



ARKANSAS JUDICIARY

Published on *Arkansas Judiciary* (<https://courts.arkansas.gov>)

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## Objections to Evidence

As discussed previously, during the trial the lawyers for both sides may make objections to questions asked, or evidence offered, by the other side. This is part of the lawyer's job. There are legal rules for trials, and a lawyer is entitled to object to questions believed to be improper. For example, an attorney may ask a leading question. Black's Law Dictionary defines this as:

A question that suggests the answer to the person being interrogated; esp., a question that may be answered by a mere "yes" or "no."

Such a question is not proper on direct examination, but is allowed when the opposing lawyer cross-examines the same witness.

If the judge considers the question improper, or the evidence inadmissible, the judge will "sustain" the objection. When the judge sustains the objection, the question cannot be asked or answered. However, if the judge finds the question proper, he/she will "overrule" the objection. The judge's ruling does not indicate favor of one side or over the other, and you should not draw any such inference from the ruling. Even if the judge were to decide every objection in favor of one side, it does not mean that side is entitled to win the case.

Important: The information on this website is not intended to take the place of the instructions given by the judge in any case. Should you see a conflict, the trial judge's instructions will prevail.

Note: The pronouns, he, him, his, refer to both the male and female gender.

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