

EXHIBIT 5

Step 1: Google search phrase “burden of proof image” of July 13, 2018.

The screenshot shows a Google search page for the query "burden of proof image". The search results are displayed under the "Images" tab. At the top, there are several image thumbnails, including one with a person carrying a large stack of gold bars, another with a "NOT GUILTY" sign, and another with a stack of papers. Below the thumbnails, there are several search results listed:

- Burden Proof Images, Stock Photos & Vectors | Shutterstock**
<https://www.shutterstock.com/search/burden+proof>
Find **burden proof** Stock Images in HD and millions of other royalty-free stock photos, illustrations, and vectors in the Shutterstock collection. Thousands of new ...
- Burden of proof facts, information, pictures | Encyclopedia.com articles ...**
<https://www.encyclopedia.com/philosophy-and-religion/ancient.../burden-proof>
Get information, facts, and pictures about **Burden of proof** at Encyclopedia.com. Make research projects and school reports about **Burden of proof** easy with ...
- Burden of proof, legal law concept image. - Cerini & Associates, LLP**
ceriniandassociates.com/lobbying/burden-of-proof-legal-law-concept-image/
Burden of proof, legal law concept image. Lobbying. Share Post: facebook-share · google-share · linked-share · pinterest-share · twitter-share · Lobbying ...
- Burden Of Proof Stock Photos. Royalty Free Burden Of Proof Images**
https://www.123rf.com/stock-photo/burden_of_proof.html
Download **burden of proof** stock photos. Affordable and search from millions of royalty free images, photos and vectors.
- Burden Of Proof - Highway Sign image - Creative Commons Images**
www.creative-commons-images.com/highway-signs/b/burden-of-proof.html
A picture of a highway sign with the word **Burden Of Proof** written on.
- Burden of Proof - Tablet Dictionary image - The Blue Diamond Gallery**
thebluediamondgallery.com/b/burden-of-proof.html
A picture of a tablet with the word **Burden of Proof** written on.

The last result, "Burden of Proof - Tablet Dictionary image - The Blue Diamond Gallery", is circled in black.



burden of proof image



All **Images** News Videos Shopping More Settings Tools View saved SafeSearch

reasonable doubt

fallacy

criminal

shifting

levels

guilt

chart

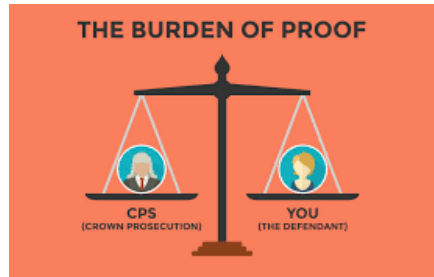
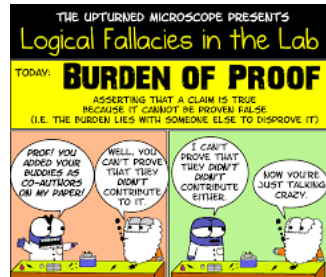
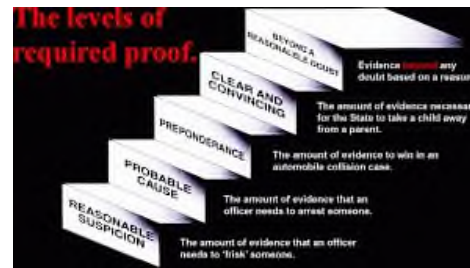
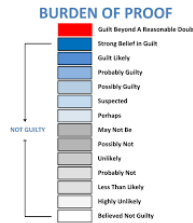
beyond

probable cause

examples

suspicion

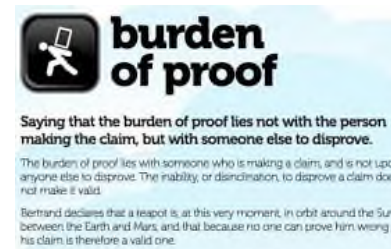
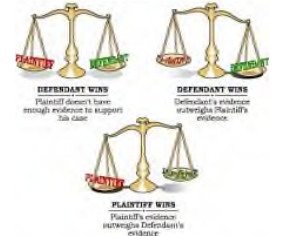
logical

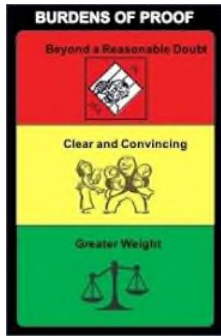


Burden of Proof

- The Australian legal system believes that a person is "innocent until proven guilty"
- This means that the prosecution is responsible for proving that the accused committed the crime they have been charged with. It is NOT up to the accused to prove that they are innocent.
- Therefore, it is said that the **burden of proof** lies with the prosecution.
- Burden of proof is sometimes known as 'onus of proof'.*

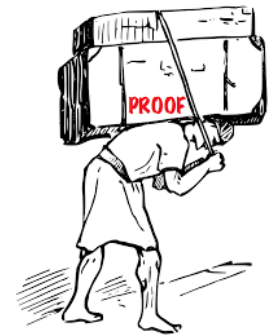
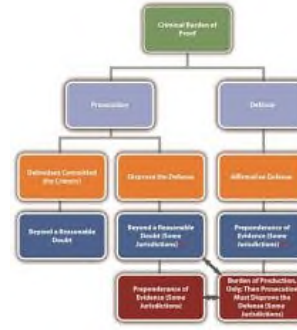
THE BURDEN OF PROOF





Burden of Proof

- The amount of proof needed in order to achieve a certain level within the legal system.
- Example: the amount of proof need to arrest someone.
- Example: the amount of proof a jury needs before it can convict someone of a crime
- There are multiple levels of proof within the American legal system.



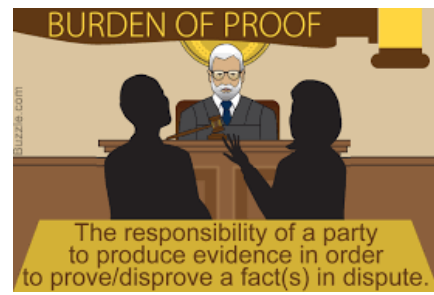
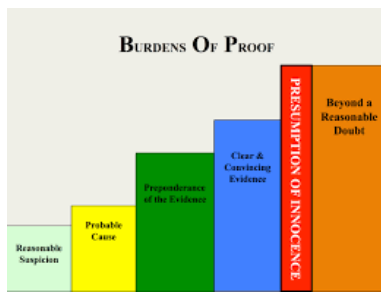
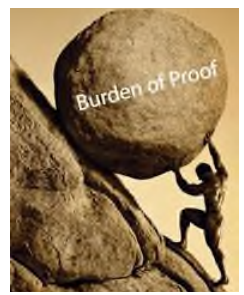
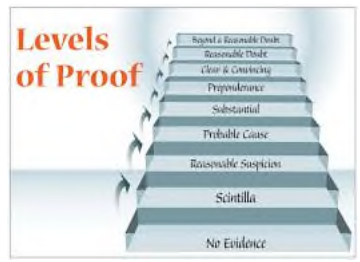
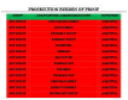
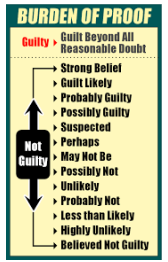
your logical fallacy is

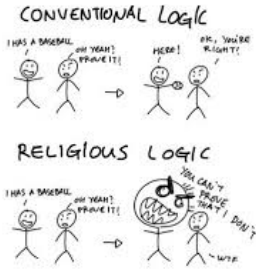
burden of proof

You said that the burden of proof lies not with the person making the claim, but with someone else to disprove.

The burden of proof lies with someone who is making a claim, and not someone who is to disprove. The inability or the inability to disprove a claim does not mean that claim is true, nor does it mean that the claim is false. It is important to note that you can never be certain of anything, and so we must accept what is most likely based on the available evidence, and to disprove something on the basis that it hasn't been proven beyond all doubt is also illogical reasoning.

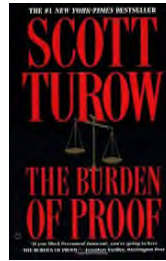
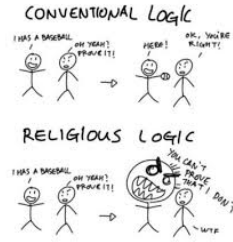
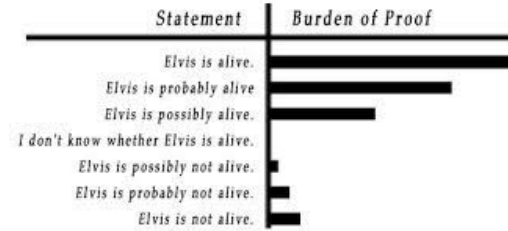
Example: Bertrand Russell that a teapot is, at this very moment, in orbit around the Sun between the Earth and Mars, and that because no one can prove him wrong, his claim is therefore a valid one.





Probabilities Associated with Standards of Proof
Judges Eastern District of New York

Judge	Preponderance	Clear and Convincing	Clear, Unequivocal and Convincing	Beyond a Reasonable Doubt
1	50 + %	60-70%	65-75%	80%
2	50 + %	67%	70%	76%
3	50 + %	66%	67%	85%
4	51%	65%	67%	90%
5	50 + %	Standard is Evasive and Unhelpful		90%
6	50 + %	70 + %	70 + %	85%
7	50 + %	70 + %	80 + %	95%
8	50.1%	75%	75%	85%
9	50 + %	60%	90%	85%
10	51%	Cannot Estimate Numerically		



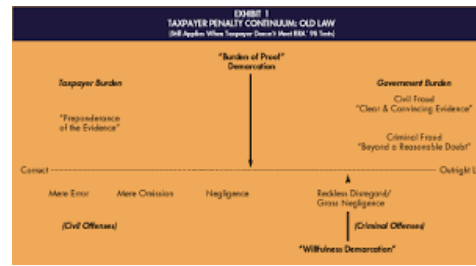
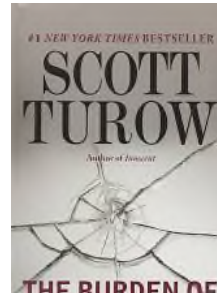
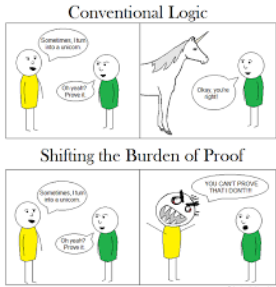
THE BURDEN OF PROOF



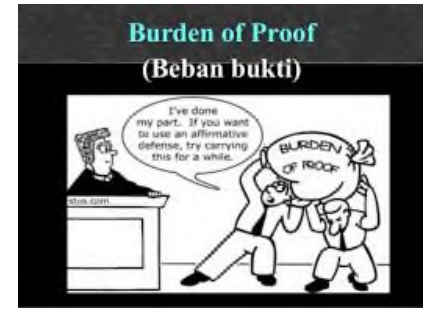
PROSECUTION BURDEN OF PROOF

CRIMINAL	CRIMINAL BEYOND A REASONABLE DOUBT	CRIMINAL
NOT GUILTY	VERY HIGHLY LIKELY	ANETRAL
NOT GUILTY	GOLD LIKELY	ANETRAL
NOT GUILTY	PROBABLY GUILTY	ANETRAL
NOT GUILTY	POSSIBLY GUILTY	ANETRAL
NOT GUILTY	POSSIBLY	ANETRAL
NOT GUILTY	MAY NOT BE	ANETRAL
NOT GUILTY	POSSIBLY NOT	ANETRAL
NOT GUILTY	UNLIKELY	ANETRAL
NOT GUILTY	PROBABLY NOT	ANETRAL
NOT GUILTY	LESS THAN LIKELY	ANETRAL
NOT GUILTY	BISELY UNLIKELY	ANETRAL
NOT GUILTY	PROVEN NOT GUILTY	ANETRAL

BURDEN OF PROOF
Used to refer to the obligation to prove a claim. In a legal context, it refers to the obligation to prove a claim in a court of law. In a philosophical context, it refers to the obligation to prove a claim in a debate or discussion. In a scientific context, it refers to the obligation to prove a claim through experimentation and observation.



Misplacing the burden of Proof
Misled into thinking you have to disprove a claim, when your opponent should be proving his claim (Parker & Moore).
Burden is complex and shifts back and forth during debates.
Most of your opinions on philosophical issues have probably been addressed and deepened by previous thinkers.





BURDEN OF PROOF

The burden of proof is the obligation to prove the facts of a case. It is the responsibility of the party who asserts a fact to prove that fact. The burden of proof is a legal concept that is used to determine who is responsible for proving a fact in a court of law.

Common Beliefs: The atheist campaign to avoid any semblance of burden of proof is quite fascinating

Law: Reply (0)

Like: Reply (0)

John W. Loftus: As it can be said about your campaign to avoid any semblance of burden of proof when it comes to Scientology, or the thousands of other religions and personal claims, most of which you haven't even heard about.

Like: Reply (0)

John W. Loftus: The fact is that many of us have indeed heard your particular religion with much more respect than a dismissal, by using your lame arguments and altered definitions. This indicates to the lack of objective evidence, sincerely.

Like: Reply (0)

Common Beliefs: Christianity is legally incompatible with Scientology and this casts, at other religions. Thus, evidence for Christianity in particular is evidence against the truth of these other created religions.

The idea that Christians don't shoulder their burden of proof in this matter—as is allowed to provide arguments and evidence—is an other history.

Like: Reply (0)

Freedom always carries a burden of proof, always throws us back on ourselves

Slide Deck
MICHAEL GARDNER

1. A taxpayer can willfully fail to file an FBAR form, even if he does not actually know of the FBAR reporting requirements.

In civil cases involving the failure to report certain information to the IRS, "willfulness has been defined as conduct which is voluntary, rather than accidental or unconscious." *Alzbrake*, 408 F. Supp. 2d at 1205, *Lefkowitz v. United States*, 125 F.3d 79, 83 (2nd Cir. 1997). But, to establish a taxpayer's liability under 31 U.S.C. § 5321 for willfully failing to file an FBAR, the United States need not prove that the taxpayer actually knew of the FBAR requirements he violated. Since taxpayers who fail to file an FBAR form are unlikely to admit they are aware of the requirements, willfulness "can rarely be proved by direct evidence, since it

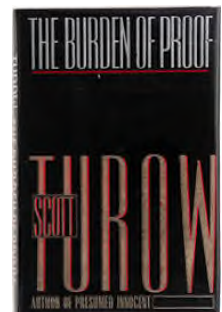
Willful violations of the statute carry criminal penalties as well. See 31 U.S.C. § 5322.



THE BURDEN OF PROOF

SCOTT TUROW

THE LOGIC OF SCIENCE LEADS TO THE CONCLUSION THAT THE BURDEN OF PROOF IS ON THE DEFENDANT. THE BURDEN OF PROOF IS ON THE DEFENDANT. THE BURDEN OF PROOF IS ON THE DEFENDANT.



Study.com

Quiz & Worksheet - What is Burden of Proof?

The Burden of Proof and Its Role in Argumentation

1. The lowest standard of proof is...

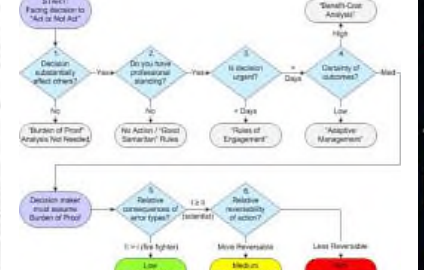
2. Which party has the burden of proof in a civil case?

3. Which party has the burden of proof in a criminal case?

Start your free trial to access this video lesson and associated practice problems and worksheets.

Westland Kramer & Bennett P.C.

WHAT DOES "BURDEN OF PROOF" OR "PREPONDERANCE OF THE EVIDENCE" MEAN?



But when the defendant raises a defense, To shift the burden of proof makes perfect sense.

Who Has The Burden Of Proof In A Nevada Criminal Case?

BURDEN OF PROOF

More information on the burden of proof in criminal cases.



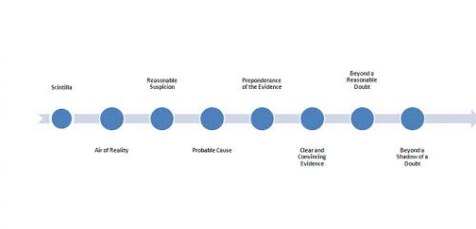
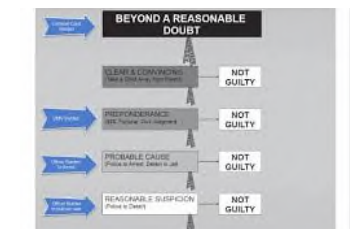
Burden of Proof in criminal cases

- Mat v PP [1963] MJL 263** : The general rule is that the prosecution bears the legal burden of proof
- Choy Hon Song v PP [1967] 1 MJL 210** : The accused generally has only the evidential burden of raising a reasonable doubt in the mind of the trial court
- Woolmington v DPP [1935] AC 462** : The burden of proof on the prosecution to prove guilt, no such burden laid on the accused to prove his innocence, sufficient to raise doubt as to his guilt

WORKER'S COMPENSATION AND THE BURDEN OF PROOF

When filing a workers' compensation claim, the burden of proof is on the employee to prove that he or she is eligible for benefits.

WORKERS' COMPENSATION IS DESIGNED TO BE A "NO FAULT" SYSTEM.



Philosophical burden of proof

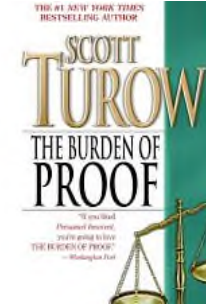
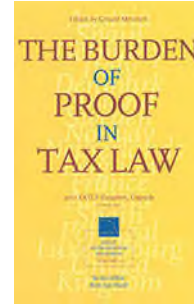
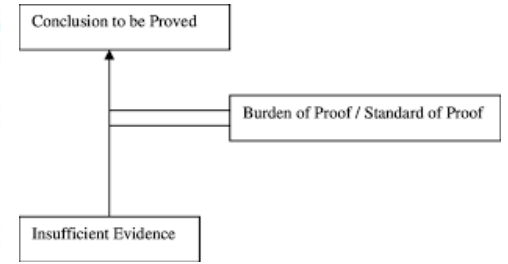
From Wikipedia, the free encyclopedia

Holder of the burden [\[edit \]](#)

When two parties are in a discussion and one makes a claim that the other disputes, the one who makes the claim typically has a *burden of proof* to justify or substantiate that claim especially when it challenges a perceived status quo.^[1]

References [\[edit \]](#)

- [↑] Cargile, James (January 1997). "On the Burden of Proof". *Philosophy*. Cambridge University Press. 72 (279): 59–83. doi:10.1017/S0031811910005665.



Explanation 4 - The Burden and Standard of Proof

The burden of proof is the obligation to prove one's case. It is the duty of the party who asserts a fact to prove that fact. The standard of proof is the degree of certainty required to establish a fact. The burden of proof and the standard of proof are two distinct concepts. The burden of proof is a question of law, while the standard of proof is a question of fact.



Burden of Proof

The burden of proof is the obligation to prove one's case. It is the duty of the party who asserts a fact to prove that fact. The standard of proof is the degree of certainty required to establish a fact. The burden of proof and the standard of proof are two distinct concepts. The burden of proof is a question of law, while the standard of proof is a question of fact.



BURDEN OF PROOF

MOVEMENT



what are other words for burden of proof?

onus, onus probandi, responsibility, onus of proof, duty, obligation

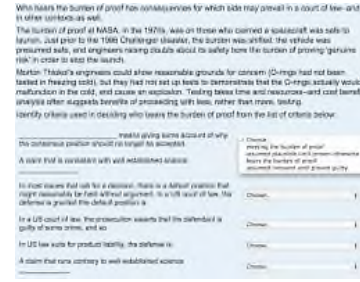
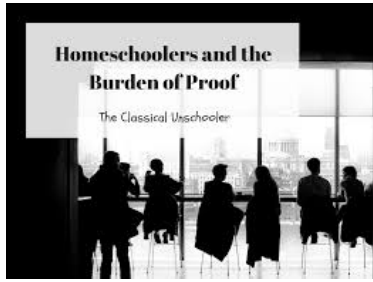
Thesaurus - plus



Ei incumbit probatio qui dicit, non qui negat

Proof lies on him who asserts, not on him who denies.





Standard of Proof

- The prosecution not only has the burden of proof, they must also meet a **standard of proof** (a level of proof) before they can "win".
- In Australian criminal cases, that standard of proof is **beyond a reasonable doubt**.
- This means that the judge or jury must be able to answer "no" to the question "Is there any reasonable possibility that the accused is not guilty?" before they can find the accused guilty.



If you are receiving this card, you have just made a positive claim about where the burden of proof lies, probably something along the lines of "The one who makes the positive claim has the burden of proof".

Since you have just asserted this claim, I assume you'll want it to be true. And since it is a positive claim about the nature of the burden of proof, it is now your responsibility to prove your claim. At your own peril.

Please proceed. I wait.

If you refuse to prove your claim that the burden of proof lies on the one who makes the claim, then you are a hypocrite, and deserve to stand by an arbitrary rule of yours which you do not have yourself. I assume reason why I would accept a rule as obligatory for me, when you reserve the right to ignore it, even as you choose to ignore it for me.

I role the obvious, sting mimes, Wikipedia, or other authorities are appeal to authority, not proofs, and just repeating your claim over and over is an old Newburn fallacy, not a proof.



LEGAL BURDENS OF PROOF

NOT GUILTY

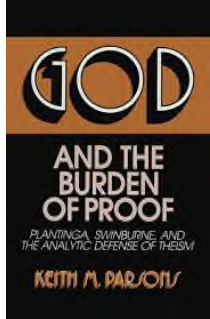
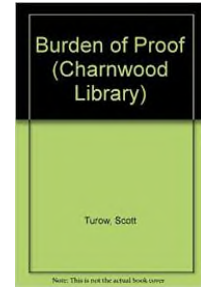
Beyond REASONABLE DOUBT

PROBABLE CAUSE

REASONABLE SUSPICION

PRESUMPTION OF INNOCENCE

CLEAR & CONVINCING



THE YALE LAW JOURNAL

Spørsmål vedrørende enkelte skattepliktige inkomster

Spørsmål nr. 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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LABOR LAW

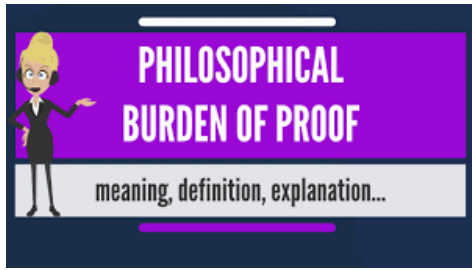
EMPLOYER HAS THE BURDEN OF PROOF TO PROVE PAYMENT

As in illegal dismissal cases, the general rule is that the burden rests on the defendant to prove payment rather than on the plaintiff to prove non-payment of these money claims. The rationale for this rule is that the pertinent personnel files, payrolls, records, remittances and other similar documents – which will show that differentials, service incentive leave and other claims of workers have been paid – are not in the possession of the worker but are in the custody and control of the employer. (WILGEN LOON ET AL VS POWER MASTER, INC. ET AL, G.R. No. 189404, December 11, 2013)

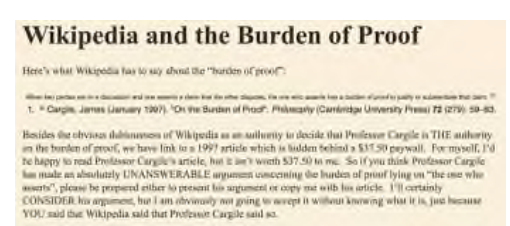
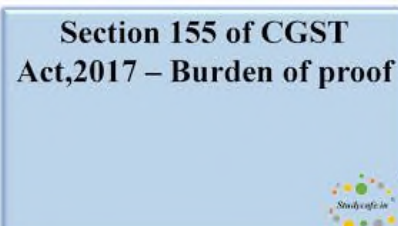
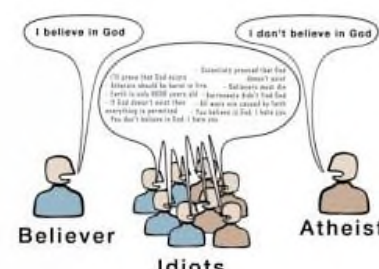
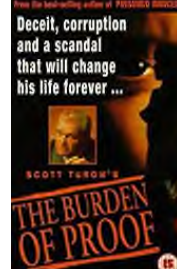
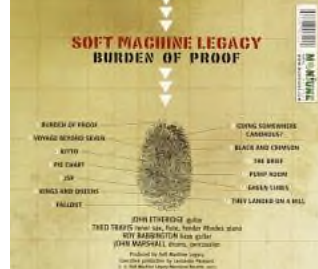
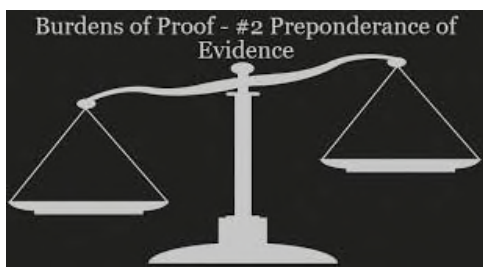
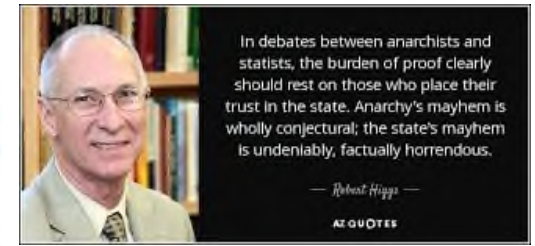


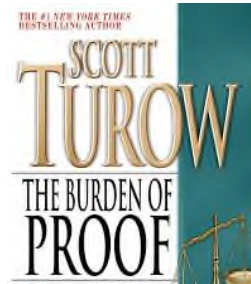
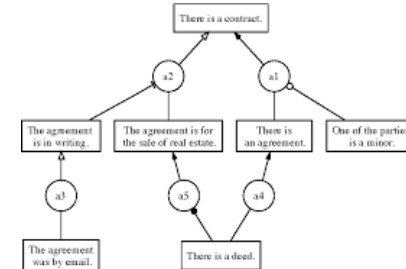
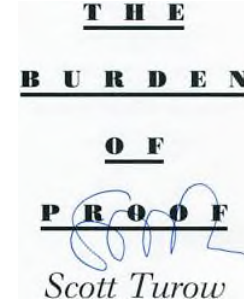
StudentShare

Essay Archive



burden of proof
 In law, the burden of proof is the obligation to prove one's case. In philosophy, the burden of proof is the obligation to prove one's claim. In statistics, the burden of proof is the obligation to prove one's hypothesis.

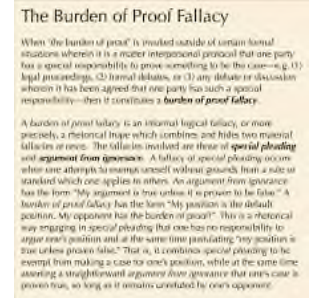
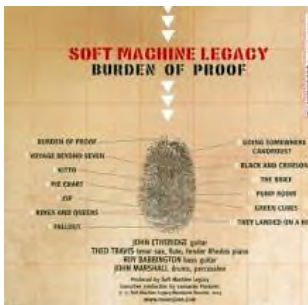
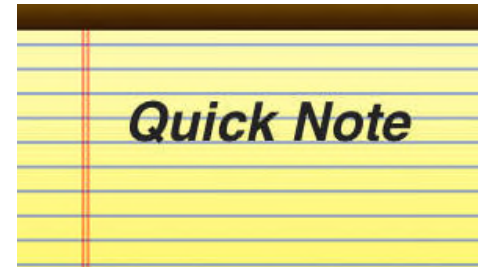


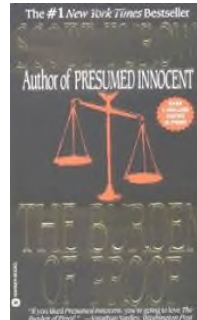
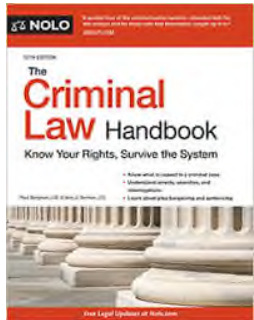
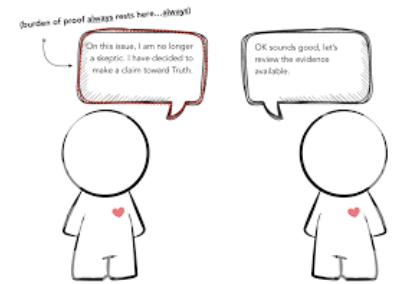
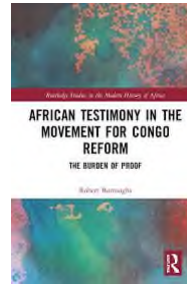
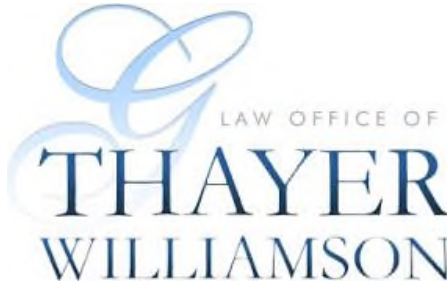
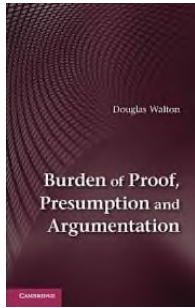


Incidence of the legal burden of proof

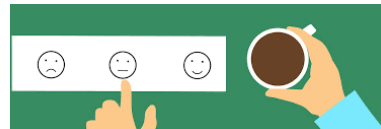
The party who raises a fact in issue bears the legal burden of proving it, **thus**:

- the claimant must prove those facts in issue which form essential ingredients of his claim, **and**
- a defence which merely amounts to a denial of issues raised by the claimant does not impose a legal burden of proof upon the defendant, **but**
- a defence which raises new issues which were not raised by the claimant will impose a legal burden of proof on the defendant





- Evidential Burden**
- Burden of leading evidence / lighter burden
 - An obligation that shifts between parties over the course of the hearing / trial
 - A party may submit evidence that the court will consider prima facie proof of some state of affairs
 - This create an evidentiary burden upon the opposing party to present evidence to refute the presumption



burden of proof

You said that the burden of proof lies not with the person making the claim, but with someone else to disprove.

The burden of proof lies with someone who is making a claim, and is not upon anyone else to disprove. The validity of a claim returns to disprove a claim, does not render that claim valid, nor grant it any credence whatsoever. However, it is important to note that we can never be certain of anything, and so we must assign value to any claim based on the available evidence, and to dismiss something on the basis that it hasn't been proven beyond all doubt is also fallacious reasoning.



The Burden of Proof

Barlow, James

Note: This is not the actual book cover.

The government has a very high burden of proof. If it meets that burden, none of this stuff will matter.

QUOTE-ID.COM

Pamela Bucy

نواز شریف نے ریکارڈ کا کیا کیا تھا، وہ کہاں ہے؟ ہیریم کورٹ

اعتراف کے بعد

بار شہوت وزیر اعظم پر

عدالت

اعتراف کے بعد بار شہوت وزیر اعظم پر ہے۔ دیکھئے ججز کے ریکارڈ اس پر تفصیلی رپورٹ

...the burden of proof is on the person making the claim, and is not upon anyone else to disprove. The validity of a claim returns to disprove a claim, does not render that claim valid, nor grant it any credence whatsoever. However, it is important to note that we can never be certain of anything, and so we must assign value to any claim based on the available evidence, and to dismiss something on the basis that it hasn't been proven beyond all doubt is also fallacious reasoning.

EVIDENCE AND BURDEN OF PROOF IN FOREIGN STATE/FOREIGN IMMUNITY LITIGATION

A Litigator's Guide for International Lawyers and Domestic Counsel

Peter Fritz
Walter

Dec. 1995

...the burden of proof is on the person making the claim, and is not upon anyone else to disprove. The validity of a claim returns to disprove a claim, does not render that claim valid, nor grant it any credence whatsoever. However, it is important to note that we can never be certain of anything, and so we must assign value to any claim based on the available evidence, and to dismiss something on the basis that it hasn't been proven beyond all doubt is also fallacious reasoning.

Legal & Constitutional Committee

Report on the Burden of Proof in Criminal Cases

November 1985



Reasonable Doubt

What is does it mean?

- It is the amount of proof needed by a judge or jury in order to convict the accused of a crime.

Old definition:

- the amount of proof that one would require when deciding the most important of his affairs (Example: Whether or not get married, Whether or not to buy a house).

New Definition:

- There is not one.
- Court requires that each juror determine for himself what is reasonable doubt.

What does it NOT mean?

- Not beyond all doubt: (would be impossible to prove without a time machine).
- Not beyond a shadow of a doubt
- Not differing stories by witnesses (jurors have to decide the credibility of witnesses).

ADULTS WITH IMAGINARY FRIENDS ARE STUPID

Reversals of Burden of Proof???

- Inevitably violate s. 1(d) of the Charter.
- Will be struck down UNLESS they are justified as reasonable limits under s. 1.
- Section 25B was upheld by Supreme Court in R v Whyte, [1988] 2 SCR 3.
- Important problem (drinking and driving): 90% of time person in driver's seat intends to drive.

17.

BURDEN OF PROOF

You said that the burden of proof lies not with the person making the claim, but with someone else to disprove.

18.

NO TRUE SCOTSMAN

You made what could be called an appeal to justify as a way to disprove (rather) criticism or flaws of your argument.

Burden of Proof

- FRE – no definition of "Burden of Proof"
- Evid. Code § 115. "Burden of proof" means the obligation of a party to establish by evidence a requisite degree of belief concerning a fact in the mind of the trier of fact or the court.

...the burden of proof is on the person making the claim, and is not upon anyone else to disprove. The validity of a claim returns to disprove a claim, does not render that claim valid, nor grant it any credence whatsoever. However, it is important to note that we can never be certain of anything, and so we must assign value to any claim based on the available evidence, and to dismiss something on the basis that it hasn't been proven beyond all doubt is also fallacious reasoning.



The Burden of Proof (G.K. Hall Large Print Book Series)

Turow, Scott

Note: This is not the actual book cover.



authority, unless justified, is inherently illegitimate and that the burden of proof is on those in authority. If this burden can't be met, the authority in question should be dismantled.

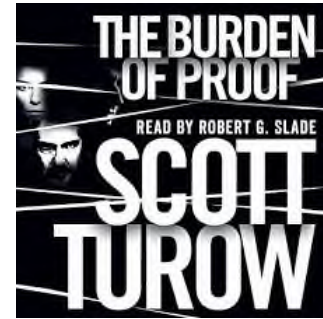
Noam Chomsky

Cordially yours,
Babr Kuttu

Sincerely,
Babr Kuttu

very truly,
Babr Kuttu

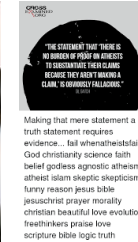
WE LIVE HERE



2-sample equivalence test	
You assume...	You want to prove...
<p>Null Hypothesis (H₀): The population means differ</p>	<p>Alternative Hypothesis (H_a): The population means are equivalent</p>



SUBROGATION STRATEGIST
Providing Commentary, Insight and Case Law Updates on Subrogation-Related Topics



P incurs burden of proof to support claim.

Dialectical Shift

Argument gives a prudential reason for not questioning claim.

Burden of proof/ Benefit of presumption

- Burden of proof - the person who affirms the proposition has the obligation to prove his or her case
- Benefit of presumption - the status quo or present system or state of affairs is favored. Those who oppose a proposition are called the *negative*. They favor the status quo.

I'm a Skept
You bear the burden of

Things which threaten m arrive on a silver platter, enormous barriers to ent

The whole purpose of sci in your knowledge.

Burden of proof

Philosophy

The burden of proof is the obligation on a party in a dispute to provide sufficient warrant for their position.

W More at Wikipedia

Suffered an Injury?

Common evidence for the burden of proof include the accident report, pictures of the accident, medical bills, and medical reports.

Know Your Rights!

I AM AN ATHEIST.

I'm not an atheist because it's cool.
I'm not an atheist because of religious extremism or oppression in some deprived corners of the world.
I'm not an atheist because I don't think evil can exist in a world with a god.
I'm not an atheist because I think science can disprove god.

I'm an atheist because of one simple fact:
THE BURDEN OF PROOF LIES ON RELIGION.

If you propose the existence of something, you must follow the scientific method in your defense of its existence. Otherwise, I have no reason to listen to you.

STANLEY CAVELL
DISOWNING KNOWLEDGE
IN SEVEN PLAYS OF SHAKESPEARE

UPDATED EDITION

KPMG
GMS Flash Alert
Immigration Edition

5. BURDEN OF PROOF

5.1 The burden of proof rests with USADA to show that Block violated the foregoing Rules. At the hearing, following argument, the Panel determined that the applicable standard for the burden of proof should be beyond a reasonable doubt. This position is well-founded in case law, though the distinction between the "beyond a reasonable doubt" standard and the "comfortable satisfaction" standard embodied in the WADA Code is of no practical effect here. See *USADA v. Gutierrez*, CAS 2004/039, which held:

"...in view of the nature and gravity of the allegations at issue in these proceedings, there is no practical distinction between the standards of proof advocated by USADA and the Respondents. It scales little, if indeed any, difference whether a "beyond reasonable doubt" or "comfortable satisfaction" standard is applied to advance the claims against the Respondents. Either way, USADA bears the burden of proving, by strong evidence commensurate with the serious claims at stake, ..."

THE BURDEN OF PROOF

InDret
Burden of Proof and Strict Liability: An Economic Analysis of a Misconception



WORK INJURY CLAIM FORM

1. WORKER'S PERSONAL DETAILS

Name: _____
Address: _____
City: _____
State: _____
Zip: _____

2. EMPLOYER'S INFORMATION

Name of employer: _____
Address: _____
City: _____
State: _____
Zip: _____

3. INCIDENT INFORMATION

Date: _____
Time: _____
Location: _____
Description of incident: _____



Our universe is comprised of innumerable systems working simultaneously, all dependent on each other to continue functioning. If you throw a spike in one system, we stop existing. Now, if you say there is no intelligent creator and that random chance is the best explanation for this universe—in the face of such odds, I must believe that the burden of proof is on you.

Will, sorry to burst your bubble, but it's not. You have to prove God exists, I don't have to prove he does not.

ULTOR CORP. BURDEN OF PROOF COMPLETE

EXPECT HIGHWAY DELAYS

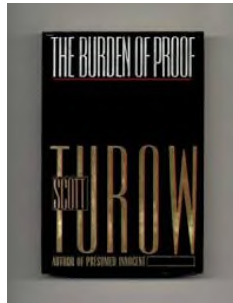
\$50,000

The use of evidence is very important and plays a major role in the English legal system. Its operation is comprehensive and extensive. Its boundaries would determine between various. The **Burden of Proof** is implemented in the **European Convention on Human Rights** (ECHR) in Article 6, as a result, the rights enshrined in the Convention have had a large impact on the law of evidence in particular. Section of proof and evidence, which will be analyzed.

Over the years, there has been much statutory reform, including the amendments proposed to bring UK law into line with the ECHR. These reforms have also sought to ease or strengthen other provisions on the responsibility of various witnesses, in particular and clarify the law, to enhance the discretionary powers of the judge, and to reverse some of the more draconian and unnecessary differences between the rules in civil and criminal cases.

The burden of proof is the obligation placed upon a party to prove or disprove a disputed fact or facts which carry some legal burden. Burden is the minimum law burden. Some distinguished two principal senses of the burden of proof i.e. the legal burden and the evidential burden.

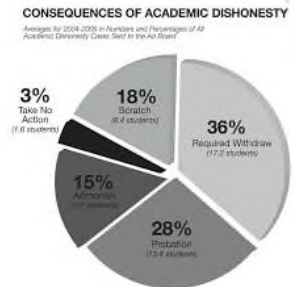
The legal burden has been defined as the obligation imposed on a party by a rule of law to prove or disprove a fact to exist. In criminal cases, the legal burden is generally borne by the prosecution. Where the legal burden on a particular issue is borne by the accused, it is discharged by the defence satisfying the jury with a balance of probabilities. The evidential burden has been defined as the obligation on a party to adduce sufficient evidence of a fact to put it before the jury. It is the burden of the party who is obliged.



BURDEN OF PROOF AND STANDARD OF DILIGENCE

- Substantial Evidence
- Standard of Diligence
- Private Individual or Entity as Respondent: Prove that ORDINARY DILIGENCE as required by applicable laws, rules and regulations was observed in the performance of duty.
- Public Official or Employee as Respondent – Prove that EXTRA-ORDINARY DILIGENCE as required by applicable laws, rules and regulations was observed in the performance of duty.

Keep it Fair
Atheism and the Burden of Proof



Theists make the positive assertion. The burden of proof is on them. Most atheists don't claim they know there is no God. Most simply don't believe due to lack of any evidence. Same reason Christians don't believe in Zeus or Odin.



INSANITY PLEAS: STATE BY STATE



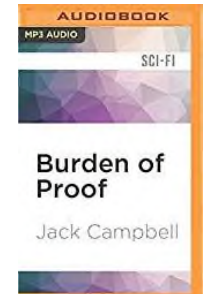
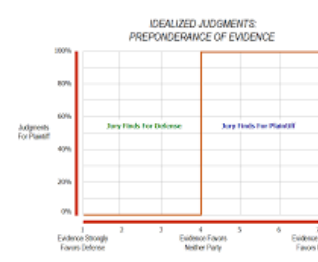
Burden of proof is on defendant. Insanity pleas not allowed.
Burden of proof is on state.



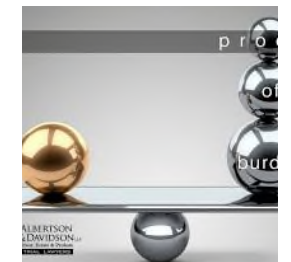
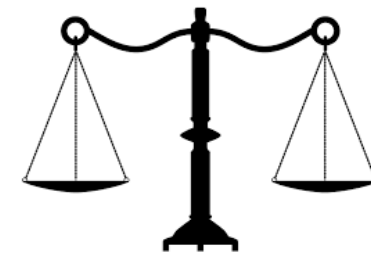
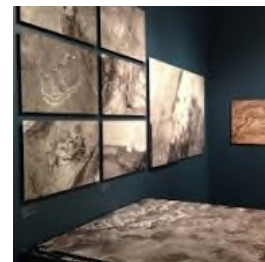
Section 1: Insanity Matters

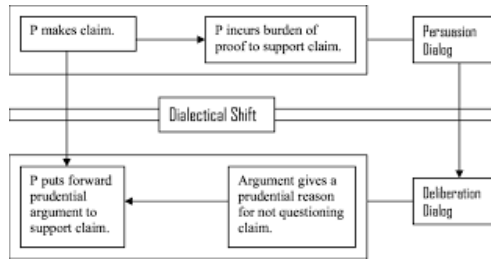
Section 2: Evidence of Guilt

Section 3: Evidence of Guilt



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Burden of Proof



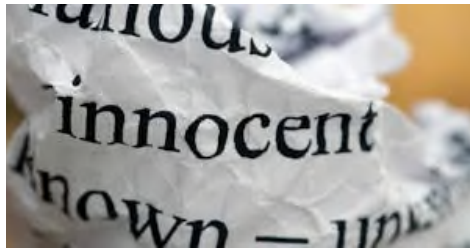


Whittington v DPP [1995] A.C. 413

Whittington was a 27-year-old farm labourer. On the 27th of November 1992, 3 months into his marriage to Melissa Whittington, she left her job and went to the office for work. On the 27th of November, he took a double quantity of Valium and walked from the employer's car park off the farm and parked his car in the street and went to his wife's home. He was arrested on the 27th of January, and charged with the murder.

Whittington did not deny that he had taken 100 tablets. He asked the jury to try and determine the truth and whether he had intended to kill his wife. The jury found that he had intended to kill his wife and that he had intended to kill her. He was convicted of the murder of his wife. The House of Lords allowed the conviction. On the 27th of November 1995, the House of Lords allowed the conviction. On the 27th of November 1995, the House of Lords allowed the conviction.

This case was a precedent for the burden of proof.



POLICE LABORATORY CONTROLLED SUBSTANCE ANALYSIS REPORT

REPORT CATEGORY: Main SECTION LABORATORY NO: 06-CSAS-0

INVESTIGATING/ARRESTING OFFICER: Name (Surname, First, MI) TAX REG. No. COMMAND. PRECINCT. PEMS. 007

RECEIVED month - day / -08-2009 7:22 am DATE OF REPORT month - day / year Feb-19-2009 12:24 pm

OFFENCE PRESENT AS ITIZED ON VOUCHER: 1 YES LQ NO (See Remarks)

DEFENDANT'S: Name (Surname, First, MI) Age: () Years old

QTY	Quantity	Description	Amount	Evidence
1	1	Classen Envelope(s)	Net Weight 32.0 mg	Heroin
4	4	Classen Envelope(s)	Net Weight 1 gram(s) + 206.0 mg	Not Analyzed



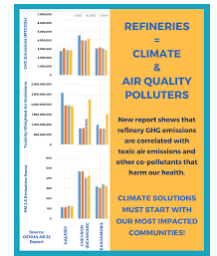
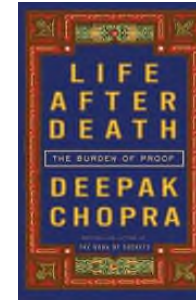
Jai Narain Vyas University, Jodhpur

Project Assignment Academic Year 2015-16

Sub: Law of Evidence

Topic: "Burden of Proof - The Burden Does Not Shift, Hence for the Accused, 'Innocent Until Proven Guilty' is the Rule."

Submitted To: Mr. Ashish Shahi Submitted By: Sandeep K. Sharma Roll No.: 2018BA11310



Legal burden of proof

With nearly 100 years of experience, the burden of proof is a well-established legal principle. It is the responsibility of the party who makes a claim to prove it. This is the burden of proof. It is the responsibility of the party who makes a claim to prove it. This is the burden of proof.



Legal burden of proof



