

Potentially Admissible Evidence [Teachers]

<i>EVIDENCE</i>	<i>FRE</i>	<i>CEC</i>	<i>EVIDENCE</i>	<i>FRE</i>	<i>CEC</i>
1. Admissions	801(d)(2) (a) Own statement, (b) Adoption, (c) Was authorized, or// (d) Agent.	1220 Self or rep. 1221 Adoptive 1222 Authorized 1223 Co-consp.	2. Declarations Against Interest*	804(b)(3) Against pecuniary or proprietary interest, or civil or criminal liability, or render a claim invalid.	1230 FED + subjects him to hatred, ridicule, or social disgrace.
3. Prior Inconsistent Statement	801(d)(1) (a) Inconsistent, (b) Rebuts charge of fabrication or// (c) Prior ID of person.	1235 Inconsistent with his testimony.	4. Former Testimony*	804(b)(1) Opposing party or predecessor in interest had opportunity + motive to develop testimony.	1291, 1292, 1293 Right & Opportunity to Cross + Similar motive.
5. State of Mind	Not Hearsay	Not Hearsay	6. Mental/Physical Condition	803(3) Intent, plan, motive, design, mental feeling, pain, physical condition.	1250 Fed 1251* Prior SoM (a) Decl unavailable + (b) Ev is in issue.
7. Present Recollection Refreshed	Not Hearsay	See 771 Generally - Writing must be produced.	8. Past Recollection Recorded	803(5) Once had knowledge + now can't remember + made or adopted when matter was fresh.	1237 Fed +: made when fresh + by witness + was true + Authenticated.
9. Excited Utterance	803(2) Startling + still under the stress of the excitement.	1240 Spontaneous Decl. + made under stress of the excitement.	10. Present Sense Impression	803(1) Describing event or condition at time of it or immediately thereafter.	1241 Contemporaneous Statement: Explain conduct of declarant + made "while" engaged in conduct.
11. Family Records	803(13) Bibles, charts, inscriptions anywhere.	1312 See Fed	12. Family History*	804(b)(4) Declarant's own ancestry or another close relative.	1310 Fed + Declarant unavailable 1311 Family history of another.
13. Business Records	803(6) [a] Regularly conducted activity, [b] Regularly conducted, [c] knowledge, [d] Contemporaneous, [e] custodian.	1271 (a) Regular course of business. (b) Contemp. (c) Custodian (d) Trustworthiness	14. Official Documents	803(8) Public records or reports + duty imposed by law + duty to report.	1280 (a) Within Scope of duty of public employees. (b) Contemp. (c) Trustworthiness
15. Other Documents	803(9) Vital stats 803(11) Religious Orgs 803(12) Marriage & Bapt. 803(14) Property 803(16) Ancient Docs 803(17) Market Reports 803(18) Learned Treatises 803(22/23) Judgments	1281 Vital stats 1282 Finding of death by fed 1281 Record of Fed that person is missing, dead or beleaguered.	16. Dying Declaration*	804(b)(2) Belief death was imminent + concerns impending death of the declarant (dd).	1242 Immediately impending death + (dd).
17. Reputation	803(21) "Reputation of a person's character among associates or in the community."	1320 (a) General History + (b) Importance to community.	18. Residual Hearsay Catchall*	807 Material fact + guarantees of trustworthiness + more probative than any other evidence + interest of justice served.	

Bold: Non-Hearsay
* : Declarant Unavailable