

**Committee
on
Rules of
Evidence**

1998 Membership

Thomas C. Raup, Esq., *Chair*
Honorable J. Michael Eakin, *Vice Chair*
David F. Binder, Esq.
Raymond J. Bradley, Esq.
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Honorable Richard A. Lewis
Patrick J. O'Connor, Esq.
Bernard W. Smalley, Esq.
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Staff:

Anne T. Panfil, Esq., *Chief Staff Counsel*
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Legal Authorization:

Pa. Constitution, Article V, § 10(c)
42 Pa. C.S., § 1722

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History/Background

The Committee on Rules of Evidence was created on September 8, 1998, by the Supreme Court of Pennsylvania to serve as an advisory body to the Court, assisting the Court in fulfilling its constitutional and statutory responsibility to prescribe general rules governing all court proceedings in Pennsylvania's Unified Judicial System. It is the successor to the Ad Hoc Committee on Evidence, which was appointed by the Supreme Court in 1994 to develop a comprehensive code of evidence for the Court's consideration.

After an extensive public comment period and subsequent revisions, the ad hoc committee submitted a proposed evidence code to the Court that was adopted May 8, 1998, as the Pennsylvania Rules of Evidence. It became effective October 1, 1998. Since then, first the ad hoc committee, and then the standing committee, have been monitoring the practical application of the new rules as well as developments in evidence law in Pennsylvania and in other jurisdictions, as reflected in case law and statutory changes that have occurred since the rules' adoption. In addition, the committees have been reviewing and responding to the various questions that have been raised by judges and lawyers.

Membership and Staff

The first members of the committee on Rules of Evidence have been appointed by the Court for initial one-, two- and three-year terms, commencing October 1, 1998. Committee membership consists of one Common Pleas Court judge, eight attorneys in private practice and a law professor, all of whom have extensive backgrounds in trial practice and procedure and are from different areas of Pennsylvania.

Committee staff consists of two attorneys and an office manager and maintains its office in Mechanicsburg at the AOPC's central site.

1998 Activities

The Committee on Rules of Evidence held its first full committee meeting in October 1998 in Philadelphia. Prior to this, several sub-committee meetings and conference calls were held as the committee became established.

The committee's first undertaking was a carryover from work that the ad hoc committee had begun, viz., to provide statewide training on the new rules. This was accomplished with the assistance of the Pennsylvania Bar Institute. These training sessions also provided the committee members with an excellent opportunity to answer questions and to gather input about the new rules.

The committee's other major undertaking in 1998 was the initiation of what is anticipated to be an ongoing project, working with members of the legislature concerning the interplay between the new Rules of Evidence and existing evidentiary statutes.

Looking Ahead to 1999

The committee plans to continue to monitor the new Rules of Evidence as members of the bench and bar become more familiar with using them and to continue to work with members of the legislature on the statutory/rule project begun in 1998.

Contact Person

Any individuals wanting additional information about the Committee on Rules of Evidence or who have questions about the Rules of Evidence may contact the committee through its Chief Staff Counsel, Anne T. Panfil, Esq., at (717) 795-2100, or by writing to her at the committee's mailing address at 5035 Ritter Road, Suite 800; Mechanicsburg, PA 17055. 