

**Condensed Test Specifications  
Florida-Prepared Portion of the General Bar Examination**

**Evidence**

***(For topics marked with an asterisk, primary focus will be on the difference between the Florida Evidence Code and the Federal Code of Evidence)***

1. Florida Evidence Code Sections 101-108
  - 1.1. Short title
  - 1.2. Construction
  - 1.3. Scope, applicability
  - 1.4. Rulings on evidence
  - 1.5. Preliminary questions
  - 1.6. Summing up and comment by judge
  - 1.7. Limited admissibility
  - 1.8. Introduction of related writings or recorded statements
  
2. Florida Evidence Code Sections 201-207
  - 2.1. Matters which must be judicially noticed
  - 2.2. Matters which may be judicially noticed
  - 2.3. Compulsory judicial notice upon request \*

- 2.4. Determination of propriety of judicial notice and nature of matter noticed \*
- 2.5. Denial of a request for judicial notice \*
- 2.6. Instructing jury on judicial notice \*
- 2.7. Judicial notice by trial court in subsequent proceedings \*
- 3. Florida Evidence Code Sections 301-304
  - 3.1. Presumption defined; inferences
  - 3.2. Classification of rebuttable presumptions
  - 3.3. Presumption affecting the burden of producing evidence defined
- 4. Florida Evidence Code Sections 401-410
  - 4.1. Definition of relevant evidence
  - 4.2. Admissibility of relevant evidence
  - 4.3. Admissibility of paternity determination in certain criminal prosecutions
  - 4.4. Statements expressing sympathy; admissibility; definitions
  - 4.5. Exclusion on grounds of prejudice or confusion
  - 4.6. Character evidence; when admissible \*
  - 4.7. Methods of proving character
  - 4.8. Routine practice
  - 4.9. Subsequent remedial measures

- 4.10. Compromise and offers to compromise \*
- 4.11. Payment of medical and similar expenses
- 4.12. Offer to plead guilty; nolo contendere; withdrawn pleas of guilty
- 5. Florida Evidence Code Sections 501-510
  - 5.1. Privileges recognized only as provided
  - 5.2. Journalists privilege
  - 5.3. Lawyer-client privilege
  - 5.4. Psychotherapist-patient privilege
  - 5.5. Sexual assault counselor-victim privilege
  - 5.6. Domestic violence advocate-victim privilege
  - 5.7. Husband-wife privilege
  - 5.8. Privilege with respect to communications to clergy
  - 5.9. Accountant-client privilege
  - 5.10. Privilege with respect to trade secrets
  - 5.11. Waiver of privilege by voluntary disclosure
  - 5.12. Privileged matter disclosed under compulsion or without opportunity to claim privilege
  - 5.13. Privileged communication necessary to adverse party

6. Florida Evidence Code Sections 601-616
  - 6.1. General rule of competency
  - 6.2. Testimony of interested persons
  - 6.3. Disqualification of witness
  - 6.4. Lack of personal knowledge
  - 6.5. Oath or affirmation of witness
  - 6.6. Interpreters and translators
  - 6.7. Interpreter services for deaf persons
  - 6.8. Competency of certain persons as witnesses
  - 6.9. Who may impeach
  - 6.10. Character of witness as impeachment \*
  - 6.11. Conviction of certain crimes as impeachment \*
  - 6.12. Religious beliefs or opinions
  - 6.13. Mode and order of interrogation and presentation
  - 6.14. Refreshing the memory of a witness
  - 6.15. Prior statements of witnesses \*
  - 6.16. Calling witnesses by the court
  - 6.17. Exclusion of witnesses

7. Florida Evidence Code Sections 701-706
  - 7.1. Opinion testimony of lay witnesses
  - 7.2. Testimony by experts \*
  - 7.3. Opinion on ultimate issue
  - 7.4. Basis of opinion testimony by experts
  - 7.5. Disclosure of facts or data underlying expert opinion
  - 7.6. Authoritativeness of literature for use in cross-examination
8. Florida Evidence Code Sections 801-806
  - 8.1. Hearsay; definitions; exceptions \*
  - 8.2. Hearsay rule \*
  - 8.3. Hearsay exceptions; availability of declarant immaterial \*
  - 8.4. Hearsay exceptions; declarant unavailable \*
  - 8.5. Hearsay within hearsay \*
  - 8.6. Attacking and supporting credibility of declarant \*
9. Florida Evidence Code Sections 901-958
  - 9.1. Requirement of authentication or identification
  - 9.2. Self-authentication
  - 9.3. Testimony of subscribing witness unnecessary
  - 9.4. Photographs of property wrongfully taken; use in prosecution, procedure; return of property to owner

- 9.5. Definitions
- 9.6. Requirement of originals
- 9.7. Admissibility of duplicates
- 9.8. Admissibility of other evidence of contents
- 9.9. Public records
- 9.10. Summaries
- 9.11. Testimony or written admissions of a party
- 9.12. Functions of court and jury