

## SEMINAR

# Evidence Admissibility in Family Law Cases

## *Offering or opposing the introduction of evidence*

Family Law is evolving and so is the evidence that is available for trial. What evidence is allowed in and how do you get it in? What is hearsay and what are the exceptions? What privileges have exceptions and when can they be waived?

This seminar provides both experienced and new practitioners with real-life examples and suggestions to demystify the Probate and Family Court. With a panel of experienced practitioners, you learn how evidence can be used effectively at trial. In addition, hear what works and, perhaps most importantly, what doesn't work. Stay on top of the latest issues in the introduction of real and demonstrative evidence, as well as the latest in electronic discovery. Get answers to questions on deposition transcripts at trial, what order to call your witnesses, what should you stipulate to in advance, and anything else you want to know!

## Agenda

- Identifying Hearsay and Knowing the Exceptions
- What Is the Admissibility of Child Therapist Communications in DCF Reports or on Matters Not Touching the Communications with the Patient?
- DCF Records as Evidence: What Should and Shouldn't Be Admitted? Who Should Be Called to Testify? How Do You Deal with Redactions in the Reports?
- Marital and Therapist Privileges: What Are the Exceptions? How Do You Get the Testimony into Evidence?
- Admissibility of Text Messages, Police Reports, and Recordings
- Real and Demonstrative Evidence
- Foundations: Learn How to Ask the Questions and Introduce the Evidence
- "Ask the Experts" Q&A Session

## Faculty

Julie K. Murphy, Esq., *Rico, Murphy, Diamond & Bean LLP, Natick, Chair*

Hon. Patricia A. Gorman, *Middlesex Probate and Family Court, Commonwealth of Massachusetts*

Michael P. Judge, Esq., *Casner & Edwards LLP, Boston*

Richard M. Novitch, Esq., *Todd & Weld LLP, Boston*

Jennifer C. Roman, Esq., *Tracey & Associates, PC, Wellesley Hills*

## Dates

### LIVE WEBCAST

Thursday, July 23, 2020  
1:00 pm–5:00 pm

Register at [www.mcle.org](http://www.mcle.org)

Program Number: 2200142WBC

### RECORDED WEBCAST

Thursday, August 6, 2020  
9:00 am–1:00 pm

Register at [www.mcle.org](http://www.mcle.org)

Program Number: 2200142RBC

## Tuition *(includes written materials)*

- \$225
- \$202.50 MCLE Sponsor Members
- \$168.75 New Lawyers admitted to law practice after 2017, Pending Admittees, Law Students, and Paralegals

## Materials

The materials for this program include MCLE's *Massachusetts E-Discovery and Evidence: Preservation Through Trial*, which can be downloaded via the link emailed to you upon registration.

Also, there is no need to take extensive notes. Two weeks after the live seminar, all registrants receive a link to a written verbatim transcript of this program.

## Can't Attend?

View the webcast—live or later, or get the audio recording on CD or as an mp3 download at [www.mcle.org](http://www.mcle.org)

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- ▶ **WALK UP** on the day of the program or **DROP IN** to MCLE's bookstore, Monday - Friday, 8:30 a.m. - 5:30 p.m.

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# Policies and Information

## Register early!

For course agendas, hours, fees, and discounts, please refer to the respective seminar pages. The fee includes all written materials unless otherwise noted, program instruction, and refreshment breaks. Lunch may be enjoyed on your own.

To reserve seating and gain access to online materials, please register in advance of the program.


Upon registration, MCLE will e-mail a confirmation. Please check in with the registrar on the day of the program.

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We accept cash, checks, MasterCard, Visa, American Express, and Discover.

## Need special assistance?

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## Mandatory CLE credits

Individual attorneys are responsible for checking with their particular state CLE accreditation authority about whether and how much credit will be granted. Although MCLE does not pursue state-based credit, MCLE programs are regularly approved in many jurisdictions. It is the responsibility of the individual attorney to submit the information and certifications required under the respective state rule to the appropriate authorities in the jurisdictions in which they seek credit.

Depending on the jurisdiction, lawyers can satisfy their mandatory CLE requirements online with MCLE's webcasts, which feature periodic attendance prompts, online written materials, and the opportunity to receive a certificate of attendance.

## If your plans change

If you're unable to attend a program you've registered for, you will receive an email shortly after about how to access the program on demand via webcast and/or downloadable mp3 file, including the written materials in electronic form, in full satisfaction of the tuition paid. If you prefer a refund, let us know by the end of the business day prior to the program and we'll refund your tuition after deducting a \$25 processing fee. Note that limited enrollment programs are an exception, cancellation of which require two weeks notice and are subject to a \$45 processing fee.

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  - 11-25 . . . . . 500
  - 26-75 . . . . . 1,000
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  - 151-250 . . . . . 3,500
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