

**NORTH CAROLINA RULES
OF EVIDENCE AND
OFFICIAL COMMENTARY**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9781760572518

North Carolina rules of evidence and official commentary by North Carolina General Assembly

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

NORTH CAROLINA GENERAL ASSEMBLY

**NORTH CAROLINA RULES
OF EVIDENCE AND
OFFICIAL COMMENTARY**

NORTH CAROLINA RULES OF EVIDENCE
AND
OFFICIAL COMMENTARY

CONTAINS
CHAPTER 701
OF THE
SESSION LAWS OF 1983
AND
COMMENTARY FROM THE LEGISLATIVE
RESEARCH COMMISSION'S REPORT TO
THE 1983 GENERAL ASSEMBLY ON THE
LAWS OF EVIDENCE WITH CHANGES
APPROVED BY THE GENERAL ASSEMBLY INCORPORATED

JULY 7, 1983

1983 GENERAL ASSEMBLY



North Carolina General Assembly

Senate Chamber
State Legislative Building
Raleigh 27611

SENATOR HENSON P. BARNES
8TH DISTRICT
MAIL ADDRESS: 707 PARK AVENUE
GOLDSMITH, N. C. 27530

COMMITTEES
BUDGET AND FINANCE
STATE GOVERNMENT
WILL CHAIRMAN
AGRICULTURE
APPROPRIATIONS
ARTS AND CULTURE
JUDICIAL AND PUBLIC SAFETY
MAYOR BUDGET
STATE GOVERNMENT/REGULATORY

July 13, 1983

Mr. Charles J. Murray
Special Deputy Attorney General
General Statutes Commission
10 E. Jones Street
Raleigh, North Carolina 27611

RE: Chapter 701 of the Session Laws of 1983; North Carolina
Rules of Evidence and Official Commentary


Dear Mr. Murray:

I am the Chairman of the Senate Judiciary III Committee to which this act was referred during its legislative consideration.

Section 2 of the act provides that the Revisor of Statutes "shall cause the Commentary to each rule to be printed with the rule in the General Statutes." It further states that "any changes to the Commentary made during legislative consideration of this act shall be incorporated into the Commentary by the Revisor of Statutes."

Attached you will find a document entitled "North Carolina Rules of Evidence and Official Commentary" which bears the date July 7, 1983. The contents of the Commentary contained in this document represents the incorporation of all changes made to the Commentary during legislative consideration of this act.

Sincerely,


Henson P. Barnes
Chairman
Senate Judiciary III Committee



North Carolina General Assembly
 House of Representatives
 State Legislator Building
 Raleigh 27611

REP. W. PAUL PULLEY, JR.
 HOUSE DISTRICT 23

Office Address: Room 1420
 Post Office Box 54
 Raleigh, N. C. 27611
 Telephone: 819-743-5806
 Home Address: 4725 Parkwood Lane, Room
 Durham, N. C. 27702
 Telephone: 919-450-4566

July 13, 1983

COMMITTEES:

JUDICIARY IV
 CHAIRMAN
 BANKS AND TRUST INSTITUTIONS
 VICE CHAIRMAN
 MANUFACTURING AND LABOR
 VICE CHAIRMAN
 ENERGY
 CHAIRMAN
 LOCAL GOVERNMENT I
 STATE AND COUNTY GOVERNMENT
 WATER AND AIR RESOURCES

Mr. Charles J. Murray
 Special Deputy Attorney General
 General Statutes Commission
 10 E. Jones Street
 Raleigh, North Carolina 27611

RE: Chapter 701 of the Session Laws of 1983; North Carolina
 Rules of Evidence and Official Commentary

Dear Mr. Murray:

I am the Chairman of the House Judiciary IV Committee to which this act was referred during its legislative consideration.

Section 2 of the act provides that the Revisor of Statutes "shall cause the Commentary to each rule to be printed with the rule in the General Statutes." It further states that "any changes to the Commentary made during legislative consideration of this act shall be incorporated into the Commentary by the Revisor of Statutes."

Attached you will find a document entitled "North Carolina Rules of Evidence and Official Commentary" which bears the date July 7, 1983. The contents of the Commentary contained in this document represents the incorporation of all changes made to the Commentary during legislative consideration of this act.

Sincerely,

W. Paul Pulley, Jr.
 Chairman
 House Judiciary IV Committee

Short Title: Simplify Evidence Laws.

(Public)

Referred to:-----

A BILL TO BE ENTITLED

AN ACT TO SIMPLIFY AND CODIFY THE RULES OF EVIDENCE.

The General Assembly of North Carolina enacts:

Section 1. A new Chapter is added to the General Statutes to read:

"CHAPTER 88.

"Evidence Code.

"§ 88-1. Rules of evidence.--The North Carolina Rules of Evidence are as follows:

"ARTICLE 1.

"General Provisions.

"Rule 101. Scope.

These rules govern proceedings in the courts of this State to the extent and with the exceptions stated in Rule 1101.

COMMENTARY

This rule differs from Fed. Evid. 101 only in that "courts of this State" has been substituted for "courts of the United States and before United States magistrates." Rule 1101 provides greater details regarding the applicability of these rules in various proceedings.

"Rule 102. Purpose and Construction.

(a) In General. These rules shall be construed to secure fairness in administration, elimination of unjustifiable expense and delay, and promotion of growth and development of the law of evidence to the end that the truth may be ascertained and