

(6) WHETHER THE CHILD'S YOUNG AGE MAKES IT UNLIKELY THAT THE CHILD FABRICATED THE STATEMENT THAT REPRESENTS A GRAPHIC, DETAILED ACCOUNT BEYOND THE CHILD'S KNOWLEDGE AND EXPERIENCE AND THE APPROPRIATENESS OF THE TERMINOLOGY TO THE CHILD'S AGE;

(7) THE NATURE AND DURATION OF THE ABUSE;

(8) THE INNER CONSISTENCY AND COHERENCE OF THE STATEMENT;

(9) WHETHER THE CHILD WAS SUFFERING PAIN OR DISTRESS WHEN MAKING THE STATEMENT;

(10) WHETHER EXTRINSIC EVIDENCE EXISTS TO SHOW THE DEFENDANT'S OPPORTUNITY TO COMMIT THE ACT COMPLAINED OF IN THE CHILD'S STATEMENT;

(11) WHETHER THE STATEMENT IS SUGGESTIVE DUE TO THE USE OF LEADING QUESTIONS; AND

(12) THE CREDIBILITY OF THE PERSON TESTIFYING ABOUT THE STATEMENT.

~~{D}--THE--COURT,--IN--ACCORDANCE--WITH--PROCEDURES--FOR DETERMINING--WHETHER--ANY--STATEMENT--IS--ADMISSIBLE--UNDER--AN EXCEPTION--TO--THE--HEARSAY--RULE,--SHALL:~~

(E) THE COURT, IN DETERMINING WHETHER A STATEMENT IS ADMISSIBLE UNDER THIS SECTION, IN A HEARING OUTSIDE THE PRESENCE OF A JURY, SHALL:

(1) MAKE A FINDING ON THE RECORD AS TO THE SPECIFIC GUARANTEES OF TRUSTWORTHINESS THAT ARE PRESENT IN THE STATEMENT; AND

(2) DETERMINE THE ADMISSIBILITY OF THE STATEMENT.

(F) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT THE ADMISSIBILITY OF A STATEMENT UNDER ANY OTHER APPLICABLE HEARSAY EXCEPTION OR RULE OF EVIDENCE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect upon or application to any case filed prior to the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

Approved May 27, 1988.