

MIDLANDS RULES OF EVIDENCE PRACTICE TEST (SAMPLE)

STUDY GUIDE



SAMPLE STUDY GUIDE WITH LIMITED QUESTIONS

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 – 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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- 1. Which rule sets the standard for authenticating or identifying an item of evidence?**
 - A. Rule 805
 - B. Rule 901. (b)(5)
 - C. Rule 901. (a)
 - D. Rule 804. (b)(6)

- 2. Which of the following best defines a 'Statement' for hearsay purposes?**
 - A. Only oral statements made under oath.
 - B. Oral assertions, written assertions, or nonverbal conduct intended as an assertion.
 - C. Any communication, regardless of intent.
 - D. Only statements offered for truth.

- 3. Crimes, Wrongs, or Other Acts Prohibited Uses.**
 - A. Rule 404. (a)(2)
 - B. Rule 406
 - C. Rule 403
 - D. Rule 404. (b)(1)

- 4. Which rule covers evidence that a document is a public record or statement from the office where such items are kept?**
 - A. Rule 901. (b)(7)
 - B. Rule 901. (b)(6)
 - C. Rule 902. (5)
 - D. Rule 902. (1)

- 5. Attacking and Supporting the Declarant's Credibility When a hearsay statement has been admitted, the court may admit evidence of the declarant's inconsistent statement or conduct, regardless of when it occurred. Which rule covers this?**
 - A. Rule 805
 - B. Rule 901. (b)(3)
 - C. Rule 806
 - D. Rule 804. (b)(4)

- 6. Can a juvenile adjudication of the defendant be admitted under Rule 609(c)?**
- A. In civil cases
 - B. In criminal cases where adjudication was the defendant
 - C. In criminal cases where adjudication was of the defendant
 - D. Not admissible if the witness is the defendant
- 7. According to Rule 613(b), calling and/or examining a witness by the court is not allowed.**
- A. The court may call or examine a witness
 - B. The court's calling or examining is permitted only with party consent
 - C. Calling and/or examining a witness by the court is not allowed
 - D. The court can only call a witness if both parties stipulate
- 8. Which method satisfies the requirement that the four conditions for Records of a Regularly Conducted Activity be shown?**
- A. The custodian's testimony
 - B. A handwritten note by a clerk with no certification
 - C. A newspaper article
 - D. A police report
- 9. Under Rule 902. (3), who may certify a foreign public document's genuineness and official position?**
- A. Secretary of a United States embassy or legation
 - B. A consul general, vice consul, or consular agent of the United States
 - C. A diplomatic or consular official of the foreign country assigned or accredited to the United States
 - D. Any of the above
- 10. Compromise Offers and Negotiations.**
- A. Furnishing, promising, or offering - or accepting, promising to accept, or offering to accept - a valuable consideration in compromising or attempting to compromise the claim
 - B. Statements made during compromise negotiations about the claim
 - C. Admissions of fault at trial
 - D. Testimony to prove ownership

Answers

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1. C
2. B
3. D
4. A
5. C
6. D
7. C
8. A
9. D
10. C

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Explanations

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1. Which rule sets the standard for authenticating or identifying an item of evidence?

- A. Rule 805
- B. Rule 901. (b)(5)
- C. Rule 901. (a)**
- D. Rule 804. (b)(6)

Authentication is the process of showing that evidence is what it is claimed to be. The standard for doing this is set by Rule 901(a) – the general provision requiring sufficient proof to support a finding that the item is what it purports to be. This baseline can be met in many ways, with Rule 901(a) not dictating a single method but allowing various approaches, while Rule 901(b) lists specific acceptable methods (like handwriting, voice identification, or distinctive characteristics) that can satisfy that general standard. The other options address different topics or specify particular authentication methods rather than the overarching standard.

2. Which of the following best defines a 'Statement' for hearsay purposes?

- A. Only oral statements made under oath.
- B. Oral assertions, written assertions, or nonverbal conduct intended as an assertion.**
- C. Any communication, regardless of intent.
- D. Only statements offered for truth.

Understanding what counts as a Statement for hearsay purposes. A Statement is any oral assertion, written assertion, or nonverbal conduct intended as an assertion. The crucial element is the speaker's intent to communicate that something is being asserted; the form can be spoken, written, or conveyed through conduct. This broadens the concept beyond just spoken words to include writings and deliberate nonverbal signals when they are meant as assertions. That makes it the best answer because it accurately captures all the ways someone can express an assertion for hearsay. The other descriptions are too narrow or miss the importance of intent: limiting to oral statements under oath ignores writings and nonverbal assertions; including all communications regardless of intent wrongly treats incidental conduct as a Statement; and tying it to the offered-for-truth purpose alone misstates what defines a Statement.

3. Crimes, Wrongs, or Other Acts Prohibited Uses.

- A. Rule 404. (a)(2)
- B. Rule 406
- C. Rule 403
- D. Rule 404. (b)(1)**

The key idea is that evidence of crimes, wrongs, or other acts is not admissible to prove a person's character in order to show they acted in conformity with that character on a particular occasion. That prohibition is found in Rule 404(b)(1), which is titled Prohibited Uses. In other words, you can't use prior acts to label someone as the kind of person who would commit the crime. However, Rule 404(b) also allows such acts to be used for other legitimate purposes—like showing motive, intent, knowledge, identity, or absence of mistake—provided the evidence is relevant and the risk of unfair prejudice is managed under Rule 403. The other rules referenced cover different concepts (character evidence offered by the defendant or victim, habit/routine practice, and the general balancing framework), so they don't address the explicit prohibition described here.

4. Which rule covers evidence that a document is a public record or statement from the office where such items are kept?

A. Rule 901. (b)(7)

B. Rule 901. (b)(6)

C. Rule 902. (5)

D. Rule 902. (1)

Authentication of evidence is the process of proving a writing is genuine. Under Rule 901, one listed way to authenticate is by showing that a document is a public record or a statement of a public office or agency. This means you can establish authenticity by testimony from someone with knowledge that the document is a public record, or by other admissible means that the document originates from the office where such records are kept. The self-authentication provisions in Rule 902 cover a different route—admitting certain official materials without additional proof—and do not describe the specific identification of a public record through a witness. Therefore, the rule that directly covers evidence that a document is a public record or a statement from the office where such items are kept is Rule 901(b)(7).

5. Attacking and Supporting the Declarant's Credibility When a hearsay statement has been admitted, the court may admit evidence of the declarant's inconsistent statement or conduct, regardless of when it occurred. Which rule covers this?

A. Rule 805

B. Rule 901. (b)(3)

C. Rule 806

D. Rule 804. (b)(4)

The main idea is that once a hearsay statement has been admitted, the court can attack or bolster the declarant's credibility using the declarant's prior inconsistent statements or conduct, and it may consider those things no matter when they occurred. This is governed by Rule 806. The rule allows extrinsic evidence of prior inconsistent statements or conduct to challenge the declarant's honesty, even if those statements or actions happened in the distant past, because credibility is central to weighing the hearsay itself and any testimony related to it. For example, if the declarant testifies and there is a prior statement contradicting that testimony, the prior statement may be admitted to show inconsistency. Likewise, conduct suggesting bias or unreliability can be used to undermine credibility, regardless of when it happened. The other rules referenced address different issues: one covers hearsay within hearsay, another concerns authentication, and another deals with statements against interest when the declarant is unavailable.

6. Can a juvenile adjudication of the defendant be admitted under Rule 609(c)?

- A. In civil cases
- B. In criminal cases where adjudication was the defendant
- C. In criminal cases where adjudication was of the defendant
- D. Not admissible if the witness is the defendant**

The key idea is how juvenile adjudications are treated for impeachment under Rule 609(c). This rule generally bars using juvenile adjudications to impeach a witness, and there is no exception that allows admitting a juvenile adjudication to impeach the defendant's credibility. The only narrow exception in 609(c) applies to a witness other than the defendant, and only if the juvenile adjudication involved a crime of dishonesty or a false statement. Since the question involves the defendant as the witness, a juvenile adjudication cannot be admitted for impeachment. In short, juvenile adjudications aren't admissible against the defendant, even though they might be considered for other witnesses in some circumstances.

7. According to Rule 613(b), calling and/or examining a witness by the court is not allowed.

- A. The court may call or examine a witness
- B. The court's calling or examining is permitted only with party consent
- C. Calling and/or examining a witness by the court is not allowed**
- D. The court can only call a witness if both parties stipulate

The main idea is how Rule 613(b) governs impeachment by prior statements and keeps impeachment a matter for the parties, not the judge. Under this rule, the court does not call or examine a witness for the purpose of impeaching another witness. Impeachment proceeds through the witness's own testimony and cross-examination by the opposing party, with any allowed use of extrinsic evidence of a prior inconsistent statement conditioned on the witness having a chance to explain or deny and the adverse party having an opportunity to question. This design preserves the adversarial process and avoids the court stepping into a witness role. That's why the statement that calling or examining a witness by the court is not allowed best fits Rule 613(b); the other options would grant the court authority or require consent/stipulation, which aren't features of this rule.

8. Which method satisfies the requirement that the four conditions for Records of a Regularly Conducted Activity be shown?

- A. The custodian's testimony**
- B. A handwritten note by a clerk with no certification
- C. A newspaper article
- D. A police report

The four elements for Records of a Regularly Conducted Activity are satisfied when a foundation is provided that the records were created in the ordinary course of business, at or near the time by someone with knowledge, kept in the regular course of that business, and made as part of the business's regular practice. The custodian of the records is the standard witness to establish this foundation, confirming who created the records, when they were created, and how they were maintained, so that the records are trustworthy and admissible under the business records rule. A handwritten note by a clerk with no certification fails to establish who created it at the relevant time or to demonstrate that it was kept in the usual course of business. A newspaper article is not a record produced by the business itself and lacks the necessary foundation. A police report might be admissible under other rules, but it does not by itself fulfill the specific four-part foundation required for the Records of a Regularly Conducted Activity. Thus, the custodian's testimony best satisfies the required showing.

9. Under Rule 902. (3), who may certify a foreign public document's genuineness and official position?

- A. Secretary of a United States embassy or legation
- B. A consul general, vice consul, or consular agent of the United States
- C. A diplomatic or consular official of the foreign country assigned or accredited to the United States
- D. Any of the above**

Rule 902(3) lets a foreign public document be self-authenticating if it is accompanied by a certificate of authentication from someone who has authority to certify the document's genuineness and the signer's official position. The rule lists several officials who can provide that certification: a Secretary of a United States embassy or legation; a consul general, vice consul, or consular agent of the United States; and a diplomatic or consular official of the foreign country assigned or accredited to the United States. Because all of these officials are recognized as capable to certify, any of them may authenticate a foreign public document. That breadth is why the option including all of the above is the best choice.

10. Compromise Offers and Negotiations.

- A. Furnishing, promising, or offering - or accepting, promising to accept, or offering to accept - a valuable consideration in compromising or attempting to compromise the claim
- B. Statements made during compromise negotiations about the claim
- C. Admissions of fault at trial**
- D. Testimony to prove ownership

The main concept is that evidence from settlement discussions is generally not allowed to prove liability or the amount of a claim. This rule encourages people to negotiate freely without worrying that what they say while negotiating will be used against them later. Furnishing or promising to furnish something of value in a settlement, or accepting or promising to accept it, and any statements made during compromise negotiations about the claim, are excluded from use to prove liability or the claim's value. Those are the kinds of settlement communications the rule aims to shield. Admissions of fault at trial, on the other hand, are not part of settlement negotiations. As a party opponent's admission, they are typically admissible under the normal rules of evidence to prove fault or liability. They fall outside the protection of compromise negotiations, so they can be used in court. Testimony to prove ownership isn't tied to the settlement-communication rule and would be evaluated by relevance and other applicable rules like any other factual testimony.

Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://midlandsrulesofevidence.examzify.com>

We wish you the very best on your exam journey. You've got this!

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