

**Superior Court, County of  
Nevada  
Public Law Center**

**EVICTIIONS**

**(UNLAWFUL DETAINER)**

**5**

Introducing Evidence at Trial

## INTRODUCING EVIDENCE AT TRIAL

Before the court can consider the **evidence** you bring to the trial, such as photographs, reports, statements, etc., a proper **foundation** must be made to show that the evidence is reliable, that it is relevant, and that it is **admissible**. The California Evidence Code defines what constitutes admissible evidence. For every piece of evidence you want the court to consider in your case, you should know the corresponding rule for getting the evidence in. The following list shows some of the more common rules for the admission of evidence. Sample scripts for asking the court permission to introduce evidence, and for the evidence to be admitted into the court record are included.

### DEFINITIONS:

“**Evidence**” is defined as “testimony, writings, material objects, or other things presented to the senses that are offered to prove the existence or nonexistence of a fact.” (*Evidence Code Section 140*)

“**Hearsay Rule**”: “**Hearsay evidence**” is “evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter stated.” (*Evidence Code Section 1200*)

Hearsay evidence cannot be admitted in court unless it meets one of the exceptions to the Hearsay Rule set forth in the Evidence Code, beginning at section 1220.

**There are three ways of getting evidence submitted to the**

**Court:**

**1. STIPULATING THAT EVIDENCE MAY BE ADMITTED**

**2. REQUESTING JUDICIAL NOTICE OF CERTAIN EVIDENCE**

**3. LAYING A PROPER EVIDENCIARY FOUNDATION FOR THE ADMISSION OF EVIDENCE**