

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Declarant- person who originally made the statement.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

Judge Elia V. Pirozzi (Ret.)



Hearsay Exceptions Cheat Sheet:

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