

1 **Rule 613. Witness's Prior Statement.**

2 **(a) Showing or Disclosing the Statement During Examination.** When examining a
3 witness about the witness's prior statement, a party need not show it or disclose its
4 contents to the witness. But the party must, on request, show it or disclose its contents to
5 an adverse party's attorney.

6 **(b) Extrinsic Evidence of a Prior Inconsistent Statement.** Unless the court orders
7 otherwise, Eextrinsic evidence of a witness's prior inconsistent statement may not be
8 admitted until after ~~is admissible only if~~ the witness is given an opportunity to explain
9 or deny the statement and an adverse party is given an opportunity to examine the
10 witness about it, ~~or if justice so requires~~. This ~~subdivision~~ paragraph (b) does not apply
11 to an opposing party's statement under Rule 801(d)(2).

12 Effective: --/--/----

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14 2024 Advisory Committee Note. The language of paragraph (b) has been amended in
15 conformity with recent amendments to the federal rule.

16 **2011 Advisory Committee Note.** The language of this rule has been amended as part of
17 the restyling of the Evidence Rules to make them more easily understood and to make
18 class and terminology consistent throughout the rules. These changes are intended to be
19 stylistic only. There is no intent to change any result in any ruling on evidence
20 admissibility. This rule is the federal rule, verbatim.

21 **Original Advisory Committee Note.** This rule is the federal rule, verbatim. Subsection
22 (a) abandons the position in *Queens Case*, 129 English Reports 976 (1820), requiring that
23 the cross-examiner, prior to examining a witness about his written statement, must first
24 show the statement to the witness and is comparable to the substance of Rule 22(a), Utah
25 Rules of Evidence (1971). The substance of Subsection (b) was formerly in Rule 22(b),
26 Utah Rules of Evidence (1971).

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