



ARKANSAS JUDICIARY

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## Rule 1008. Functions Of Court And Jury.

Whenever the admissibility of other evidence of contents of writings, recordings, or photographs under these rules depends upon the fulfillment of a condition of fact, the question whether the condition has been fulfilled is ordinarily for the court to determine in accordance with the provisions of Rule 104. However, when an issue is raised whether (1) the asserted writing ever existed, or (2) another writing, recording, or photograph produced at the trial is the original, or (3) other evidence of contents correctly reflects the contents, the issue is for the trier of fact to determine as in the case of other issues of fact.

### **Associated Court Rules:**

Arkansas Rules of Evidence

### **Group Title:**

Article X. Contents of Writings, Recordings, and Photographs

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