



# The Rule Against Hearsay and Its Exceptions

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THIS CASEBOOK contains a selection of 205 U. S. Court of Appeals decisions that analyze and interpret the rule against hearsay, Federal Rule of Evidence 802, and the exceptions to the general rule. The selection of decisions spans from 2007 to the date of publication.

"Hearsay," in its simplest terms, is an out-of-court statement offered for the truth of the matter asserted. See Fed. R.Evid. 801(c) ("Hearsay' means a statement that: (1) the declarant does not make while testifying at the current trial or hearing; and (2) a party offers in evidence to prove the truth of the matter asserted in the statement."). As a general rule, hearsay is not admissible. Fed.R.Evid. 802. But the Federal Rules of Evidence (FRE) contain numerous exceptions to the rule against hearsay. See Fed.R.Evid. 803, 804. Additionally, FRE 801(d) exempts or excludes from the definition of "hearsay" certain statements that otherwise would be hearsay. And "statements... that comprise multiple levels of potential hearsay are admissible if each part is admissible." *United States v. Green*, 258 F.3d 683, 690 (7th Cir.2001) (citations omitted); see Fed.R.Evid. 805. *Jordan v. Binns*, 712 F. 3d 1123 (7th Cir. 2013)

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