

## **Hearsay Exceptions Cheat Sheet**

### **Definitions:**

**Hearsay-** an out of court statement,  
offered to prove the truth of the matter asserted.  
**Declarant-** person who originally made the statement.

### **Not Hearsay:**

1. Prior Inconsistent Statement
2. Admission by Defendant or Party Opponent

### **Hearsay but Exception:**

1. Present Sense Impression
2. Excited Utterance
3. Then existing mental, emotional, physical condition
4. Medical Diagnosis
5. Business Record

### **Hearsay but Exception if Declarant Unavailable:**

1. Former Testimony Under Oath
2. Dying Declaration
3. Statement Against Interest
4. Statement Against Person Who Made Declarant Unavailable

# Hearsay Exceptions Cheat Sheet

**DP Hallahan**



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