

Pennsylvania Rules of Evidence

Rule 101. **Scope[;], Adoption and Citation[;], and Construction of Rules.**

- (a) **Scope.** These rules of evidence govern proceedings in all courts of the Commonwealth of Pennsylvania's [u]Unified [j]Judicial [s]System, except as otherwise provided by law.
- (b) **Adoption and Citation.** These rules of evidence are adopted by the Supreme Court of Pennsylvania under the authority of Article V § 10(c) of the Constitution of Pennsylvania, adopted April 23, 1968. They shall be known as the Pennsylvania Rules of Evidence and shall be cited as "Pa.R.E."
- (c) **Construction. In the construction of the Pennsylvania Rules of Evidence, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.**

Comment:

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Rule 102. [Purpose] Application of Rules.

These rules should be **[construed] applied** so as to administer every proceeding fairly, eliminate unjustifiable expense and delay, and promote the development of evidence law, to the end of ascertaining the truth and securing a just determination.

Comment: This rule is **[identical] similar** to F.R.E. 102.

[Official Note: Adopted May 8, 1998, effective October 1, 1998; rescinded and replaced January 17, 2013, effective March 18, 2013.]

Committee Explanatory Reports:

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 651 (February 2, 2013).]

Rule 103. Rulings on Evidence.

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Comment: Pa.R.E. 103(a) differs from F.R.E. 103(a). The Federal Rule says, “A party may claim error in a ruling to admit or exclude evidence only if the error affects a substantial right of the party...” In Pennsylvania criminal cases, the accused is entitled to relief for an erroneous ruling unless the court finds beyond a reasonable doubt that the error is harmless. See *Commonwealth v. Story*, [476 Pa. 391,] 383 A.2d 155 (Pa. 1978). Civil cases are governed by Pa.R.Civ.P. [No. 126] 126(a) which permits the court to disregard an erroneous ruling “which does not affect the substantial rights of the parties.” Pa.R.E. 103(a) is consistent with Pennsylvania law.

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[Official Note: Adopted May 8, 1998, effective October 1, 1998; amended November 2, 2001, effective January 1, 2002; rescinded and replaced January 17, 2013, effective March 18, 2013.]

Committee Explanatory Reports:

Final Report explaining the November 2, 2001 amendments to paragraph (a) published with the Court’s Order at 31 Pa.B. 6384 (November 24, 2001). Final Report explaining the January 17, 2013 rescission and replacement published with the Court’s Order at 43 Pa.B. 651 (February 2, 2013).]