

## PERMITTED OBJECTIONS

**Leading questions:** "Your Honor, I object to Counsel's leading the witness."

This objection is only available where the witness is testifying on direct and redirect examination.

**Irrelevant evidence:** "I object your Honor, the question is not relevant to the facts in this case." Raise the objection only if the irrelevant evidence is prejudicial to your case.

**Non-responsive answer:** "Your Honor, the witness is not answering the question asked." During direct examination, this objection should be raised when the witness provides testimony not in accordance with the attorney's question. During cross examination, it should be raised if the witness repeatedly tries to avoid answering questions. It may not be used to restrict a witness to a "yes" or "no" response.

**Hearsay:** "Objection Your Honor. Counsel is asking for hearsay testimony."

If the question is proper but the witness gives an answer that is hearsay, raise this objection. Hearsay is defined as information gathered by one person *from another person* concerning some event, condition, or thing of which the first person had no direct knowledge.

**Improper opinion or conclusion:** "Objection Your Honor. Counsel is calling for an opinion from his witness who is not an expert"; or, "Objection, the witness is offering a conclusion rather than facts."

**Argumentative:** "Objection, Your Honor, Counsel is arguing with the witness."

An examining attorney is not permitted to argue with a witness but must ask questions intended to elicit facts.

**Asked and answered:** "Objection, Your Honor, that question has been asked and answered." If an attorney continues to ask the same question with the intention of emphasizing a favorable response or of trying to get a different answer, opposing counsel may object.