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Federal Rules of Evidence: A Decade Later - Introduction

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INTRODUCTION

LEONARD PACKEL†

On January 2, 1975, President Gerald Ford signed the legislation which we commonly call the Federal Rules of Evidence.¹ That act culminated a process which had begun in the late 1930's. The primary reasons for the Federal Rules were to bring about greater uniformity in the federal courts, and to clarify and to improve the existing law of evidence. It is difficult for law students who are taught the Federal Rules to accept the fact that before the Federal Rules were enacted, only a handful of states had codified their law of evidence and that there was no uniform federal practice. In fact, many find it inconceivable that Pennsylvania does not have an equivalent to the Federal Rules.

The impact of the Federal Rules has been tremendous—thirty states have adopted rules patterned after the Federal Rules.² Although I can not offer empirical evidence, I suspect that trial lawyers in courts today find that the rules are easier to work with, clearer and more certain than what existed before.

One major concern was that the adoption of the Federal Rules would prevent future development and growth. Again, without empirical evidence, I sense that the adoption of the Federal Rules had led to increased concern for the rules of evidence, and that courts, lawyers, and scholars have used the rules as a jumping-off point for new and creative thinking about the operation of our justice system.

Certainly, the panelists, whose papers follow this Introduction, are in the forefront of modern evidence law. We are fortunate to have them participate in this symposium which commemorates the tenth anniversary of the Federal Rules of Evidence. I am sure that their papers not only will inform us today, but also the larger audience who will read their papers in the *Villanova Law Review*.

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1. Pub. L. No. 93-595 § 2, 88 Stat. 1926 (1974).

2. For citations to the state codes adopting the Federal Rules, see Wroth, *The Federal Rules of Evidence in the States: A Ten-Year Perspective*, 30 VILL. L. REV. 1315, 1318-20 & nn.13-16, 22-25 (1985).

