

RULE 807 | RESIDUAL EXCEPTION

(a) IN GENERAL. Under the following conditions, a hearsay statement is not excluded by the rule against hearsay even if the statement is not admissible under a hearsay exception in Rule 803 or 804:

(1) the statement is supported by sufficient guarantees of trustworthiness - after considering the totality of circumstances under which it was made and evidence, if any, corroborating the statement; and

(2) it is more probative on the point for which it is offered than any other evidence that the proponent can obtain through reasonable efforts.

(b) NOTICE. The statement is admissible only if the proponent gives an adverse party reasonable notice of the intent to offer the statement—including its substance and the declarant's name — so that the party has a fair opportunity to meet it. The notice must be provided in writing before the trial or hearing — or in any form during the trial or hearing if the court, for good cause, excuses a lack of earlier notice.

(Added Apr. 11, 1997, eff. Dec. 1, 1997; amended Apr. 26, 2011, eff. Dec. 1, 2011; Apr. 25, 2019, eff. Dec. 1, 2019.)