LOUISIANA CODE OF EVIDENCE 2027

Sample

About the Book
Formatted and compiled with the practitioners and law students in mind, this edition of the Louisiana Code of Evidence has easy to read text on letter size pages that reads across the whole page (no dual columns) and a detailed table of contents that allows you to quickly access the provision you need. Contains all articles as amended through the 2026 Legislative Sessions.

About the Publisher
Access the law at your fingertips with Gulf Coast Legal Publishing, LLC. We're dedicated to providing legal professionals and law students with high quality, reasonably priced, user friendly legal titles. Founded by Nicholas M. Graphia, a practicing Louisiana lawyer frustrated with the limited options available for legal titles, many being overpriced, printed on small pages in small sized font, and filled with excessive editorial materials—Gulf Coast Legal Publishing's mission is deliver value for all readers.

Visit **www.GulfCoastLegalPublishing.com** to view legislative amendments dating back to 2016 and see our complete selection of Louisiana titles.

Copyright and ISBN
© 2026 Gulf Coast Legal Publishing, LLC
No part of this edition of the Louisiana Code of Evidence may be sold, commercially distributed, or used for any other commercial purpose without the written permission of Gulf Coast Legal Publishing. No copyright claim is made as to government works.

ISBN: 9798194525560

Sample

Contents

CHAPTER 1. GENERAL PROVISIONS 7
Art. 101. Scope 7
Art. 102. Purpose and construction 7
Art. 103. Rulings on evidence 7
Art. 104. Preliminary questions 7
Art. 105. Limited admissibility 8
CHAPTER 2. JUDICIAL NOTICE 9
Art. 201. Judicial notice of adjudicative facts generally 9
Art. 202. Judicial notice of legal matters 9
CHAPTER 3. EFFECT IN CIVIL CASES OF PRESUMPTIONS AND PRIMA FACIE EVIDENCE 11
Art. 301. Scope of Chapter 11
Art. 302. Definitions 11
Art. 303. Conclusive presumptions 11
Art. 304. Rebuttable presumptions 11
Art. 305. Effect of presumptions if there is no controverting evidence 12
Art. 306. Effect of presumptions if there is controverting evidence 12
Art. 306.1. Presumption of causation of injuries 12
Art. 307. Jury instructions 12
Art. 308. Effect of the term "prima facie" in legislation 12
CHAPTER 4. RELEVANCY AND ITS LIMITS 13
Art. 401. Definition of "relevant evidence" 13
Art. 402. Relevant evidence generally admissible; irrelevant evidence inadmissible 13
Art. 403. Exclusion of relevant evidence on grounds of prejudice, confusion, or waste of time 13
Art. 404. Character evidence generally not admissible in civil or criminal trial to prove conduct; exceptions; other criminal acts 13
Art. 405. Methods of proving character 15
Art. 406. Habit; routine practice; methods of proof 15
Art. 407. Subsequent remedial measures 15
Art. 408. Compromise and offers to compromise 15
Art. 409. Payment of medical and similar expenses 16
Art. 410. Inadmissibility of pleas, plea discussions, and related statements 16
Art. 411. Liability insurance 16
Art. 412. Victim's past sexual behavior in sexual assault cases; trafficking offenses 17
Art. 412.1. Victim's attire in sexual assault cases 18

Sample

Art. 412.2. Evidence of similar crimes, wrongs, or acts in sex offense cases 18
Art. 412.3. Statements made by victims of trafficking during investigations 19
Art. 412.4. Evidence of similar crimes, wrongs, or acts in domestic abuse cases and cruelty against juveniles cases 19
Art. 412.5. Evidence of similar crimes, wrongs, or acts in certain civil cases 20
Art. 413. Settlement or tender 20
Art. 414. Worker's compensation payments 20
Art. 415. Act of contacting or retaining an attorney 21
Art. 416. Autopsy photographs 21
CHAPTER 5. TESTIMONIAL PRIVILEGES 22
Art. 501. Scope of privileges 22
Art. 502. Waiver of privilege 22
Art. 503. Comment on or inference from claim of privilege; instructions; exception 22
Art. 504. Spousal confidential communications privilege 22
Art. 505. Spousal witness privilege 23
Art. 506. Lawyer-client privilege 23
Art. 507. Subpoena of lawyer or his representative in criminal cases 25
Art. 508. Subpoena of lawyer or his representative in civil cases 25
Art. 509. Work product rule not affected 26
Art. 510. Health care provider-patient privilege 26
Art. 511. Communications to clergymen 29
Art. 512. Political vote 30
Art. 513. Trade secrets 30
Art. 514. Identity of informer 30
Art. 515. Accountant-client privilege 31
Art. 516. Subpoena of accountant or his representative in criminal cases 33
Art. 517. Subpoena of accountant; civil, juvenile, administrative proceedings 33
Art. 518. Trained peer support member privilege 34
Art. 519. Subpoena of judge or his representative in civil and criminal cases 35
CHAPTER 6. WITNESSES 36
Art. 601. General rule of competency 36
Art. 602. Lack of personal knowledge 36
Art. 603. Oath or affirmation 36
Art. 604. Interpreters 36
Art. 604.1. Qualifications of interpreters; interpretations 36

Sample

Art. 605. Disqualification of judge as witness 37
Art. 606. Disqualification of juror as witness 37
Art. 607. Attacking and supporting credibility generally 37
Art. 608. Attacking or supporting credibility by character evidence 38
Art. 609. Attacking credibility by evidence of conviction of crime in civil cases 38
Art. 609.1. Attacking credibility by evidence of conviction of crime in criminal cases 39
Art 610. Religious beliefs or opinions 39
Art. 611. Mode and order of interrogation and presentation 39
Art. 612. Writing used to refresh memory 40
Art. 613. Foundation for extrinsic attack on credibility 41
Art. 614. Calling and questioning of witnesses by court 41
Art. 615. Exclusion of witnesses 41
CHAPTER 7. OPINIONS AND EXPERT TESTIMONY 43
Art. 701. Opinion testimony by lay witnesses 43
Art. 702. Testimony by experts 43
Art. 703. Bases of opinion testimony by experts 43
Art. 704. Opinion on ultimate issue 43
Art. 705. Disclosure of facts or data underlying expert opinion; foundation 44
Art. 706. Court appointed experts 44
CHAPTER 8. HEARSAY 45
Art. 801. Definitions 45
Art. 802. Hearsay rule 46
Art. 803. Hearsay exceptions; availability of declarant immaterial 46
Art. 803.1. Hearsay exceptions; foreign records of regularly conducted activity 49
Art. 804. Hearsay exceptions; declarant unavailable 50
Art. 805. Hearsay within hearsay 51
Art. 806. Attacking and supporting credibility of declarant 51
CHAPTER 9. AUTHENTICATION AND IDENTIFICATION 52
Art. 901. Requirement of authentication or identification 52
Art. 902. Self-authentication 52
Art. 902.1. Self-authentication; unmanned aircraft system footage 54
Art. 903. Subscribing witness' testimony unnecessary 56
Art. 904. Self-authentication of copies of public documents 56
Art. 905. Self-authentication of other public records 56
CHAPTER 10. CONTENTS OF WRITINGS, ... 57

Sample

RECORDINGS, AND PHOTOGRAPHS 57
Art. 1001. Definitions 57
Art. 1002. Requirement of original 57
Art. 1003. Admissibility of duplicates 57
Art. 1003.1. Electronic duplicates 58
Art. 1004. Admissibility of other evidence of contents 58
Art. 1005. Public records 58
Art. 1006. Summaries 58
Art. 1007. Testimony or written admission of party 59
Art. 1008. Functions of court and jury 59
CHAPTER 11. MISCELLANEOUS RULES 60
Art. 1101. Applicability 60
Art. 1102. Title 61
Art. 1103. Repealed by Acts 1995, No. 1300, §2 61
Art. 1104. State v. Prieur; pretrial; burden of proof 61
Art. 1105. Burden of proof; civil proceedings 61
INDEX 62

Sample

CHAPTER 1. GENERAL PROVISIONS

Art. 101. Scope

This Code governs proceedings in the courts of Louisiana to the extent and with the exceptions stated in Article 1101.
Acts 1988, No. 515, §1, eff. Jan. 1, 1989.

Art. 102. Purpose and construction

These articles shall be construed to secure fairness and efficiency in administration of the law of evidence to the end that the truth may be ascertained and proceedings justly determined.
Acts 1988, No. 515, §1, eff. Jan. 1, 1989.

Art. 103. Rulings on evidence

A. Effect of erroneous ruling. Error may not be predicated upon a ruling which admits or excludes evidence unless a substantial right of the party is affected, and

(1) Ruling admitting evidence. When the ruling is one admitting evidence, a timely objection or motion to admonish the jury to limit or disregard appears of record, stating the specific ground of objection; or

(2) Ruling excluding evidence. When the ruling is one excluding evidence, the substance of the evidence was made known to the court by counsel.

B. Record of ruling. The court may add any other or further statement which shows the character of the evidence, the form in which it was offered, the objection made, and the ruling thereon.

C. Hearing of jury. In jury cases, proceedings shall be conducted, to the extent practicable, so as to prevent inadmissible evidence from being suggested to the jury by any means, such as making statements or asking questions in the hearing of the jury.
Acts 1988, No. 515, §1, eff. Jan. 1, 1989.

Sample

Art. 104. Preliminary questions

NOTE: SEE C.E. ART. 1103.

A. Questions of admissibility generally. Preliminary questions concerning the competency or qualification of a person to be a witness, the existence of a privilege, or the admissibility of evidence shall be determined by the court, subject to the provisions of Paragraph B. In making its determination it is not bound by the rules of evidence except those with respect to privileges.

B. Relevancy conditioned on fact. Subject to other provisions of this Code, when the relevancy of evidence depends upon the fulfillment of a condition of fact, the court shall admit it upon, or subject to, the introduction of evidence sufficient to support a finding of the fulfillment of the condition.

C. Hearing of jury. Hearings on matters to be decided by the judge alone shall be conducted out of the hearing of the jury when the interests of justice require. Hearings on the admissibility of confessions or admissions by the accused or evidence allegedly unlawfully obtained shall in all cases be conducted out of the hearing of the jury, but when there has been a

ruling prior to trial, it shall not be necessary to conduct another hearing as to admissibility before presentation of the evidence to a jury.

D. Weight and credibility. The preliminary determination by the court that evidence is admissible does not limit the right of a party to introduce evidence relevant to weight or credibility at the trial.

Acts 1988, No. 515, §1, eff. Jan. 1, 1989.

Art. 105. Limited admissibility

When evidence which is admissible as to one party or for one purpose but not admissible as to another party or for another purpose is admitted, the court, upon request, shall restrict the evidence to its proper scope and instruct the jury accordingly. Failure to restrict the evidence and instruct the jury shall not constitute error absent a request to do so.

Acts 1988, No. 515, §1, eff. Jan. 1, 1989.

Sample

CHAPTER 2. JUDICIAL NOTICE

Art. 201. Judicial notice of adjudicative facts generally

A. Scope of Article. This Article governs only judicial notice of adjudicative facts. An "adjudicative fact" is a fact normally determined by the trier of fact.

B. Kinds of facts. A judicially noticed fact must be one not subject to reasonable dispute in that it is either:

(1) Generally known within the territorial jurisdiction of the trial court; or

(2) Capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

C. When discretionary. A court may take judicial notice, whether requested or not.

D. When mandatory. A court shall take judicial notice upon request if supplied with the information necessary for the court to determine that there is no reasonable dispute as to the fact.

E. Opportunity to be heard. A party is entitled upon timely request to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed. In the absence of prior opportunity to be heard, the request may be made after judicial notice has been taken.

F. Time of taking notice. A party may request judicial notice at any stage of the proceeding but shall not do so in the hearing of a jury. Before taking judicial notice of a matter in its instructions to the jury, the court shall inform the parties before closing arguments begin.

G. Instructing jury. In a civil case, the court shall instruct the jury to accept as conclusive any fact judicially noticed. In a criminal case, the court shall instruct the jury that it may, but is not required to, accept as conclusive any fact judicially noticed.

Acts 1988, No. 515, §1, eff. Jan. 1, 1989.

Art. 202. Judicial notice of legal matters

A. Mandatory. A court, whether requested to do so or not, shall take judicial notice of the laws of the United States, of every state, territory, and other jurisdiction of the United States, and of the ordinances enacted by any political subdivision within the court's territorial jurisdiction whenever certified copies of the ordinances have been filed with the clerk of that court.

B. Other legal matters. (1) A court shall take judicial notice of the following if a party requests it and provides the court with the information needed by it to comply with the request, and may take judicial notice without request of a party of:

(a) Proclamations of the President of the United States and the governor of this state.

(b) Rules of boards, commissions, and agencies of this state that have been duly published and promulgated in the Louisiana Register.

(c) Ordinances enacted by any political subdivision of the State of Louisiana.

(d) Rules which govern the practice and procedure in a court of the United States or of any state, territory, or other jurisdiction of the United States, and which have been published in a form which makes them readily accessible.

Sample

CHAPTER 11. MISCELLANEOUS RULES

Art. 1101. Applicability

A. Proceedings generally; rule of privilege.

(1) Except as otherwise provided by legislation, the provisions of this Code shall be applicable to the determination of questions of fact in all contradictory judicial proceedings and in proceedings to confirm a default judgment. Juvenile adjudication hearings in delinquency proceedings shall be governed by the provisions of this Code applicable to civil cases. Juvenile adjudication hearings in delinquency proceedings shall be governed by the provisions of this Code applicable to criminal cases.

(2) Furthermore, except as otherwise provided by legislation, Chapter 5 of this Code with respect to testimonial privileges applies to all stages of all actions, cases, and proceedings where there is power to subpoena witnesses, including administrative, juvenile, legislative, military courts-martial, grand jury, arbitration, medical review panel, and judicial proceedings, and the proceedings enumerated in Paragraphs B and C of this Article.

B. Limited applicability. Except as otherwise provided by Article 1101(A)(2) and other legislation, in the following proceedings, the principles underlying this Code shall serve as guides to the admissibility of evidence. The specific exclusionary rules and other provisions, however, shall be applied only to the extent that they tend to promote the purposes of the proceeding.

(1) Worker's compensation cases.

(2) Child custody cases.

(3) Revocation of probation hearings.

(4) Preliminary examinations in criminal cases, and the court may consider evidence that would otherwise be barred by the hearsay rule.

(5) All proceedings before mayors' courts and justice of the peace courts.

(6) Peace bond hearings.

(7) Extradition hearings.

(8) Hearings on motions and other summary proceedings involving questions of fact not dispositive of or central to the disposition of the case on the merits, or to the dismissal of the case, excluding in criminal cases hearings on motions to suppress evidence and hearings to determine mental capacity to proceed.

C. Rules inapplicable. Except as otherwise provided by Article 1101(A)(2) and other legislation, the provisions of this Code shall not apply to the following:

(1) The determination of questions of fact preliminary to admissibility of evidence when the issue is to be determined by the court under Article 104.

(2) Proceedings with respect to release on bail.

(3) Disposition hearings in juvenile cases.

(4) Sentencing hearings except as provided in Code of Criminal Procedure Article 905.2 in capital cases.

(5) Small claims court proceedings except as provided in R.S. 13:5203 and 13:5207.

(6) Proceedings before grand juries except as provided by Code of Criminal Procedure Article 442.

Sample

D. Discretionary applicability. Notwithstanding the limitations on the applicability of this Code stated in Paragraphs A, B, and C of this Article, in all judicial proceedings a court may rely upon the provisions of this Code with respect to judicial notice, authentication and identification, and proof of contents of writings, recordings, and photographs as a basis for admitting evidence or making a finding of fact.

Acts 1988, No. 515, §1, eff. Jan. 1, 1989; Acts 1988, 2nd Ex. Sess. No. 7, §1, eff. Jan. 1, 1989; Acts 1992, No. 376, §3, eff. Jan. 1, 1993.

{{NOTE: SECTION 12 OF ACTS 1988, NO. 515, PROVIDES AS FOLLOWS:

Section 12.(1) The provisions of this Act shall govern and regulate all civil proceedings commenced and criminal prosecutions instituted on or after the effective date of this Act.

(2) Furthermore, it shall govern and regulate all hearings, trials or retrials, and other proceedings to which it is applicable which are commenced on or after the effective date of this Act, except to the extent that its application in a particular action pending when the Act takes effect would not be feasible or would work injustice, in which event former evidentiary rules apply.

(3) All of the provisions of this Act shall become effective on January 1, 1989.}}

Art. 1102. Title

This Code may be known and cited as the "Louisiana Code of Evidence."

Acts 1988, No. 515, §1, eff. Jan. 1, 1989.

Art. 1103. Repealed by Acts 1995, No. 1300, §2

Art. 1104. State v. Prieur; pretrial; burden of proof

The burden of proof in a pretrial hearing held in accordance with State v. Prieur, 277 So.2d 126 (La. 1973), shall be identical to the burden of proof required by Federal Rules of Evidence Article IV, Rule 404.

Acts 1994, 3rd Ex. Sess., No. 51, §2.

Art. 1105. Burden of proof; civil proceedings

A. In any civil proceeding in which the defense of self-defense is raised, the defendant shall have the burden to prove by a preponderance of the evidence that he acted in self-defense.

B. For the purposes of this Article, if the defense of self-defense is raised in a civil proceeding by an authorized person as defined in R.S. 9:2793.12, the burden of proof shall be on the party asserting the action to prove by a preponderance of the evidence that the injury, death, or loss complained of was not caused by a justified use of force or self-defense by the authorized person.

Acts 2024, No. 729, §1.

Sample

INDEX

KEY

Authentication and Identification....p. 62
Contents of Writings, Recordings, and Photographs....p. 62
Effect in Civil Cases of Presumptions and Prima Facie Evidence....p. 62
General Provisions....p. 63
Hearsay....p. 63
Judicial Notice....p. 63
Miscellaneous Rules....p. 63
Opinions and Expert Testimony....p. 63
Relevancy and Its Limits....p. 63
Testimonial Privileges....p. 64
Witnesses....p. 65

Authentication and Identification....p. 52

Requirement of authentication or identification....Art. 901, p. 52
Self-authentication....Art. 902, p. 52
Self-authentication of copies of public documents....Art. 904, p. 56
Self-authentication of other public records....Art. 905, p. 56
Self-authentication; unmanned aircraft system footage....Art. 902.1, p. 54
Subscribing witness' testimony unnecessary....Art. 903, p. 56

Contents of Writings, Recordings, and Photographs....p. 57

Admissibility of duplicates....Art. 1003, p. 57
Admissibility of other evidence of contents....Art. 1004, p. 58
Definitions....Art. 1001, p. 57
Electronic duplicates....Art. 1003.1, p. 58
Functions of court and jury....Art. 1008, p. 59
Public records....Art. 1005, p. 58
Requirement of original....Art. 1002, p. 57
Summaries....Art. 1006, p. 58
Testimony or written admission of party....Art. 1007, p. 59

Effect in Civil Cases of Presumptions and Prima Facie Evidence....p. 11

Conclusive presumptions....Art. 303, p. 11
Definitions....Art. 302, p. 11
Effect of presumptions if there is controverting evidence....Art. 306, p. 12
Effect of presumptions if there is no controverting evidence....Art. 305, p. 12
Effect of the term "prima facie" in legislation....Art. 308, p. 12
Jury instructions....Art. 307, p. 12
Presumption of causation of injuries....Art. 306.1, p. 12

Sample

Witnesses.....p. 36
Attacking and supporting credibility generally.....Art. 607, p. 37
Attacking credibility by evidence of conviction of crime in civil cases.....Art. 609, p. 38
Attacking credibility by evidence of conviction of crime in criminal cases.....Art. 609.1, p. 39
Attacking or supporting credibility by character evidence.....Art. 608, p. 38
Calling and questioning of witnesses by court.....Art. 614, p. 41
Disqualification of judge as witness.....Art. 605, p. 37
Disqualification of juror as witness.....Art. 606, p. 37
Exclusion of witnesses.....Art. 615, p. 41
Foundation for extrinsic attack on credibility.....Art. 613, p. 41
General rule of competency.....Art. 601, p. 36
Interpreters.....Art. 604, p. 36
Lack of personal knowledge.....Art. 602, p. 36
Mode and order of interrogation and presentation.....Art. 611, p. 39
Oath or affirmation.....Art. 603, p. 36
Qualifications of interpreters; interpretations.....Art. 604.1, p. 36
Religious beliefs or opinions.....Art. 610, p. 39
Writing used to refresh memory.....Art. 612, p. 40

Sample