

**RULE:** Evidence of a previous representation made by a person is not admissible to prove the existence of a fact that it can reasonably be supposed that the person intended to assert by the representation **s 59**

## EXCEPTIONS

### FIRST-HAND HEARSAY EXCEPTIONS

**EVIDENCE ADMITTED FOR  
A NON-HEARSAY PURPOSE**  
(for example, admissions,  
character evidence (in  
criminal proceedings))

**OTHER HEARSAY  
EXCEPTIONS**  
(for example, business  
records, electronic  
communications, etc)

Civil proceedings

Contemporaneous  
representations about  
health etc

Criminal proceedings

Maker  
available

Maker not  
available

Maker  
available

Maker not  
available