Rule 1002. Requirement of the Original.

An original writing, recording, or photograph is required in order to prove its content unless these rules or an applicable statute provides otherwise.

Comment to 2012 Amendment

The language of Rule 1002 has been amended to conform to the federal restyling of the Evidence Rules to make them more easily understood and to make style and terminology consistent throughout the rules. These changes are intended to be stylistic only. There is no intent to change any result in any ruling on evidence admissibility.

Cases

1002.010 The rule requiring production of the original applies only when a party seeks to prove the contents of a writing, recording, or photograph.

State v. Smith, 122 Ariz. 58, 593 P.2d 281 (1979) (rule does not prohibit party from introducing photograph of physical object rather than object itself).

Strawberry Water Co. v. Paulsen, 220 Ariz. 401, 207 P.3d 654, ¶ 9 & n.2 (Ct. App. 2008) (lawsuit was over ownership of water used to fill pond; defendant contended plaintiff was required to prove ownership using sales documents and ownership certificates; court stated that plaintiff was not limited to sales documents and ownership certificates, but could have used any other admissible evidence to establish its rights to water).

W.F. Dunn, Sr. & Son v. Industrial Comm'n, 160 Ariz. 343, 773 P.2d 241 (Ct. App. 1989) (because plaintiff was attempting to prove fact of his prior conviction and not contents of documentary evidence of conviction, plaintiff did not need original writing).

State v. Lacey, 143 Ariz. 507, 694 P.2d 795 (Ct. App. 1984) (state had filed petition asking trial court to require bond of witness; trial court properly refused defendant's request to admit in evidence petition and minute entry setting bond because (a) they were not relevant, (b) witness testified about petition to set bond, and (c) rule requiring production of original documents did not apply).

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