

**60-445. Discretion of judge to exclude admissible evidence.** Except as in this article otherwise provided, the judge may in his or her discretion exclude evidence if he or she finds that its probative value is substantially outweighed by the risk that its admission will unfairly and harmfully surprise a party who has not had reasonable opportunity to anticipate that such evidence would be offered.

**History:** L. 1963, ch. 303, 60-445; Jan. 1, 1964.