

1 Rule 807. Other Exceptions

2 A statement not specifically covered by Rule 803 or Rule 804 but having equivalent
3 circumstantial guarantees of trustworthiness is not excluded by the hearsay rule if the court
4 determines that (A) the statement is offered as evidence of a material fact; (B) the statement is
5 more probative on the point for which it is offered than any other evidence which the proponent
6 can procure through reasonable efforts; and (C) the general purpose of these rules and the
7 interests of justice will best be served by admission of the statement into evidence. However, a
8 statement may not be admitted under this exception unless the proponent of it makes known to
9 the adverse party sufficiently in advance of the trial or hearing to provide the adverse party with
10 a fair opportunity to prepare to meet it, the proponent's intention to offer the statement and the
11 particulars of it, including the name and address of the declarant.

12 Committee Note: This rule transfers identical provisions Rule 803(24) and Rule 804(b)(5) to
13 a new Rule 807 to reflect the organization found in the Federal Rules of Evidence. No
14 substantive change is intended. This rule is the federal rule, verbatim.

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