnesses ..... 105

        (a) Examining witness concerning prior statement. .... 105

        (b) Extrinsic evidence of prior inconsistent statement of witness. .... 105

    Rule 614. Calling and Interrogation of Witnesses by Court ..... 108

        (a) Calling by court ..... 108

        (b) Interrogation by court ..... 108

    Rule 615. Exclusion of Witnesses ..... 109

ARTICLE VII. OPINIONS AND EXPERT TESTIMONY ..... 111

    Rule 701. Opinion Testimony by Lay Witnesses ..... 111

TABLE OF CONTENTS

Rule 702. Testimony by Experts.....114  
Rule 703. Bases of Opinion Testimony by Experts ..... 134  
Rule 704. Opinion on Ultimate Issue..... 138  
Rule 705. Disclosure of Facts or Data Underlying Expert Opinion ..... 140  
ARTICLE VIII. HEARSAY ..... 140  
Rule 801. Definitions ..... 140  
    (a) Statement. ....141  
    (b) Declarant. ....141  
    (c) Hearsay.....141  
    (d) Statements which are not hearsay. ....141  
        (1) Prior statement by witness.....141  
        (2) Admission by party-opponent .....141  
Rule 802. Hearsay Rule ..... 152  
Rule 803. Hearsay Exceptions; Availability of Declarant Immaterial ..... 154  
    (1) Present sense impression. .... 154  
    (2) Excited utterance. .... 154  
    (3) Then existing mental, emotional, or physical condition. .... 154  
    (4) Statements for purposes of medical diagnosis or treatment. ....155  
    (5) Recorded recollection. ....155  
    (6) Records of regularly conducted activity.....155  
    (7) Absence of entry in records kept in accordance with the provisions of  
        subsection. ....156  
    (8) Public Records and Reports.....156  
    (9) Records of vital statistics. ....156  
    (10) Absence of public record or entry. ....156  
    (11) Records of religious organizations.....157  
    (12) Marriage, baptismal, and similar certificates. ....157  
    (13) Family records. ....157  
    (14) Records of documents affecting an interest in property.....157  
    (15) Statements in documents affecting an interest in property. ....157  
    (16) Statements in ancient documents. ....157  
    (17) Market reports, commercial publications..... 158  
    (18) Learned treatises..... 158  
    (19) Reputation concerning personal or family history..... 158  
    (20) Reputation concerning boundaries or general history. .... 158  
    (21) Reputation as to character. .... 158  
    (22) Judgment of previous conviction. .... 158  
    (23) Judgment as to personal, family or general history, or boundaries.....159  
Rule 804. Hearsay Exceptions; Declarant Unavailable..... 174  
    (a) Definition of unavailability. .... 174  
    (b) Hearsay exceptions.....175  
        (1) Former testimony. ....175  
        (2) Statement under belief of impending death.....176  
        (3) Statement against interest. ....176  
        (4) Statement of personal or family history.....176  
Rule 805. Hearsay Within Hearsay ..... 182  
Rule 806. Attacking and Supporting Credibility of Declarant..... 183

TABLE OF CONTENTS

ARTICLE IX. AUTHENTICATION AND IDENTIFICATION..... 183

    Rule 901. Requirement of Authentication or Identification ..... 183

        (a) General provision. .... 183

        (b) Illustrations..... 184

            (1) Testimony of witness with knowledge. .... 184

            (2) Nonexpert opinion on handwriting. .... 184

            (3) Comparison by trier or expert witness. .... 184

            (4) Distinctive characteristics and the like. .... 184

            (5) Voice identification..... 184

            (6) Telephone conversations..... 184

            (7) Public records or reports..... 184

            (8) Ancient documents or data compilation. .... 185

            (9) Process or system. .... 185

            (10) Methods provided by statute or rule..... 185

    Rule 902. Self-Authentication ..... 194

        (1) Domestic public documents under seal. .... 194

        (2) Domestic public documents not under seal. .... 194

        (3) Foreign public documents. .... 194

        (4) Certified copies of public records. .... 195

        (5) Official publications..... 195

        (6) Newspapers and periodicals. .... 195

        (7) Trade inscriptions and the like. .... 195

        (8) Acknowledged documents..... 196

        (9) Commercial paper and related documents. .... 196

        (10) Presumptions under statutes. .... 196

    Rule 903. Subscribing Witness’ Testimony Unnecessary ..... 198

ARTICLE X. CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS.. 198

    Rule 1001. Definitions..... 198

        (1) Writings and recordings..... 198

        (2) Photographs. .... 199

        (3) Original..... 199

        (4) Duplicate..... 199

    Rule 1002. Requirement of Original ..... 201

    Rule 1003. Admissibility of Duplicates ..... 202

    Rule 1004. Admissibility of Other Evidence of Contents..... 202

        (1) Originals lost or destroyed. .... 203

        (2) Original not obtainable. .... 203

        (3) Original in possession of opponent. .... 203

        (4) Collateral matters. .... 203

    Rule 1005. Public Records ..... 204

    Rule 1006. Summaries ..... 204

    Rule 1007. Testimony or Written Admission of Party ..... 205

    Rule 1008. Functions of Court and Jury ..... 206

ARTICLE XI. MISCELLANEOUS RULES ..... 206

    Rule 1101. Applicability of Rules..... 206

        (a) Courts and Judges..... 206

        (b) Proceedings Generally..... 206

TABLE OF CONTENTS

(c) Rule of privilege.....	207
(d) Rules inapplicable.....	207
(1) Preliminary questions of fact.....	207
(2) Grand jury. ....	207
(3) Miscellaneous proceedings.....	207
Rule 1102. Amendments .....	209
Rule 1103. Title and Effective Date .....	209
(a) Title. ....	209
(b) Effective Date.....	209
EVIDENCE MISCELLANEOUS ANNOTATIONS .....	210
<b>CHAPTER 2 - SELECT CONSTITUTIONAL PROVISIONS.....</b>	<b>213</b>
<i>CONSTITUTION of the UNITED STATES of AMERICA.....</i>	<i>213</i>
AMENDMENT 4 SEARCHES AND SEIZURES .....	213
AMENDMENT 5 GRAND JURY INDICTMENT; DOUBLE JEOPARDY; SELF- INCRIMINATION; DUE PROCESS OF LAW; JUST COMPENSATION .....	213
AMENDMENT 6 JURY TRIAL; NATURE OF ACCUSATION; CONFRONTATION OF WITNESSES; ASSISTANCE OF COUNSEL.....	213
<i>SOUTH CAROLINA CONSTITUTION .....</i>	<i>215</i>
ART. 1, § 3 PRIVILEGES AND IMMUNITIES; DUE PROCESS; EQUAL PROTECTION OF LAWS .....	215
ART. 1, § 4 ATTAINDER; EX POST FACTO LAWS; TITLES; EFFECT OF CONVICTION .....	215
ART. 1, § 9 COURTS PUBLIC; SPEEDY REMEDY .....	215
ART. 1, § 10 SEARCHES AND SEIZURES; INVASIONS OF PRIVACY; WARRANTS UPON PROBABLE CAUSE .....	215
ART. 1, § 11 PRESENTMENT OR INDICTMENT .....	215
ART. 1, § 12 DOUBLE JEOPARDY; SELF-INCRIMINATION .....	216
ART. 1, § 13 TAKING PRIVATE PROPERTY .....	216
ART. 1, § 14 TRIAL BY JURY; WITNESSES; SPEEDY TRIAL; IMPARTIAL JURY; DEFENSE .....	216
ART. 1, § 15 RIGHT OF BAIL; EXCESSIVE BAIL; CRUEL, UNUSUAL OR CORPORAL PUNISHMENT; DETENTION OF WITNESSES.....	217
ART. 1, § 16 LIBEL .....	217
ART. 1, § 17 TREASON .....	217
ART. 1, § 22 PROCEDURE BEFORE ADMINISTRATIVE AGENCIES; RIGHT TO JUDICIAL REVIEW .....	217
ART. 5, § 4A SUBMISSION OF SUPREME COURT RULES TO JUDICIARY COMMITTEES; DISAPPROVAL BY GENERAL ASSEMBLY .....	218
ART. 5, § 21 CHARGE TO JURY .....	218

TABLE OF CONTENTS

**CHAPTER 3 - SELECT EVIDENTIARY STATUTES ..... 219**

TITLE 1. ADMINISTRATION OF THE GOVERNMENT..... 219

ATTORNEY GENERAL AND SOLICITORS..... 219

    1-7-50. Defense of actions against public officers and employees. .... 219

    1-7-60. Investigation required prior to defense of actions against public officers and employees; effect of insurance. .... 219

    1-7-70. Information obtained pursuant to Sections 1-7-50 and 1-7-60 shall be confidential and inadmissible as evidence. .... 219

PROVISIONS AFFECTING ATTORNEY GENERAL AND SOLICITORS..... 219

    1-7-710. Defense of persons claiming under State. .... 219

ADMINISTRATIVE PROCEDURES ..... 220

    1-23-320. Notice and hearing in contested case; depositions; subpoenas; informal disposition; content of record. .... 220

    1-23-330. Evidentiary matters in contested cases. .... 220

    1-23-380. Judicial review upon exhaustion of administrative remedies. .... 221

SOUTH CAROLINA ADMINISTRATIVE LAW COURT ..... 222

    1-23-600. Hearings and proceedings. .... 222

    1-23-610. Judicial review of final decision of administrative law judge; stay of enforcement of decision. .... 225

TITLE 2. GENERAL ASSEMBLY ..... 226

LOBBYISTS AND LOBBYING ..... 226

    2-17-140. Groundless allegations of violations to be stricken from public record; penalties for wilful filing of groundless complaint. .... 226

JOINT COMMITTEE TO REVIEW CANDIDATES FOR OFFICES ELECTED BY THE GENERAL ASSEMBLY..... 226

    2-19-60. Powers of committee. .... 226

INTERNAL SECURITY COMMITTEE ..... 226

    2-31-30. Powers. .... 226

SUBPOENAS AND SUBPOENAS DUCES TECUM ..... 227

    2-69-30. Authority of committee to administer oaths and affirmations, take depositions, and receive testimony and evidence. .... 227

    2-69-50. Requests for protective order; receipt of evidence in executive session. .... 227

    2-69-60. Issuance by court of common pleas of order requiring obedience to subpoena; punishment of disobedience as contempt..... 227

TITLE 4. COUNTIES ..... 228

CHANGE OF BOUNDARIES ..... 228

    4-5-210. Protests or contests; appeals. .... 228

CREATION OF NEW COUNTIES AND CONSOLIDATION OF COUNTIES ..... 228

    4-7-120. Election protests or contests. .... 228

CLAIMS AGAINST COUNTIES ..... 228

    4-13-60. Custody of claim; withdrawal from custody. .... 228

COUNTY PLANNING - COUNTY PLANNING COMMISSIONS ..... 228

    4-27-640. Effect of findings of fact by commission. .... 228

TABLE OF CONTENTS

TITLE 5. MUNICIPAL CORPORATIONS ..... 229

GENERAL STRUCTURE, ORGANIZATION, POWERS, DUTIES, FUNCTIONS  
AND RESPONSIBILITIES OF ALL MUNICIPALITIES ..... 229

5-7-90. Trial of persons charged with violations of ordinances of municipality or  
laws of State. .... 229

5-7-100. Investigations of departments of municipal government by governing body;  
compelling attendance of witnesses; subpoenas; contempt..... 229

5-7-210. Council as judge of election and qualifications of its members and of  
grounds for forfeiture of their office. .... 229

ZONING AND PLANNING - ZONING ..... 230

5-23-160. Hearing and decision on appeal. .... 230

TITLE 6. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO SPECIAL  
PURPOSE DISTRICTS AND OTHER POLITICAL SUBDIVISIONS ..... 230

SOLID WASTE DISPOSAL RESOURCE RECOVERY FACILITIES ACT..... 230

6-16-50. Representatives to joint agency; application to Secretary of State;  
Secretary to examine application; corporate certificate; agency deemed  
valid. .... 230

JOINT MUNICIPAL ELECTRIC POWER AND ENERGY ACT ..... 230

6-23-50. Formation of joint agency; certificate as proof of existence. .... 230

TITLE 7. ELECTIONS ..... 231

CANVASS OF VOTE; CERTIFICATES AND RECORDS OF RESULTS - COUNTY  
BOARDS OF CANVASSERS..... 231

7-17-50. Hearings on protests or contests. .... 231

7-17-70. Hearing of appeals..... 231

7-17-270. Hearing of protest or contest; procedure at hearing; notice of decision;  
appeals..... 231

7-17-530. Hearing by county executive committee..... 232

7-17-570. Procedure for hearing protest or contest; notice of decision..... 232

TITLE 12. TAXATION..... 232

STAMP AND BUSINESS LICENSE ACT- COLLECTION AND ENFORCEMENT  
GENERALLY ..... 232

12-21-2980. Possession of unstamped goods as prima facie evidence of violation. .... 232

THE MARIJUANA AND CONTROLLED SUBSTANCE TAX ACT ..... 233

12-21-5050. Dealer not to possess taxed marijuana or controlled substance  
without evidence that tax was paid..... 233

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. .... 233

ROAD TAX ON MOTOR CARRIERS - PENALTIES..... 233

12-33-610. Person possessing mixture for production of alcohol liable for tax; rate;  
possession as prima facie evidence of nonpayment. .... 233

ALTERNATE PROCEDURE FOR COLLECTION OF PROPERTY TAXES..... 233

12-51-160. Deed as evidence of good title; statute of limitations..... 233

TABLE OF CONTENTS

FORFEITED LANDS - TITLES TO LANDS FORFEITED PRIOR TO DECEMBER  
 24, 1887 RENOUNCED ..... 233  
 12-59-310. Title of State by forfeiture prior to 1887 renounced..... 233  
 TITLE 14. COURTS..... 234  
 JURIES AND JURORS IN CIRCUIT COURTS - STATE GRAND JURY SYSTEM..... 234  
 14-7-1760. Evidence given or information derived from evidence not to be received  
 against witness in criminal prosecution; waiver of immunity; perjury. .... 234  
 TITLE 15. CIVIL REMEDIES AND PROCEDURES ..... 234  
 LIMITATION OF CIVIL ACTIONS - GENERAL PROVISIONS..... 234  
 15-3-120. Effect of new promises in writing or part payments..... 234  
 15-3-130. Suits on causes saved from bar of statute by part payment or written  
 acknowledgment. .... 235  
 VERDICTS ..... 235  
 15-33-125. Limitations on granting of new trial. .... 235  
 15-33-135. Punitive damages: burden of proof..... 235  
 EXECUTIONS AND JUDICIAL SALES GENERALLY - GENERAL PROVISIONS..... 235  
 15-39-330. Examination of witnesses and debtor..... 235  
 ABATEMENT OF NUISANCES ..... 235  
 15-43-30. Temporary injunction..... 235  
 15-43-40. Trial; evidence of general reputation. .... 236  
 DEATH BY WRONGFUL ACT AND LYNCHING ..... 236  
 15-51-42. Approval of settlements of wrongful death or survival actions. .... 236  
 SUITS INVOLVING MISCELLANEOUS ACTS OF WRONGFUL CONDUCT ..... 237  
 15-75-10. Imputation of want of chastity to female..... 237  
 TITLE 16. CRIMES AND OFFENSES..... 237  
 OFFENSES AGAINST PERSON - DUELING ..... 237  
 16-3-440. Principal or second shall be compelled to give testimony. .... 237  
 ASSAULT AND CRIMINAL SEXUAL CONDUCT ..... 237  
 16-3-659.1. Criminal sexual conduct: admissibility of evidence concerning victim’s  
 sexual conduct..... 237  
 16-3-670. Procedure for taking deposition. .... 238  
 SEXUAL PERFORMANCE BY CHILDREN..... 238  
 16-3-840. Methods of judicial determination of age of child. .... 238  
 FORGERY, LARCENY, EMBEZZLEMENT, FALSE PRETENSES AND CHEATS..... 238  
 16-13-120. Shoplifting; presumptions from concealment of unpurchased goods. .... 238  
 16-13-220. Embezzlement of public funds; presumption on proof of failure to  
 account for receipts. .... 239  
 16-13-331. Unauthorized removal or concealment of library property prohibited;  
 penalty..... 239  
 16-13-385. Altering, tampering with or bypassing electric, gas or water meters. .... 239  
 FINANCIAL TRANSACTION CARD CRIME ACT ..... 240  
 16-14-30. Possession of two or more cards issued to other persons prima facie  
 evidence of violation..... 240



TABLE OF CONTENTS

16-14-50. Possession of two or more cards falsely made or embossed prima facie evidence of violation..... 240

OFFENSES INVOLVING MOTOR VEHICLE TITLES ..... 240

    16-21-150. Admissibility of evidence of prior similar acts. .... 240

CRIMINAL DOMESTIC VIOLENCE - ..... 240

GENERAL PROVISIONS ..... 240

    16-25-70. Warrantless arrest or search; admissibility of evidence. .... 240

TITLE 17. CRIMINAL PROCEDURE..... 242

GENERAL PROVISIONS ..... 242

    17-1-40. After discharge, dismissal or finding of innocence, criminal records must be destroyed. .... 242

CORONERS AND MEDICAL EXAMINERS - MEDICAL EXAMINERS..... 242

    17-5-280. Records to be kept in office of medical examiner; index; copies; admissibility in evidence. .... 242

AUTOPSIES AND INQUEST ON THE DEAD - ..... 242

AUTOPSIES, PRELIMINARY EXAMINATIONS AND INQUESTS ..... 242

    17-7-30. Findings on preliminary examination and filing of evidence. .... 242

    17-7-330. Books of inquisitions. .... 242

BAIL AND RECOGNIZANCES ..... 243

    17-15-60. Rules of evidence are inapplicable. .... 243

PLEADING AND TRIAL..... 243

    17-23-175. Admissibility of out-of-court statement of child under twelve; determination of trustworthiness; notice to adverse party. .... 243

MENTALLY ILL OR INSANE DEFENDANTS ..... 244

    17-24-10. Affirmative defense..... 244

    17-24-20. Guilty but mentally ill; general requirements for verdict. .... 244

JUDGMENT AND EXECUTION - ENFORCEMENT AND EXECUTION ..... 244

    17-25-325. Enforcement and execution of judgment in criminal case; findings supported by evidence..... 244

    17-25-326. Alteration, modification or rescission of order; petition upon good cause; preponderance of evidence..... 245

UNIFORM POST-CONVICTION PROCEDURE ACT ..... 245

    17-27-20. Persons who may institute proceeding; exclusiveness of remedy. .... 245

    17-27-50. Form and contents of application. .... 245

    17-27-80. Hearing on application; final judgment..... 245

TITLE 18. APPEALS ..... 246

APPEALS TO CIRCUIT AND COUNTY COURTS IN OTHER CASES - ..... 246

GENERAL PROVISIONS ..... 246

    18-7-110. Offer to allow judgment on appeal. .... 246

APPEALS TO SUPREME COURT ..... 246

    18-9-280. Written opinions required; memorandum opinions..... 246

TABLE OF CONTENTS

TITLE 19. EVIDENCE..... 246

GENERAL PROVISIONS ..... 246

    19-1-10. Rules of construction. .... 246

    19-1-20. “Clerk” defined..... 246

    19-1-30. Pleading shall not be evidence against accused. .... 247

    19-1-60. Request for admission of authenticity of documents and other papers. .... 247

    19-1-70. Proof of negligence by plaintiff in certain motor vehicle cases. .... 247

    19-1-80. Conditions on examination of witness in criminal proceeding concerning  
    written statement made to public employee..... 247

    19-1-90. Admissibility in criminal proceeding of written statement made to public  
    employee. .... 247

    19-1-100. No statement shall be used for impeachment in civil proceeding unless  
    copy furnished when signed. .... 247

    19-1-110. Introduction of certain instruments or copies thereof issued by common  
    carriers. .... 248

    19-1-120. Proving signature of absent witness to bond or note; effect of sworn  
    denial of signature. .... 248

    19-1-130. Situations in which notary’s protest is sufficient evidence. .... 248

    19-1-140. Use of testimony in subsequent trials when witness is in armed forces. .... 248

    19-1-150. Life expectancy tables..... 248

    19-1-160. Non-sealed instruments may be considered as sealed..... 250

    19-1-180. Out-of-court statements by certain children. .... 250

    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..... 251

PROOF OF ORDINANCES AND LAWS ..... 253

    19-3-10. Proof of ordinances of municipalities. .... 253

UNIFORM JUDICIAL NOTICE OF FOREIGN LAW ACT..... 253

    19-3-110. Short title. .... 253

    19-3-120. Judicial notice of laws of other United States jurisdictions. .... 253

    19-3-130. Means by which court may inform itself of other United States laws. .... 253

    19-3-140. Court shall determine other United States laws. .... 253

    19-3-150. Parties may also present evidence of other United States laws; notice. .... 253

    19-3-160. Proof of laws of other jurisdictions..... 254

    19-3-170. No evidence of foreign law shall be received or noticed judicially unless  
    pleaded..... 254

    19-3-180. Rule of construction..... 254

PUBLIC DOCUMENTS, RECORDS AND BOOKS ..... 254

    19-5-10. Admissibility of certified copies or certified photostatic copies of  
    documents..... 254

    19-5-20. Notice required under Section 19-5-10..... 254

    19-5-30. Admissibility of photostatic or certified copies of certain motor vehicle  
    records. .... 254

    19-5-40. Admissibility of certified photographic copy of instrument or record  
    pertaining to business or government when original is lost or destroyed. .... 255

    19-5-50. Evidence of appointment of executors or administrators. .... 255

## TABLE OF CONTENTS

19-5-60. Production of instruments required to be recorded as evidence of execution and recording. ....	255
19-5-70. Applicability of foregoing section when fraud is alleged. ....	255
FOREIGN DOCUMENTS.....	255
19-5-210. Admissibility of certified copies of grants issued by North Carolina.....	255
19-5-220. Proof of various instruments.....	255
19-5-230. Foreign evidences of debt shall be admissible only on basis of reciprocity. ....	256
REPORTS AS TO MISSING PERSONS .....	256
19-5-310. Effect of finding of presumed death under Federal Missing Persons Act. ..	256
19-5-320. Effect of report that person is missing, besieged, captured by the enemy or the like. ....	256
19-5-330. Signature of reports or copies shall prima facie be deemed authorized.....	256
MEDICAL OR SCIENTIFIC BOOKS .....	257
19-5-410. Competency and admissibility of medical or scientific books. ....	257
BUSINESS RECORDS .....	257
19-5-510. Uniform Business Records as Evidence Act. ....	257
19-5-520. Certified business records.....	257
PHOTOGRAPHIC COPIES.....	257
19-5-610. Uniform Photographic Copies of Business and Public Records as Evidence Act. ....	257
COMPELLING ATTENDANCE OF WITNESSES.....	258
19-7-50. Means by which prisoners shall be brought into court as witnesses. ....	258
19-7-60. Process to compel attendance of criminal defendant’s witnesses; sanctions for disobedience. ....	258
OUT-OF-STATE WITNESSES .....	258
19-9-10. Short title. ....	258
19-9-20. Definitions.....	258
19-9-30. Holding of hearing when resident is wanted as witness in another state. ....	259
19-9-40. Ordering resident witness to attend out-of-State proceedings. ....	259
19-9-50. Delivery of witness to custody of officer of requesting state. ....	259
19-9-60. Penalty for failure to attend as witness out of state. ....	259
19-9-70. Request by this State for witness from reciprocating state. ....	259
19-9-80. Costs and fees paid to non-resident witness. ....	260
19-9-90. Limit on time non-resident witness may be kept in State. ....	260
19-9-100. Penalty for failure to attend as witness in this State. ....	260
19-9-110. Non-resident witness shall not be subject to arrest or service of process....	260
19-9-120. Witnesses passing through State shall not be subject to arrest or service of process. ....	260
19-9-130. Rule of construction.....	260
COMPETENCY OF WITNESSES.....	260
19-11-10. Competency of parties as witnesses. ....	260
19-11-20. “Dead man’s” statute. ....	261
19-11-25. Presumed competency of children as witnesses.....	261
19-11-30. Competency of husband or wife of party as witness.....	261
19-11-40. Interest in action shall not disqualify witness.....	261

TABLE OF CONTENTS

19-11-50. Testimony of defendant in criminal cases..... 261

19-11-60. Person convicted and sentenced for crime may testify. .... 262

19-11-70. Testimony of survivors of parties to a transaction which is attacked on  
grounds of fraud. .... 262

19-11-80. Privilege against self-incrimination. .... 262

19-11-90. Priest-penitent privilege..... 262

19-11-95. Confidences of patients of mental illness or emotional conditions. .... 262

19-11-100. Qualified privilege against disclosure for news media; waiver. .... 264

PERPETUATION OF EVIDENCE ..... 264

19-21-10. Substituting new records for lost, destroyed or abstracted records of  
decrees and judgments. .... 264

19-21-20. Perpetuation of testimony as to lost, destroyed or defective instruments... 265

19-21-30. Issuance of orders in action to perpetuate testimony..... 265

19-21-40. Recordation and force and effect of perpetuated testimony..... 265

19-21-50. Proof of lost papers other than by perpetuation of testimony. .... 265

19-21-60. Costs. .... 265

TITLE 22. MAGISTRATES AND CONSTABLES..... 266

JURISDICTION AND PROCEDURE IN MAGISTRATES' COURTS -..... 266

PROVISIONS APPLICABLE TO BOTH CIVIL AND CRIMINAL CASES..... 266

22-3-930. Compelling attendance of witnesses and the giving of testimony. .... 266

22-3-940. Magistrates empowered to take testimony *de bene esse*. .... 266

TITLE 23. LAW ENFORCEMENT AND PUBLIC SAFETY..... 267

CHAPTER 31. FIREARMS ..... 267

ARTICLE 6. USING A FIREARM WHILE UNDER THE INFLUENCE OF  
ALCOHOL OR A CONTROLLED SUBSTANCE ..... 267

23-31-410. Blood and urine testing. .... 267

23-31-415. Testing following death or serious personal injury; effect of refusal;  
evidentiary use. .... 267

23-31-420. Presumptions. .... 268

SOUTH CAROLINA HAZARDOUS SUBSTANCES ACT ..... 268

23-39-110. Access to records of shipment. .... 268

ARSON REPORTING-IMMUNITY ACT ..... 269

23-41-30. Release of information by insurance company. .... 269

TITLE 24. CORRECTIONS, JAILS, PROBATIONS, PAROLES AND PARDONS  
PROBATION, PAROLE AND PARDON..... 269

- EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PROBATION, PAROLE,  
AND PARDON SERVICES; PROBATION OFFICERS..... 269

24-21-290. Information received by probation agents privileged. .... 269

PARDONS; COMMUTATION OF DEATH SENTENCES ..... 270

24-21-990. Civil rights restored upon pardon. .... 270

TABLE OF CONTENTS

TITLE 25. MILITARY, CIVIL DEFENSE AND VETERANS AFFAIRS MILITARY  
CODE - ..... 270  
CODE OF MILITARY JUSTICE FOR THE NATIONAL GUARD..... 270  
25-1-2665. Compulsory self-incrimination prohibited; informing accused of rights;  
evidence; admissibility. .... 270  
25-1-2690. Evidentiary rules..... 270  
25-1-2760. Admissibility of records of courts of inquiry. .... 270  
SOUTH CAROLINA RESIDENTIAL LANDLORD AND TENANT ACT - ..... 271  
GENERAL DEFINITIONS AND PRINCIPLES INTERPRETATION; NOTICE ..... 271  
27-40-230. Unconscionability..... 271  
TITLE 27. PROPERTY AND CONVEYANCES ..... 271  
REMOVAL OF ABANDONED CEMETERIES ..... 271  
27-43-40. Evidence of abandonment..... 271  
TITLE 28. EMINENT DOMAIN ..... 271  
THE EMINENT DOMAIN PROCEDURE ACT - ..... 271  
TRIAL OF CONDEMNATION ACTIONS..... 271  
28-2-330. Rules of evidence. .... 271  
28-2-340. Evidence which may be admitted in trials of condemnation actions;  
inspection of property. .... 271  
28-2-500. Amount deposited with or withdrawn from clerk of court not relevant  
evidence. .... 272  
TITLE 30. PUBLIC RECORDS RECORDING GENERALLY..... 272  
30-5-220. Use of photostatic or photo recording in any county. .... 272  
RECORDING OF DEEDS AND DOCUMENTS OF RAILROADS..... 272  
30-11-50. Effect of certified copy of recorded instrument. .... 272  
TITLE 32. CONTRACTS AND AGENTS CONTRACTS FOR FUTURE  
DELIVERY ..... 273  
32-1-270. Statements to be furnished by agents; effect of failure to furnish. .... 273  
TITLE 33. CORPORATIONS, PARTNERSHIPS AND ASSOCIATIONS ..... 273  
GENERAL PROVISIONS - ..... 273  
FILING DOCUMENTS..... 273  
33-1-270. Evidentiary effect of copy of filed document. .... 273  
NONPROFIT CORPORATIONS GENERALLY - GENERAL PROVISIONS..... 273  
33-31-127. Evidentiary effect of copy of filed document. .... 273  
UNIFORM PARTNERSHIP ACT - NATURE OF PARTNERSHIP..... 273  
33-41-220. Determining existence of partnership..... 273  
33-41-330. Admission or representation by partner as evidence..... 274  
RELATION OF PARTNERS TO ONE ANOTHER..... 274  
33-41-560. Continuation of partnership beyond fixed term or particular  
undertaking. .... 274  
MARKETING COOPERATIVE ASSOCIATIONS - ..... 274  
ARTICLES OF INCORPORATION AND AMENDMENTS; POWERS..... 274  
33-47-220. Execution and filing of articles; effect thereof. .... 274

TABLE OF CONTENTS

TITLE 34. BANKING, FINANCIAL INSTITUTIONS AND MONEY BANKS AND  
 BANKING GENERALLY - ..... 275

RETENTION OF RECORDS ..... 275

    34-3-540. Copies and reproductions of bank records; admissibility in evidence. .... 275

BANK DEPOSITS ..... 275

    34-11-60. Drawing and uttering fraudulent check, draft or other written order ..... 275

    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. . 276

CHAPTER 26. SOUTH CAROLINA CREDIT UNION ACT ..... 277

ARTICLE 2. SUPERVISION AND REGULATION ..... 277

    34-26-250. Duty of credit union to maintain books, records, accounting systems,  
         and procedures. .... 277

SAVINGS ASSOCIATIONS - ..... 277

CORPORATE ADMINISTRATION ..... 277

    34-28-450. Books, records, and accounting practices. .... 277

CONSUMER FINANCE LAW ..... 277

    34-29-210. Appointment of Director as agent for service of process. .... 277

TITLE 35. SECURITIES ..... 277

UNIFORM SECURITIES ACT - GENERAL PROVISIONS ..... 277

    35-1-130. Copies of records; use as evidence. .... 277

ENFORCEMENT, REMEDIES, LIABILITIES AND PENALTIES ..... 278

    35-1-1470. Immunity of witness compelled to give evidence. .... 278

TITLE 36. COMMERCIAL CODE ..... 278

GENERAL DEFINITIONS AND PRINCIPLES OF INTERPRETATION ..... 278

    36-1-201. Definitions. .... 278

    36-1-307. Prima facie evidence by third party documents. .... 278

COMMERCIAL CODE - SALES - ..... 278

FORM, FORMATION AND READJUSTMENT OF CONTRACT ..... 278

    36-2-202. Final written expression; parol or extrinsic evidence. .... 278

GENERAL OBLIGATION AND CONSTRUCTION OF CONTRACT ..... 279

    36-2-302. Unconscionable contract or clause. .... 279

    36-2-326. Sale on approval and sale or return; consignment sales and rights of  
         creditors. .... 279

PERFORMANCE ..... 279

    36-2-515. Preserving evidence of goods in dispute. .... 279

REMEDIES ..... 280

    36-2-723. Proof of market price; time and place. .... 280

    36-2-724. Admissibility of market quotations. .... 280

TITLE 37. CONSUMER PROTECTION CODE ..... 281

GENERAL PROVISIONS - DEFINITIONS ..... 281

    37-1-301. General Definitions. .... 281

TABLE OF CONTENTS

ADMINISTRATION - ..... 281

ADMINISTRATIVE PROCEDURE AND JUDICIAL REVIEW ..... 281

    37-6-411. Rules of evidence; official notice..... 281

MISCELLANEOUS LOAN PROVISIONS ..... 281

    37-10-105. Violations; civil actions..... 281

TITLE 38. INSURANCE..... 282

INSURANCE COMMISSION AND THE DEPARTMENT OF INSURANCE ..... 282

    38-3-220. Certificates and papers of Commissioner as evidence. .... 282

    38-3-230. Commissioner’s certificate as evidence of authority to do business. .... 282

AUTHORITY TO TRANSACT BUSINESS ..... 282

    38-5-70. Appointment of director as attorney for service of process..... 282

HEALTH MAINTENANCE ORGANIZATIONS ..... 282

    38-33-260. Confidentiality of health records. .... 282

TRADE PRACTICES ..... 282

    38-57-220. Immunity from prosecution. .... 282

PROPERTY, CASUALTY, INLAND MARINE, AND SURETY ..... 283

RATES AND RATE-MAKING ORGANIZATIONS - ..... 283

GENERAL PROVISIONS ..... 283

    38-73-130. Hearing procedure; judicial review..... 283

AUTOMOBILE INSURANCE - ..... 283

MANDATE TO WRITE AND INSURANCE COVERAGE ..... 283

    38-77-120. Requirements for notice of cancellation of or refusal to renew policy..... 283

    38-77-150. Uninsured motorist provision; defense of action by insurer; subrogation  
    and assignment of benefits. .... 284

    38-77-160. Additional uninsured motorist coverage; underinsured motorist  
    coverage. .... 284

TITLE 39. TRADE AND COMMERCE..... 285

TRUSTS, MONOPOLIES AND RESTRAINTS OF TRADE - ..... 285

INVESTIGATIONS AND DISCOVERY IN AID OF ANTITRUST LAWS OR  
OTHER VIOLATIONS OF CORPORATIONS..... 285

    39-3-350. Testimony may be compelled; immunity of witness..... 285

UNFAIR TRADE PRACTICES - GENERAL PROVISIONS ..... 285

    39-5-140. Actions for damages..... 285

AGRICULTURAL OR HORTICULTURAL BRANDS OR MARKS ..... 286

    39-15-430. Issuance of certificate; fees; admissibility of certificate as evidence. .... 286

    39-15-450. Effect of use of brand or mark..... 286

    39-15-470. Purchase or receipt of containers marked or branded from other than  
    registered owner..... 286

    39-15-480. Unauthorized possession of marked or branded containers..... 286

    39-15-490. Effect of refusal to deliver containers to lawful owner. .... 286

## TABLE OF CONTENTS

MILK AND MILK PRODUCTS MARKETING - .....	287
BOTTLES, CANS AND OTHER CONTAINERS .....	287
39-33-1530. Possession of milk can without consent shall be presumptive evidence of unlawful trafficking. ....	287
BUTTER AND CHEESE IMITATIONS - .....	287
GENERAL PROVISIONS .....	287
39-35-80. Penalties; certificate of analysis shall be prima facie evidence. ....	287
ELECTRIC STORAGE BATTERIES.....	287
39-49-60. Unauthorized retention of marked battery of another; demand for possession. ....	287
ANTI-FREEZE .....	287
39-51-110. Commissioner may require disclosure of formula of antifreeze. ....	287
TITLE 40. PROFESSIONS AND OCCUPATIONS.....	288
ENVIRONMENTAL SYSTEMS OPERATORS.....	288
40-15-180. Complaint to Board against dentist, dental hygienist or dental technician; investigation; accusation; notice; hearing; confidentiality of proceedings; privileged communications. ....	288
DENTISTS, DENTAL HYGIENISTS AND DENTAL TECHNICIANS.....	289
40-15-320. Possession of prosthetic or orthodontic model, impression or appliance without work authorization as prima facie evidence of violation. ....	289
40-23-120. Board to receive complaints. ....	289
NURSES - .....	290
STATE BOARD OF NURSING .....	290
40-33-290. Records and registers.....	290
OPTOMETRISTS .....	290
40-37-210. Complaints to Board against licensed optometrists; accusation; notice; hearing; confidentiality of proceedings; privileged communications. ....	290
40-37-250. Prima facie evidence of violation.....	290
PHYSICAL THERAPISTS.....	291
40-47-230. Records of Board; register of applicants. ....	291
PODIATRISTS AND PODIATRY .....	291
40-51-200. Acts deemed prima facie evidence of practicing podiatry.....	291
PSYCHOLOGISTS.....	291
40-55-130. Complaint to Board against licensed psychologist; investigation; accusation; notice; hearing; confidentiality of proceedings; privileged communications. ....	291
SANITARIANS .....	292
40-61-80. Complaints and proceedings against registered environmental sanitarians. ....	292
SOCIAL WORKERS.....	292
40-63-100. Complaint, investigation, and accusation against licensed social worker. ....	292
SOIL CLASSIFIERS .....	293
40-65-90. Records of proceedings; admissibility.....	293



TABLE OF CONTENTS

LIABILITY OF MEMBERS OF PROFESSIONAL COMMITTEES ..... 293  
    40-71-20. Confidentiality of certain proceedings, records and information. .... 293

PROFESSIONAL COUNSELORS, ASSOCIATE COUNSELORS, AND MARITAL  
AND FAMILY THERAPISTS ..... 294  
    40-75-160. Complaints; investigation; procedural rights of licensee; privileged  
        nature of communications. .... 294

GEOLOGISTS ..... 295  
    40-77-120. Record of board proceedings; register of applications for registration;  
        evidentiary value of board records. .... 295  
    40-77-270. Issuance of certificate of registration as evidence of entitlement to rights  
        and privileges of registered professional geologist. .... 295

TITLE 41. LABOR AND EMPLOYMENT ..... 295

EMPLOYMENT SECURITY - GENERAL PROVISIONS ..... 295

DEFINITIONS ..... 295  
    41-27-620. Commission’s certificate as prima facie evidence. .... 295

EMPLOYMENT SECURITY - ..... 295

EMPLOYMENT SECURITY COMMISSION ..... 295  
    41-29-200. Self-incriminating testimony. .... 295

BENEFITS AND CLAIMS THEREFOR ALLOWANCE OF CLAIMS ..... 296  
    41-35-680. Decision on appeal. .... 296

TITLE 42. WORKERS’ COMPENSATION ..... 296

GENERAL PROVISIONS - ..... 296

APPLICATION AND EFFECT OF TITLE ..... 296  
    42-1-340. Effective date of and manner of giving notice of non-acceptance or  
        waiver. .... 296  
    42-1-560. Right to compensation not affected by liability of third party; rights and  
        remedies against third party. .... 296  
    42-1-570. Amount of compensation shall not be admissible in suits against third  
        parties. .... 297  
    42-1-630. Situation in which provisions of Title shall not be admissible in trial. .... 297

INDUSTRIAL COMMISSION ..... 297  
    42-3-195. Commission to provide information and statistics; uses to which same  
        may be put; confidentiality. .... 297  
    42-3-210. Tabulation and publication of accident reports. .... 297

OCCUPATIONAL DISEASES ..... 298  
    42-11-30. Presumption that heart or respiratory diseases occurring in fire fighters  
        arose out of and in course of employment. .... 298

TITLE 43. SOCIAL SERVICES ..... 298

PUBLIC AID, ASSISTANCE AND RELIEF GENERALLY ..... 298  
    43-5-100. Physical or mental incapacity of parent. .... 298

ADULT PROTECTION - ..... 299

DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES ..... 299  
    43-35-50. Abrogation of privilege for certain communications. .... 299

TABLE OF CONTENTS

TITLE 44. HEALTH..... 299

ABORTIONS ..... 299

    44-41-35. Failure to obtain required consent. .... 299

POISONS, DRUGS AND OTHER CONTROLLED SUBSTANCES -..... 299

NARCOTICS AND CONTROLLED SUBSTANCES..... 299

    44-53-395. Prohibited acts; penalties..... 299

TITLE 45. HOTELS, MOTELS, RESTAURANTS AND BOARDINGHOUSES ..... 300

GENERAL PROVISIONS ..... 300

    45-1-50. Defrauding keeper of hotel, motel, inn, boardinghouse, rooming house,  
    cafe or restaurant..... 300

EQUAL ENJOYMENT AND PRIVILEGES TO PUBLIC ACCOMMODATIONS -  
COMPLAINTS; HEARINGS, PERMIT OR LICENSE REVOCATION..... 300

    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..... 300

TITLE 46. AGRICULTURE ..... 301

COMMERCIAL FEEDING STUFFS - ..... 301

SAMPLES AND ANALYSES ..... 301

    46-27-460. Certificate of analyst as prima facie evidence. .... 301

STOCK OR POULTRY PREPARATIONS ..... 301

    46-27-860. Commissioner shall enforce article..... 301

TITLE 47. ANIMALS, LIVESTOCK AND POULTRY ..... 302

RABIES CONTROL ..... 302

    47-5-60. Pets shall be inoculated annually; certificates & tags. .... 302

LIVESTOCK GENERALLY - BRANDING OR EARMARKING ..... 302

    47-9-290. Certificate as evidence of ownership of livestock; foreign certificates. .... 302

TITLE 48. ENVIRONMENTAL PROTECTION AND CONSERVATION..... 303

SOIL AND WATER CONSERVATION DISTRICTS LAW - ..... 303

CREATION OF SOIL AND WATER CONSERVATION DISTRICTS..... 303

    48-9-650. Certificate conclusive as to establishment of district; admissibility of  
    certificate as evidence. .... 303

TITLE 49. WATERS, WATER RESOURCES AND DRAINAGE..... 303

DRAINAGE DISTRICTS UNDER 1920 ACT - ..... 303

PROCEDURE TO ESTABLISH DISTRICT..... 303

    49-19-270. Evidence of publication of notice. .... 303

ASSESSMENT AND COLLECTION OF TAX FOR CONSTRUCTION COSTS;  
DELINQUENT TAXES..... 303

    49-19-1780. Drainage Tax Book as prima facie evidence..... 303

LAKE WYLIE MARINE COMMISSION..... 303

    49-27-70. Filing and distribution of ordinances or joint resolutions; effective date;  
    admissibility as evidence. .... 303

TABLE OF CONTENTS

49-27-80. Authority to make regulations; penalties for violations; effective date; notice and filing requirements; publication and filing requirements not prerequisite to validity..... 304

TITLE 50. FISH, GAME AND WATERCRAFT ..... 305

GENERAL PROVISIONS ..... 305

50-1-95. Reporting hunting accidents. .... 305

PROTECTION OF FISH - ..... 305

RESTRICTIONS ON FISHING GENERALLY ..... 305

50-13-80. Conduct which is prima facie evidence of violating season closed on recommendation of county legislative delegation..... 305

POLLUTION AND POISONING OF WATERS; USE OF EXPLOSIVES..... 305

50-13-1450. Prima facie evidence of using explosives to take fish. .... 305

COASTAL FISHERIES LAWS - ..... 305

USE OF NETS, SEINES, AND LIKE DEVICES ..... 305

50-17-422. Restrictions upon use of gill nets for taking American shad in state waters of Atlantic Ocean; evidence of violation. .... 305

SHRIMP ..... 306

50-17-675. Certain conduct constitutes prima facie evidence of illegal trawling. .... 306

EQUIPMENT AND OPERATION OF WATERCRAFT - ..... 306

GENERAL PROVISIONS ..... 306

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. .... 306

AIDS TO NAVIGATION AND REGULATORY MARKERS ..... 307

50-21-710. Placing of aids to navigation and regulatory markers; certain conduct prima facie evidence of negligence; prohibited acts. .... 307

TITLING OF WATERCRAFT AND OUTBOARD MOTORS ..... 307

50-23-90. Contents of certificate; effect as evidence. .... 307

TITLE 54. PORTS AND MARITIME MATTERS ..... 308

OFFENSES RELATING TO SEAMAN..... 308

54-9-40. Admissibility of articles of ship in evidence. .... 308

54-9-50. Evidence of masters of vessels or other transient persons may be taken *de bene esse*. .... 308

INTERFERENCE WITH NAVIGATION ..... 308

54-11-50. Destroying, damaging or obstructing monuments or buildings of United States coast surveys..... 308

TITLE 55. AERONAUTICS ..... 309

GENERAL PROVISIONS ..... 309

55-1-100. Operating or acting as flightcrew member of aircraft while under influence of alcohol or drugs unlawful; penalties. .... 309

UNIFORM STATE AERONAUTICAL REGULATORY LAW ..... 309

55-5-160. Use of testimony obtained during investigations; employees not required to testify. .... 309

TABLE OF CONTENTS

UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT ..... 309  
55-8-110. Records shall be inadmissible as evidence; disclosure of information. .... 309

TITLE 56. MOTOR VEHICLES..... 310

DRIVER’S LICENSE - POINT SYSTEM FOR EVALUATING..... 310

OPERATING RECORDS OF DRIVERS ..... 310  
56-1-800. Certified copies of reports as evidence of convictions. .... 310

REGULATION AND LICENSING - ..... 310

ENFORCEMENT; RECORDS AND REPORTS ..... 310  
56-3-2450. Certified copies of Department records; use thereof as evidence. .... 310  
56-3-2460. Affidavit as to registration records of Department as evidence of  
ownership..... 310

TRAFFIC REGULATIONS - ..... 310

OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS ..... 310  
56-5-750. Failure to stop motor vehicle when signaled by law-enforcement vehicle. . 310

TRAFFIC SIGNS, SIGNALS AND MARKINGS ..... 311  
56-5-950. Obedience to and required traffic-control devices. .... 311

ACCIDENT REPORTS..... 311  
56-5-1260. Immediate report of accidents resulting in personal injury or death. .... 311  
56-5-1270. Operators, owners, and law enforcement officers shall make written  
reports of certain accidents and investigations. .... 311  
56-5-1280. In case driver shall be unable to report, other occupant or owner shall  
report. .... 312  
56-5-1290. Evidentiary use of reports. .... 312  
56-5-1340. Accident reports shall be without prejudice and confidential; use;  
permissible disclosures. .... 312

RESTRICTIONS ON SPEED; RACING ..... 312  
56-5-1570. Special speed limitations for certain vehicles and places. .... 312

RIGHT OF WAY ..... 313  
56-5-2330. Stop signs and yield signs..... 313

REQUIRED STOPS..... 313  
56-5-2773. Violation of Section 56-5-2770; digital images admissible in evidence..... 313

RECKLESS HOMICIDE; RECKLESS DRIVING; DRIVING WHILE UNDER THE  
INFLUENCE OF INTOXICATING LIQUOR, DRUGS OR NARCOTICS ..... 314  
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. .... 314  
56-5-2955. Admissibility of evidence obtained under Section 56-5-2950..... 314  
56-5-2980. Copies of reports as prima facie evidence of certain matters; effect of  
stipulating subsequent offense. .... 314

PEDESTRIANS; RIGHTS AND DUTIES THEREOF ..... 314  
56-5-3220. Effect of failure of incapacitated person to carry walking stick or cane, or  
to be guided by dog..... 314

ENFORCEMENT; TRAFFIC VIOLATIONS PROCEDURE ..... 315  
56-5-6160. Evidence of conviction inadmissible in civil action. .... 315

TABLE OF CONTENTS

56-5-6170. Enforcement .....315

CHILD PASSENGER RESTRAINT SYSTEM.....315

    56-5-6450. Custodial arrest not authorized; penalties for violation of article; waiver. ....315

    56-5-6460. Violation of article not to constitute negligence.....315

SAFETY BELTS.....315

    56-5-6540. Penalties; Enforcement; violation not negligence; violation inadmissible  
    in civil action. ....315

MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT -.....316

SECURITY FOLLOWING MOTOR VEHICLE ACCIDENTS.....316

    56-9-350. Verification of insurance coverage form to be issued following certain  
    accidents; effect of failure to return form; uninvestigated accidents.....316

    56-9-362. Actions or findings of Department and security as not constituting  
    evidence of negligence.....316

REGULATION OF MANUFACTURERS, DISTRIBUTORS AND DEALERS.....316

    56-15-110. Suits for damages. ....316

REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS,  
DEALERS, AND WHOLESALERS.....317

    56-16-180. Denial, suspension, or revocation of license. ....317

    56-16-200. Civil actions; damages; effect of judgments as prima facie evidence. ....317

PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES -  
CERTIFICATES OF TITLE..... 318

    56-19-320. Certificate as prima facie evidence of facts therein. .... 318

TITLE 58 PUBLIC UTILITIES, SERVICES AND CARRIERS ..... 318

PUBLIC SERVICE COMMISSION - ..... 318

REGULATION OF RATES AND SERVICE GENERALLY ..... 318

    58-5-310. Record of proceedings; transcript of evidence. .... 318

SOUTH CAROLINA GAS SAFETY ACT OF 1970 ..... 318

    58-5-1010. Records and reports of gas utilities; inspections and investigations by  
    Commission; accident reports..... 318

TELEPHONE, TELEGRAPH AND EXPRESS COMPANIES - .....319

TELEPHONE COMPANIES - COMMISSION HEARINGS, INVESTIGATIONS  
AND PROCEEDINGS .....319

    58-9-1050. Self-incrimination shall not be invoked; immunity from prosecution. ....319

TELEPHONE COMPANIES - COMMISSION HEARINGS,.....319

INVESTIGATIONS AND PROCEEDINGS .....319

    58-9-1230. Certified copies of documents and orders as evidence.....319

THE GENERAL RAILROAD LAW .....319

    58-17-120. Rules of evidence shall be same as in civil cases.....319

INCORPORATION AND OPERATION BY PURCHASER OF RAILROAD..... 320

    58-17-430. Certificate as evidence of incorporation..... 320

RATES AND CHARGES; ROUTES ..... 320

    58-17-1890. Printed schedules shall be prima facie evidence. .... 320

    58-17-1990. Discriminating rates shall be prima facie evidence of unjust  
    discrimination. .... 320

TABLE OF CONTENTS

PENALTIES AND LIABILITIES GENERALLY ..... 320  
    58-17-4010. Testimony may be compelled; immunity from prosecution;  
        production of books and papers..... 320

ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES-COMMISSION  
    HEARINGS, INVESTIGATIONS AND PROCEEDINGS..... 321  
    58-27-2060. Self-incrimination shall not excuse testimony; immunity from  
        prosecution..... 321  
    58-27-2070. Copies of official documents and orders as evidence. .... 321

TITLE 61. ALCOHOL AND ALCOHOLIC BEVERAGES ..... 321  
    BEER, ALE, PORTER AND WINE ..... 321  
        61-9-40. Sale to person under designated age; penalties; evidence. .... 321

ALCOHOL - ..... 321

OFFENSES, PROHIBITIONS AND ENFORCEMENT ..... 321  
    61-11-290. Prima facie evidence of violation..... 321  
    61-13-300. Manufacture, transfer or possession of distillery or integral part thereof  
        is unlawful. .... 322  
    61-13-470. Certificates of general sessions courts convictions; use as evidence;  
        copies to Department of Public Safety. .... 322  
    61-13-820. Debts contracted for transporting or selling illicit liquors are void. .... 322

TITLE 62. SOUTH CAROLINA PROBATE CODE ..... 322

GENERAL PROVISIONS - ..... 322

SHORT TITLE, CONSTRUCTION, GENERAL PROVISIONS ..... 322  
    62-1-107. Evidence as to death or status..... 322

GENERAL PROVISIONS ..... 323  
    62-2-803. Effect of homicide on intestate succession, wills, joint assets, life  
        insurance, and beneficiary designations. .... 323

PROBATE OF WILLS AND ADMINISTRATION - ..... 323

FORMAL TESTACY AND APPOINTMENT PROCEEDINGS..... 323  
    62-3-405. Formal testacy proceedings; uncontested cases; hearings and proof. .... 323  
    62-3-406. Formal testacy proceedings; contested cases; testimony of attesting  
        witnesses. .... 324

DUTIES AND POWERS OF PERSONAL REPRESENTATIVES ..... 324  
    62-3-709. Duty of personal representative; possession of estate..... 324

SPECIAL PROVISIONS RELATING TO DISTRIBUTION..... 324  
    62-3-907. Distribution in kind; evidence..... 324  
    62-3-908. Distribution; right or title of distributee. .... 324  
    62-3-910. Purchasers from distributees protected. .... 325

UNIFORM VETERAN’S GUARDIANSHIP ACT ..... 325  
    62-5-606. Facts which constitute prima facie evidence of need for guardian of a  
        minor ward. .... 325  
    62-5-607. Facts which constitute prima facie evidence of need for guardian of a  
        mentally incompetent ward..... 325

TABLE OF CONTENTS

TITLE 63. SOUTH CAROLINA CHILDREN’S CODE ..... 325

Chapter 3. Family Court ..... 325

Article 7. Private Guardians Ad Litem ..... 325

    63-3-830. Responsibilities. .... 325

    63-7-40. Safe Haven for Abandoned Babies. .... 326

    63-7-420. Abrogation of privileged communication; exceptions. .... 326

    63-7-940. Use of unfounded case information. .... 326

CHAPTER 11. CHILDREN’S SERVICES AGENCIES ..... 327

ARTICLE 19. DEPARTMENT OF CHILD FATALITIES STATE CHILD  
FATALITY ADVISORY COMMITTEE ..... 327

    63-11-1990. Confidentiality of information. .... 327

CHAPTER 13. CHILDCARE FACILITIES ..... 327

ARTICLE 3. PRIVATE CHILDCARE CENTERS AND GROUP CHILDCARE  
HOMES ..... 327

    63-13-460. License denial; nonrenewal; notice, hearings; appeals. .... 327

CHAPTER 15. CHILD CUSTODY AND VISITATION ..... 328

ARTICLE 1. GENERAL PROVISIONS ..... 328

    63-15-60. De facto custodian. .... 328

CHAPTER 15. CHILD CUSTODY AND VISITATION ..... 329

ARTICLE 3. UNIFORM CHILD CUSTODY JURISDICTION AND  
ENFORCEMENT ACT ..... 329

SUBARTICLE 1. GENERAL PROVISIONS ..... 329

    63-15-320. Testimony of out-of-state witnesses. .... 329

CHAPTER 17. PATERNITY AND CHILD SUPPORT ..... 329

ARTICLE 1. PATERNITY ..... 329

    63-17-60. Admissibility of evidence. .... 329

CHAPTER 17. PATERNITY AND CHILD SUPPORT ..... 330

ARTICLE 3. CHILD SUPPORT GENERAL PROVISIONS ..... 330

    63-17-460. Medical bills as evidence of costs. .... 330

CHAPTER 17. PATERNITY AND CHILD SUPPORT ..... 330

ARTICLE 5. ADMINISTRATIVE PROCESS FOR ESTABLISHING AND  
ENFORCING PATERNITY AND CHILD SUPPORT ..... 330

    63-17-740. Service of notice of financial responsibility. .... 330

CHAPTER 17. PATERNITY AND CHILD SUPPORT ..... 331

ARTICLE 5. ADMINISTRATIVE PROCESS FOR ESTABLISHING AND  
ENFORCING PATERNITY AND CHILD SUPPORT ..... 331

    63-17-810. Qualified expert; admissibility of report. .... 331

CHAPTER 17. PATERNITY AND CHILD SUPPORT ..... 331

ARTICLE 11. INCOME WITHHOLDING TO ENFORCE CHILD SUPPORT ..... 331

    63-17-1530. Record of payments and disbursements. .... 331

TABLE OF CONTENTS

CHAPTER 17. PATERNITY AND CHILD SUPPORT .....331

ARTICLE 23. UNIFORM INTERSTATE FAMILY SUPPORT ACT .....331

PART II. JURISDICTION.....331

    63-17-3100. Evidence from another state. ....331

CHAPTER 17. PATERNITY AND CHILD SUPPORT ..... 332

ARTICLE 23. UNIFORM INTERSTATE FAMILY SUPPORT ACT ..... 332

PART III. CIVIL PROVISIONS OF GENERAL APPLICATION ..... 332

    63-17-3360. Nonresident party proceedings..... 332

CHAPTER 19. JUVENILE JUSTICE CODE..... 332

ARTICLE 23. OFFENSES INVOLVING MINORS..... 332

    63-19-2440. Beer and wine purchase, consumption, possession..... 332

CHAPTER 19. JUVENILE JUSTICE CODE.....333

ARTICLE 23. OFFENSES INVOLVING MINORS.....333

    63-19-2450. Alcoholic beverages purchase, consumption, possession. ....333

**CHAPTER 4 - FEDERAL RULES OF EVIDENCE..... 335**

ARTICLE I. GENERAL PROVISIONS ..... 335

    Rule 101. Scope; Definitions ..... 335

        (a) Scope ..... 335

        (b) Definitions. .... 335

    Rule 102. Purpose ..... 335

    Rule 103. Rulings on Evidence..... 335

        (a) Preserving a Claim of Error. .... 335

        (b) Not Needing to Renew an Objection or Offer of Proof..... 335

        (c) Court’s Statement About the Ruling; Directing an Offer of Proof. .... 336

        (d) Preventing the Jury from Hearing Inadmissible Evidence..... 336

        (e) Taking Notice of Plain Error. .... 336

    Rule 104. Preliminary Questions..... 336

        (a) In General. .... 336

        (b) Relevance That Depends on a Fact. .... 336

        (c) Conducting a Hearing So That the Jury Cannot Hear It..... 336

        (d) Cross-Examining a Defendant in a Criminal Case..... 336

        (e) Evidence Relevant to Weight and Credibility. .... 336

    Rule 105. Limiting Evidence That Is Not Admissible Against Other Parties or for  
        Other Purposes .....337

    Rule 106. Remainder of or Related Writings or Recorded Statements .....337

ARTICLE II. JUDICIAL NOTICE.....337

    Rule 201. Judicial Notice of Adjudicative Facts.....337

        (a) Scope. ....337

        (b) Kinds of Facts That May Be Judicially Noticed. ....337

        (c) Taking Notice.....337

        (d) Timing.....337

        (e) Opportunity to Be Heard.....337

        (f) Instructing the Jury. .... 338



TABLE OF CONTENTS

ARTICLE III. PRESUMPTIONS IN CIVIL CASES ..... 338

    Rule 301. Presumptions in Civil Actions Generally ..... 338

    Rule 302. Applying State Law to Presumptions in Civil Cases ..... 338

ARTICLE IV. RELEVANCE AND ITS LIMITS ..... 338

    Rule 401. Test for Relevant Evidence..... 338

    Rule 402. General Admissibility of Relevant Evidence..... 338

    Rule 403. Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time,  
        or Other Reasons..... 338

    Rule 404. Character Evidence; Crimes or Other Acts ..... 339

        (a) Character Evidence. .... 339

            (1) Prohibited Uses. .... 339

            (2) Exceptions for a Defendant or Victim in a Criminal Case. .... 339

            (3) Exceptions for a Witness. .... 339

        (b) Crimes, Wrongs, or Other Acts..... 339

            (1) Prohibited Uses. .... 339

            (2) Permitted Uses..... 339

            (3) Notice in a Criminal Case..... 339

    Rule 405. Methods of Proving Character..... 340

        (a) By Reputation or Opinion..... 340

        (b) By Specific Instances of Conduct. .... 340

    Rule 406. Habit; Routine Practice ..... 340

    Rule 407. Subsequent Remedial Measures ..... 340

    Rule 408. Compromise Offers and Negotiations ..... 340

        (a) Prohibited Uses ..... 340

        (b) Exceptions..... 341

    Rule 409. Offers to Pay Medical and Similar Expenses ..... 341

    Rule 410. Pleas, Plea Discussions, and Related Statements..... 341

        (a) Prohibited Uses ..... 341

        (b) Exceptions..... 341

    Rule 411. Liability Insurance ..... 342

    Rule 412. Sex-Offense Cases: The Victim’s Sexual Behavior or Predisposition..... 342

        (a) Prohibited Uses. .... 342

        (b) Exceptions..... 342

            (1) Criminal Cases..... 342

            (2) Civil Cases..... 342

        (c) Procedure To Determine Admissibility..... 343

            (1) Motion..... 343

            (2) Hearing..... 343

        (d) Definition of “Victim.”..... 343

    Rule 413. Similar Crimes in Sexual-Assault Cases ..... 343

        (a) Permitted Uses. .... 343

        (b) Disclosure to the Defendant..... 343

        (c) Effect on Other Rules. .... 343

        (d) Definition of “Sexual Assault.” ..... 343

    Rule 414. Similar Crimes in Child-Molestation Cases ..... 344

        (a) Permitted Uses. .... 344

        (b) Disclosure to the Defendant..... 344

        (c) Effect on Other Rules. .... 344

TABLE OF CONTENTS

(d) Definition of “Child” and “Child Molestation.” ..... 344

Rule 415. Similar Acts in Civil Cases Involving Sexual Assault or Child Molestation .. 345

    (a) Permitted Uses. .... 345

    (b) Disclosure to the Opponent..... 345

    (c) Effect on Other Rules. .... 345

ARTICLE V. PRIVILEGES ..... 345

    Rule 501. Privileges in General ..... 345

    Rule 502. Attorney-Client Privilege and Work Product; Limitations on Waiver ..... 345

        (a) Disclosure Made in a Federal Proceeding or to a Federal Office or Agency;  
            Scope of a Waiver. .... 346

        (b) Inadvertent Disclosure ..... 346

        (c) Disclosure Made in a State Proceeding..... 346

        (d) Controlling Effect of a Court Order. .... 346

        (e) Controlling Effect of a Party Agreement. .... 346

        (f) Controlling Effect of This Rule. .... 346

        (g) Definitions..... 347

ARTICLE VI. WITNESSES ..... 347

    Rule 601. Competency to Testify in General ..... 347

    Rule 602. Need for Personal Knowledge ..... 347

    Rule 603. Oath or Affirmation to Testify Truthfully ..... 347

    Rule 604. Interpreter ..... 347

    Rule 605. Judge’s Competency as a Witness ..... 347

    Rule 606. Juror..... 348

        (a) At the Trial. .... 348

        (b) During an Inquiry into the Validity of a Verdict or Indictment. .... 348

        (1) Prohibited Testimony or Other Evidence. .... 348

        (2) Exceptions. .... 348

    Rule 607. Who May Impeach a Witness ..... 348

    Rule 608. A Witness’s Character for Truthfulness or Untruthfulness ..... 348

        (a) Reputation or Opinion Evidence. .... 348

        (b) Specific Instances of Conduct. .... 348

    Rule 609. Impeachment by Evidence of a Criminal Conviction..... 349

        (a) In General. .... 349

        (b) Limit on Using the Evidence After 10 Years. .... 349

        (c) Effect of a Pardon, Annulment, or Certificate of Rehabilitation. .... 349

        (d) Juvenile Adjudications. .... 350

        (e) Pendency of an Appeal. .... 350

    Rule 610. Religious Beliefs or Opinions ..... 350

    Rule 611. Mode and Order of Examining Witnesses and Presenting Evidence ..... 350

        (a) Control by the Court; Purposes. .... 350

        (b) Scope of Cross-Examination..... 350

        (c) Leading Questions. .... 350

    Rule 612. Writing Used to Refresh a Witness’s Memory ..... 351

        (a) Scope. .... 351

        (b) Adverse Party’s Options; Deleting Unrelated Matter ..... 351

        (c) Failure to Produce or Deliver the Writing. .... 351

    Rule 613. Witness’s Prior Statement ..... 351

TABLE OF CONTENTS

(a) Showing or Disclosing the Statement During Examination .....351

(b) Extrinsic Evidence of a Prior Inconsistent Statement.....351

Rule 614. Court’s Calling or Examining a Witness ..... 352

(a) Calling. .... 352

(b) Examining..... 352

(c) Objections..... 352

Rule 615. Excluding Witnesses ..... 352

ARTICLE VII. OPINIONS AND EXPERT TESTIMONY..... 352

Rule 701. Opinion Testimony by Lay Witnesses..... 352

Rule 702. Testimony by Expert Witnesses ..... 352

Rule 703. Bases of an Expert’s Opinion Testimony..... 353

Rule 704. Opinion on an Ultimate Issue ..... 353

(a) In General — Not Automatically Objectionable..... 353

(b) Exception..... 353

Rule 705. Disclosing the Facts or Data Underlying an Expert’s Opinion ..... 353

Rule 706. Court-Appointed Expert Witnesses..... 353

(a) Appointment Process. .... 353

(b) Expert’s Role..... 354

(c) Compensation..... 354

(d) Disclosing the Appointment to the Jury. .... 354

(e) Parties’ Choice of Their Own Experts. .... 354

ARTICLE VIII. HEARSAY ..... 354

Rule 801. Definitions That Apply to This Article; Exclusions from Hearsay ..... 354

(a) Statement. .... 354

(b) Declarant. .... 354

(c) Hearsay..... 354

(d) Statements That Are Not Hearsay. .... 355

Rule 802. The Rule Against Hearsay ..... 356

Rule 803. Exceptions to the Rule Against Hearsay — Regardless of Whether the  
Declarant Is Available as a Witness..... 356

(1) Present Sense Impression. .... 356

(2) Excited Utterance. .... 356

(3) Then-Existing Mental, Emotional, or Physical Condition. .... 356

(4) Statement Made for Medical Diagnosis or Treatment. .... 356

(5) Recorded Recollection..... 356

(6) Records of a Regularly Conducted Activity.....357

(7) Absence of a Record of a Regularly Conducted Activity. ....357

(8) Public Records.....357

(9) Public Records of Vital Statistics..... 358

(10) Absence of a Public Record..... 358

(11) Records of Religious Organizations Concerning Personal or Family History. .... 358

(12) Certificates of Marriage, Baptism, and Similar Ceremonies. .... 358

(13) Family Records. .... 358

(14) Records of Documents That Affect an Interest in Property. .... 359

(15) Statements in Documents That Affect an Interest in Property..... 359

(16) Statements in Ancient Documents. .... 359

(17) Market Reports and Similar Commercial Publications. .... 359

(18) Statements in Learned Treatises, Periodicals, or Pamphlets. .... 359

TABLE OF CONTENTS

(19) Reputation Concerning Personal or Family History. .... 359  
(20) Reputation Concerning Boundaries or General History..... 360  
(21) Reputation Concerning Character. .... 360  
(22) Judgment of a Previous Conviction. .... 360  
(23) Judgments Involving Personal, Family, or General History, or a Boundary. .... 360  
Rule 804. Exceptions to the Rule Against Hearsay — When the Declarant Is  
    Unavailable as a Witness ..... 360  
    (a) Criteria for Being Unavailable. .... 360  
    (b) The Exceptions. .... 361  
        (1) Former Testimony..... 361  
        (2) Statement Under the Belief of Imminent Death..... 361  
        (3) Statement Against Interest. .... 361  
        (4) Statement of Personal or Family History. .... 362  
        (5) [Other Exceptions.] ..... 362  
        (6) Statement Offered Against a Party That Wrongfully Caused the Declarant’s  
            Unavailability..... 362  
Rule 805. Hearsay Within Hearsay ..... 362  
Rule 806. Attacking and Supporting the Declarant’s Credibility..... 362  
Rule 807. Residual Exception ..... 363  
    (a) In General. .... 363  
    (b) Notice..... 363  
ARTICLE IX. AUTHENTICATION AND IDENTIFICATION ..... 363  
    Rule 901. Authenticating or Identifying Evidence ..... 363  
        (a) In General. .... 363  
        (b) Examples. .... 363  
            (1) Testimony of a Witness with Knowledge. .... 363  
            (2) Nonexpert Opinion About Handwriting..... 364  
            (3) Comparison by an Expert Witness or the Trier of Fact. .... 364  
            (4) Distinctive Characteristics and the Like..... 364  
            (5) Opinion About a Voice. .... 364  
            (6) Evidence About a Telephone Conversation. .... 364  
            (7) Evidence About Public Records..... 364  
            (8) Evidence About Ancient Documents or Data Compilations. .... 364  
            (9) Evidence About a Process or System..... 364  
            (10) Methods Provided by a Statute or Rule. .... 365  
    Rule 902. Evidence That Is Self-Authenticating..... 365  
        (1) Domestic Public Documents That Are Sealed and Signed. .... 365  
        (2) Domestic Public Documents That Are Not Sealed but Are Signed and Certified. 365  
        (3) Foreign Public Documents. .... 365  
        (4) Certified Copies of Public Records..... 366  
        (5) Official Publications..... 366  
        (6) Newspapers and Periodicals. .... 366  
        (7) Trade Inscriptions and the Like..... 366  
        (8) Acknowledged Documents..... 366  
        (9) Commercial Paper and Related Documents. .... 366  
        (10) Presumptions Under a Federal Statute..... 366  
        (11) Certified Domestic Records of a Regularly Conducted Activity. .... 366

TABLE OF CONTENTS

(12) Certified Foreign Records of a Regularly Conducted Activity..... 367  
(13) Certified Records Generated by an Electronic Process or System. .... 367  
(14) Certified Data Copied from an Electronic Device, Storage Medium, or File. .... 367  
Rule 903. Subscribing Witness’s Testimony ..... 367  
ARTICLE X. CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS.. 367  
Rule 1001. Definitions That Apply to This Article ..... 367  
Rule 1002. Requirement of the Original ..... 368  
Rule 1003. Admissibility of Duplicates ..... 368  
Rule 1004. Admissibility of Other Evidence of Content ..... 368  
Rule 1005. Copies of Public Records to Prove Content ..... 369  
Rule 1006. Summaries to Prove Content ..... 369  
Rule 1007. Testimony or Statement of a Party to Prove Content ..... 369  
Rule 1008. Functions of the Court and Jury ..... 369  
ARTICLE XI. MISCELLANEOUS RULES ..... 370  
Rule 1101. Applicability of the Rules..... 370  
    (a) To Courts and Judges. .... 370  
    (b) To Cases and Proceedings..... 370  
    (c) Rules on Privilege. .... 370  
    (d) Exceptions..... 370  
    (e) Other Statutes and Rules ..... 370  
Rule 1102. Amendments .....371  
Rule 1103. Title.....371