

78B-1-128 Who may be witnesses -- Jury to judge credibility.

- (1) All persons, without exception, otherwise than as specified in this part, who, having organs of sense, can perceive, and, perceiving, can make known their perceptions to others, may be witnesses.
- (2) Neither parties nor other persons who have an interest in the event of an action or proceeding are excluded; nor those who have been convicted of crime; nor persons on account of their opinions on matters of religious belief.
- (3) The credibility of a witness may be questioned by:
 - (a) the manner in which the witness testifies;
 - (b) the character of the witness testimony;
 - (c) evidence affecting the witness' character for truth, honesty, or integrity;
 - (d) the witness' motives; or
 - (e) contradictory evidence.
- (4) The jury is the exclusive judge of credibility.

Renumbered and Amended by Chapter 3, 2008 General Session