



CONTINUING EDUCATION OF THE BAR ■ CALIFORNIA

Jefferson’s California Evidence Benchbook

February 2026 Update

Filing Instructions

This packet contains replacement pages to be interleaved in the main text, including a complete replacement of Chapters 3, 24–25, and the “Tables” and “Index” sections at the end of the book. For a complete list of all pages that should be in your binders after inserting the revised pages, see the accompanying Page List.

Remove old pages

Insert new pages

Volume 1

Cover and Imprint

i—ii

same

Continuing Education Opener

iii—iv

same

CEB Advisory Board

v—vi

same

Contents

vii—x

same

Preface

xi—xii

same

Foreword to the Fourth Edition

xiii—xiv

same

About the Authors

xv—xviii

same

About the 2026 Update Authors

xix—xx

same

About the Editorial Board

41JEBX2600

<i>Remove old pages</i>	<i>Insert new pages</i>
xxi—xxii	same
In Memoriam: Justice Bernard S. Jefferson	
xxiii—xxvi	same
Selected Developments	
xxvii—xxx	same
Cutoff Dates and CEB Citation	
xxxi—xxxii	same
1. Hearsay and Nonhearsay Evidence	
1-7—1-16	same
1-23—1-24	same
1-31—1-32	same
1-39—1-40	same
2. Hearsay Exceptions: General Principles	
2-15—2-18.2	same
3. Admissions and Confessions	
3-1—3-48	same
5. Official Records and Writings	
5-5—5-8	5-5—5-8.2
10. Prior Inconsistent and Consistent Statements of Witness	
10-5—10-8	same
18. Miscellaneous Hearsay Exceptions	
18-13—18-14	same
18-23—18-24	same
18-33—18-34	same
18-37—18-38	same
21. Relevancy: General Principles	
21-7—21-12	same
21-15—21-16	21-15—21-16.2
21-39—21-42	same
21-61—21-64	same
22. Exclusion of Evidence Under Evid C §§352-352.1	
22-1—22-4	22-1—22-4.2
22-21—22-22	same
22-29—22-30	same
24. Determination of Preliminary Facts: General Principles	
24-1—24-10	same
25. Determining Preliminary Facts Under Evid C §403	
25-1—25-20	same

*Remove old pages**Insert new pages***30. Opinion Testimony From Expert and Lay Witnesses**

30-5—30-6	30-5—30-6.2
30-17—30-18	same
30-33—30-34	30-33—30-34.2
30-63—30-64	30-63—30-64.2

Volume 2**Cover and Imprint**

i—ii	same
------	------

Contents Volume 2

iii—vi	same
--------	------

33. Admissibility of Electronic Evidence

33-1—33-6	same
33-9—33-16	same
33-23—33-28	same
33-35—33-36	same
33-47—33-48	same

34. Parol Evidence Rule

34-9—34-10	34-9—34-10.2
34-25—34-28	same

36. Other Items of Evidence Affected or Excluded by Extrinsic Policies

36-33—36-34	same
-------------	------

37. Privileges: General Provisions

37-5—37-6	37-5—37-6.2
37-9—37-12	same
37-15—37-20	same

39. Physician-Patient Privilege

39-9—39-10	39-9—39-10.2
------------	--------------

42. Lawyer-Client Privilege

42-11—42-28	same
42-33—42-36	same

44. Official-Information Privilege

44-19—44-20.2	same
---------------	------

48. Presumptions

48-3—48-4	same
48-17—48-20	same
48-25—48-30	48-25—48-30.2
48-41—48-42	same

49. Judicial Notice

<i>Remove old pages</i>	<i>Insert new pages</i>
49-5—49-6	49-5—49-6.2
Table of Statutes, Regulations, and Rules T-1—T-22	same
Table of Cases T-23—T-90	same
Index I-1—I-128	same



CONTINUING EDUCATION OF THE BAR ■ CALIFORNIA

Jefferson's California Evidence Benchbook

February 2026 Update

Page List

This is a complete list of all pages that should be in your binders after filing the February 2026 Update.

Volume 1

Cover and Imprint	
i—ii	2/26
Continuing Education Opener	
iii—iv	2/26
CEB Advisory Board	
v—vi	2/26
Contents	
vii—x	2/26
Preface	
xi—xii	2/26
Foreword to the Fourth Edition	
xiii—xiv	2/26
About the Authors	
xv—xviii	2/26
About the 2026 Update Authors	
xix—xx	2/26

**PLEASE MAKE SURE YOUR VOLUME IS COMPLETE
BEFORE RECYCLING DISCARDED PAGES**

About the Editorial Board	
xxi—xxii	2/26
In Memoriam	
xxiii—xxvi	2/26
Selected Developments	
xxvii—xxx	2/26
Cutoff Dates and CEB Citation	
xxxi—xxxii	2/26
1. Hearsay and Nonhearsay Evidence	
1-1—1-4	2/24
1-5—1-6	2/25
1-7—1-16	2/26
1-17—1-22	2/24
1-23—1-24	2/26
1-25—1-26.2	2/25
1-27—1-30	2/24
1-31—1-32	2/26
1-33—1-34	2/24
1-35—1-36	2/25
1-37—1-38	2/24
1-39—1-40	2/26
1-41—1-42	2/24
2. Hearsay Exceptions: General Principles	
2-1—2-2	2/25
2-3—2-12	2/24
2-13—2-14.2	2/25
2-15—2-18.2	2/26
2-19—2-20.2	2/25
2-21—2-24	2/24
2-25—2-26	2/25
2-27—2-36	2/24
2-37—2-38.2	2/25
2-39—2-42	2/24
2-43—2-46	2/25
2-47—2-60	2/24
3. Admissions and Confessions	
3-1—3-48	2/26
4. Business Records	
4-1—4-4.2	2/25
4-5—4-10	2/24

4-11—4-22	2/25
5. Official Records and Writings	
5-1—5-2	2/24
5-3—5-4.2	2/25
5-5—5-8.2	2/26
5-9—5-14	2/24
6. Declarations Against Interest	
6-1—6-12	2/25
7. Dying Declarations	
7-1—7-10	2/24
8. Former Testimony	
8-1—8-16	2/24
9. Judgments	
9-1—9-8	2/25
10. Prior Inconsistent and Consistent Statements of Witness	
10-1—10-4	2/24
10-5—10-8	2/26
10-9—10-16	2/24
11. Past Recollection Recorded	
11-1—11-6	2/24
12. Prior Identification	
12-1—12-2	2/24
12-3—12-4	2/25
12-5—12-10	2/24
12-11—12-12	2/25
12-13—12-14	2/24
13. Spontaneous and Contemporaneous Statements	
13-1—13-2	2/24
13-3—13-6.2	2/25
13-7—13-14	2/24
14. Statements of State of Mind, Emotion, or Physical Sensation	
14-1—14-14	2/24
15. Statements Concerning Wills and Claims Against Estates	
15-1—15-8	2/24
16. Statements and Reputation About Family History	
16-1—16-14	2/24
17. Dispositive Instruments and Ancient Writings	
17-1—17-6	2/24

18. Miscellaneous Hearsay Exceptions

18-1—18-12	2/24
18-13—18-14	2/26
18-15—18-16.2	2/25
18-17—18-22	2/24
18-23—18-24	2/26
18-25—18-32	2/24
18-33—18-34	2/26
18-35—18-36	2/24
18-37—18-38	2/26
18-39—18-40	2/24

19. Evidence: Definitions and Distinctions

19-1—19-10	2/24
------------	------

20. Objections; Limited Admissibility; Rule of Completeness

20-1—20-8	2/24
20-9—20-10	2/25
20-11—20-12	2/24
20-13—20-14	2/25

21. Relevancy: General Principles

21-1—21-6	2/24
21-7—21-12	2/26
21-13—21-14	2/24
21-15—21-16.2	2/26
21-17—21-18	2/24
21-19—21-20.2	2/25
21-21—21-30	2/24
21-31—21-36	2/25
21-37—21-38	2/24
21-39—21-42	2/26
21-43—21-48	2/24
21-49—21-50	2/25
21-51—21-52	2/24
21-53—21-54	2/25
21-55—21-60	2/24
21-61—21-64	2/26
21-65—21-68	2/24

22. Exclusion of Evidence Under Evid C §§352-352.1

22-1—22-4.2	2/26
22-5—22-6	2/24
22-7—22-8.2	2/25
22-9—22-12	2/24

22-13—22-16.2	2/25
22-17—22-20	2/24
22-21—22-22	2/26
22-23—22-28	2/24
22-29—22-30	2/26
23. Use of Prior Convictions to Attack Credibility of Witness	
23-1—23-10	2/24
23-11—23-14	2/25
23-15—23-20	2/24
24. Determination of Preliminary Facts: General Principles	
24-1—24-10	2/26
25. Determining Preliminary Facts Under Evid C §403	
25-1—25-20	2/26
26. Determining Other Preliminary Facts Under Evid C §405	
26-1—26-16	2/24
27. Competency and Qualification of Witnesses	
27-1—27-14	2/24
27-15—27-16	2/25
27-17—27-18	2/24
28. Method and Scope of Examination of Witnesses	
28-1—28-86	2/24
28-87—28-88	2/25
29. Attacking and Supporting Credibility of Witnesses	
29-1—29-34	2/24
29-35—29-36	2/25
29-37—29-62	2/24
29-63—29-66	2/25
29-67—29-86	2/24
29-87—29-88	2/25
30. Opinion Testimony From Expert and Lay Witnesses	
30-1—30-4	2/25
30-5—30-6.2	2/26
30-7—30-16	2/25
30-17—30-18	2/26
30-19—30-32	2/25
30-33—30-34.2	2/26
30-35—30-62	2/25
30-63—30-64.2	2/26
30-65—30-76	2/25
31. Authentication and Proof of Writings	

31-1—31-22 2/24

32. Proving Contents of Writings and the Secondary Evidence Rule

32-1—32-18 2/24

32-19—32-20 2/25

32-21—32-28 2/24

Volume 2

Cover and Imprint

i—ii 2/26

Contents Volume 2

iii—vi 2/26

33. Admissibility of Electronic Evidence

33-1—33-6 2/26

33-7—33-8 2/25

33-9—33-16 2/26

33-17—33-22 2/25

33-23—33-28 2/26

33-29—33-34 2/25

33-35—33-36 2/26

33-37—33-46 2/25

33-47—33-48 2/26

34. Parol Evidence Rule

34-1—34-4 2/24

34-5—34-6.2 2/25

34-7—34-8 2/24

34-9—34-10.2 2/26

34-11—34-24 2/24

34-25—34-28 2/26

34-29—34-30 2/24

35. Evidence of Character, Habit, and Custom

35-1—35-56 2/24

36. Other Items of Evidence Affected or Excluded by Extrinsic Policies

36-1—36-30 2/24

36-31—36-32 2/25

36-33—36-34 2/26

37. Privileges: General Provisions

37-1—37-4 2/24

37-5—37-6.2 2/26

37-7—37-8 2/24

37-9—37-12 2/26

37-13—37-14 2/25

37-15—37-20	2/26
37-21—37-22	2/24
38. Marital Privileges	
38-1—38-4	2/24
38-5—38-6	2/25
38-7—38-18	2/24
39. Physician-Patient Privilege	
39-1—39-8	2/24
39-9—39-10.2	2/26
39-11—39-18	2/24
40. Psychotherapist-Patient Privilege	
40-1—40-2	2/24
40-3—40-6	2/25
40-7—40-16	2/24
40-17—40-18.2	2/25
40-19—40-24	2/24
41. Clergy-Penitent, Counselor-Victim, and Similar Privileges	
41-1—41-10	2/24
41-11—41-12	2/25
41-13—41-20	2/24
42. Lawyer-Client Privilege	
42-1—42-10	2/24
42-11—42-28	2/26
42-29—42-32	2/24
42-33—42-36	2/26
42-36.1—42-36.2	2/25
42-37—42-44	2/24
43. Attorney Work Product Doctrine	
43-1—43-12	2/24
43-13—43-14	2/25
43-15—43-16	2/24
43-17—43-20	2/25
44. Official-Information Privilege	
44-1—44-4	2/24
44-5—44-12	2/25
44-13—44-18	2/24
44-19—44-20.2	2/26
44-21—44-22.2	2/25
44-23—44-24	2/24
44-25—44-26	2/25
44-27—44-28	2/24

45. Identity-of-Informer Privilege

45-1—45-4	2/24
45-5—45-6	2/25
45-7—45-20	2/24

46. Privilege Against Self-Incrimination

46-1—46-2	2/24
46-3—46-4	2/25
46-5—46-22	2/24
46-23—46-24	2/25
46-25—46-30	2/24
46-31—46-32	2/25
46-33—46-42	2/24

47. Burdens of Proof and of Producing Evidence

47-1—47-4	2/24
47-5—47-8	2/25
47-9—47-14	2/24
47-15—47-16	2/25
47-17—47-22	2/24
47-23—47-40	2/25

48. Presumptions

48-1—48-2	2/24
48-3—48-4	2/26
48-5—48-6	2/24
48-7—48-8	2/25
48-9—48-16	2/24
48-17—48-20	2/26
48-21—48-24	2/24
48-25—48-30.2	2/26
48-31—48-36	2/24
48-37—48-38	2/25
48-39—48-40	2/24
48-41—48-42	2/26
48-43—48-44	2/24

49. Judicial Notice

49-1—49-4	2/24
49-5—49-6.2	2/26
49-7—49-8	2/25
49-9—49-24	2/24
49-25—49-26	2/25
49-27—49-38	2/24
49-39—49-44	2/25

Table of Statutes, Regulations, and Rules

T-1—T-22 2/26

Table of Cases

T-23—T-90 2/26

Index

I-1—I-128 2/26

