

LLCRLJ 26

(a) Certain Documents Presumed Admissible. The documents listed below, if relevant, are presumed admissible at the trial, but only if:

(1) the party offering the document serves on all parties at least fourteen (14) days prior to the trial date in accordance with CRLJ 5 (a) notice, accompanied by a copy of the document and the name, address, and telephone number of its author or maker; and

(2) the party offering the document similarly furnishes all other parties with copies of all other related documents from the same author or maker. This rule does not restrict argument or proof related to the weight of the evidence admitted, nor does it restrict the court's authority to determine the weight of the evidence after hearing all of the evidence and the arguments of opposing parties.

(b) The documents presumed admissible under this rule are:

(i) A bill, report, chart, or record of a hospital, doctor, dentist, registered nurse, licensed practical nurse, physical therapist, psychologist or other health care provider, on a letterhead or billhead;

(ii) A bill for drugs, medical appliances or other related expenses on a letterhead or billhead;

(iii) A bill, or an estimate of, property damage on a letterhead or billhead. In the case of an estimate, the party intending to offer the estimate shall forward with the notice to the adverse party a statement indicating whether or not the property was repaired, and if it was, whether the estimated repairs were made in full or in part, attaching a copy to the receipted bill showing the items or repair and the amount paid;

(iv) A police, weather, wage loss, or traffic signal report, or standard United State government life expectancy table to the extent it is admissible under the Rules of Evidence, but without the need for formal proof of authentication or identification;

(v) A photograph, x-ray, drawing, map, blueprint or similar documentary evidence, to the extent it is admissible under the Rules of Evidence, but without the need for formal proof of authentication or identification;

(vi) The written statement of any other witness, including the written report of an expert witness, and including a statement of opinion which the witness would be allowed to express if testifying in person, if it is made by affidavit or by declaration under penalty of perjury;

(c) Any other party may subpoena the author or maker of a document admissible under this rule, at that party's expense, and examine the author or maker as if under cross examination.

{Amended effective September 1, 2011}

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