

Standards of proof determine how convincing the evidence must be for a decision to be made.



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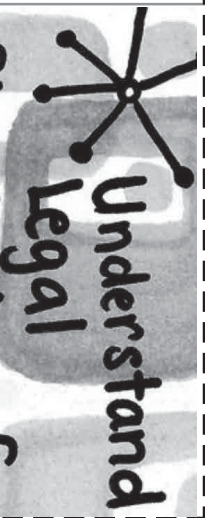
like: Jury Nullification Power in the Jury Box

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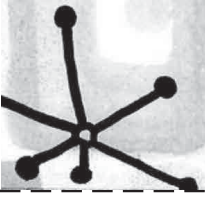
Legal standards of proof are the backbone of fair trials and justice. Stay informed to better navigating the legal system. UNDERSTAND your case to know the burden



Standards of PROOF: A QUICK GUIDE

TO LEGAL BURDENS IN COURT

BY: LMF



3. Beyond a Reasonable Doubt:
• standard for criminal cases
• The evidence must leave no reasonable doubt of the defendant's guilt.
• protects against wrongful conviction

Misconceptions

• Beyond a reasonable doubt doesn't mean 100% certainty.

• Preponderance of the evidence isn't a low standard. It still needs credible evidence.

HOW EVIDENCE IS MEASURED:
• DIRECT: witness testimony, forensics, circumstantial
• JUDGE/JURY: Deciding what evidence is credible and how much weight to give it.

1. A PREPONDERANCE OF THE EVIDENCE:
• common in civil cases.

• evidence must show that it is more likely than not that it is true.
• if 51% of the evidence supports one side, they win.

2. Clear and Convincing Evidence:

- used in high stakes civil cases
- claim must be "highly probable"
- Stronger than a preponderance but not as strict as reasonable doubt.

CHALLENGES IN APPLICATION

Ambiguity:  
 "What constitutes 'reasonable doubt' can vary."

Human Factors:  
 "Biases and interpretation of evidence affect outcomes."

LEGAL STANDARD OF PROOF

are the levels of certainty required to establish facts in a court room. They vary based on the type of case.

READING

- The Burdens of Proof By Dale A. Nance
- Burden of Proof, presumption and Argumentation By Douglas Walton
- Beyond a Reasonable Doubt By Larry King
- Proof Beyond a Reasonable Doubt: A Philosophical and Legal Perspective By Larry Laudan

• Family Law: "Clear and convincing evidence"

- Contract Disputes: "preponderance of the evidence"
- Criminal cases: "Always beyond a reasonable doubt."

BURDEN OF PROOF

Who has it?

- The party bringing the claim or charge
- plaintiff in civil cases
- prosecution in criminal cases

In some cases the burden may shift to the defendant to prove a defense.

Historical Context

Standards have developed to ensure fairness and prevent miscarriages of justice.

They have evolved over time.

CIVIL vs. CRIMINAL

civil cases involve disputes between individuals or entities.

criminal cases involve the government prosecuting some one accused of breaking the law.