

## NY CLS CPLR § 4549

Current through 2025 released Chapters 1-207

*New York*

*Consolidated Laws Service* >  
*Civil Practice Law And Rules (Arts. 1 — 100)* >  
*Article 45 Evidence (§§ 4501 — 4551)*

### **§ 4549. Admissibility of an opposing party's statement.**

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A statement offered against an opposing party shall not be excluded from evidence as hearsay if made by a person whom the opposing party authorized to make a statement on the subject or by the opposing party's agent or employee on a matter within the scope of that relationship and during the existence of that relationship.

### **History**

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L 2021, ch 833, § 1, effective December 31, 2021.

Annotations

### **Notes**

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#### **Editor's Notes**

**Laws 2021, ch 833, § 2**, eff December 31, 2021, provides:

§ 2. This act shall take effect immediately and shall apply to all actions pending on or after its effective date.

### **Notes to Decisions**

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#### **1. In general**

Orchestra teacher's statement indicating awareness of a student's abuse was admissible because it was within the scope of the teacher's employment relationship to identify and assist a student who they believed was being sexually abused, and it was undisputed the teacher was employed by the school at the time the statement was made. BL Doe 5 v Fleming, 229 A.D.3d 1076, 215 N.Y.S.3d 628, 2024 N.Y. App. Div. LEXIS 3713 (N.Y. App. Div. 4th Dep't 2024).

## **Research References & Practice Aids**

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### **Hierarchy Notes:**

NY CLS CPLR, Art. 45

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