

Exceptions to the Hearsay Rule

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Hearsay evidence is not permitted in any court of law regardless of whether it is a criminal or a civil case. However, there are various incidences when the hearsay rule may be applied because there are exceptions which a court of law can acknowledge and recognize. These exceptions can be used in court to validate or prove that the information presented before the jury is correct. The hearsay rule applies to both oral statements or written documents. Hearsay statements can be classified into three categories, and they include exceptions which will remain admissible irrespective of whether the declarant testifies or not, exceptions which that are only admissible if the declarant is unavailable to testify and exclusions (Fenner, 2009). Although the hearsay rule is considered inadmissible in a court of law, there are exceptions which may apply to help in the prosecution and conviction process in a court of law.

There are numerous exceptions to the hearsay rule under Rule 803 of the Federal Rules of Evidence which remains admissible regardless of whether the declarant is available to testify (Congress, 2009). Excited utterances are permissible because they prove that someone was under stress when uttering the statement(s). Present sense impressions are allowed if the declarant can testify to what he/she heard or experienced at the moment or immediately after the situation. Statements about an individual's medical diagnosis or treatment are admissible because most people tend to tell the truth when they feel that their health or life is at stake. Regularly kept records made during an ordinary business process are also allowed. A court of law can also let the prosecution or the defendant side use statements made by a declarant regarding the physical, emotional and mental conditions of the parties involved.

A jury gives a verdict based on the evidence that both the plaintiff and the defendant are present before the court. In the incidence, if the evidence presented is insufficient to warrant a ruling in favor of the plaintiff, the jury will dismiss the case. However, hearsay statements may

be used to support evidence that is already presented in the court (Fenner, 2009). Hearsay serves as supporting evidence to any side of both a criminal or a civil case. Both parties can use exceptions made on the hearsay rule in a court of law. Some of the cases which are filled in a court of law may take long before the jury gives a verdict because there is no sufficient evidence to convict a criminal. This has led to the massive backlog of cases in the court system. The exceptions made to the hearsay rule may serve as a panacea to address some of these adversities.

The legality and morality of capital punishment have sparked a heated debate with each side presenting its views and perceptions to validate their assertions. Capital punishment is reserved for persons who have done the most heinous crime (Palmer Jr, 2013). The constitution has listed all instances in which one can be convicted to capital punishment. Some of these criminals cannot be rehabilitated, are considered a threat to all persons and should, therefore, be executed. However, those who oppose capital punishment claim that it is immoral to end the life of another person despite the crime he/she committed. The death penalty does not guarantee that crime will reduce. No one should be allowed to pursue vengeance for a crime committed on a family member, relative or even a friend. Furthermore, an individual can be framed and convicted of capital punishment without sufficient evidence to prove that someone is guilty.

The criminal justice system is complex and requires a couple of alterations and modifications to allow the verdict to be made on a fairground. One of these alterations is the exception to the hearsay rule. Although some statements or situations are considered inadmissible in courts of law, there are exclusions to the hearsay rule which are allowed in a court of law. The primary motive is to enhance and facilitate the court system by providing supporting evidence to help convict a criminal or to prove that the latter is innocent.

References

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