

# Presumption, Relevancy and Preponderance



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## The Presumption of Non-Responsibility

- f* Fact-finders are not charged with finding a particular outcome.
- f* Fact-finders should avoid pre-conceived notions and consider only the information provided during the process.
- f* The Respondent is presumed not responsible for any violation.
- f* A determination regarding responsibility should only be made at the conclusion of the process after considering the relevant evidence.



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## Types of Evidence you may see at a hearing:

- f* **Direct Evidence:** Evidence that directly proves a key fact at issue; no inference or conclusion has to be drawn to show that something happened.  
*f* Example: Eyewitness testimony
- f* **Circumstantial Evidence:** A set of facts that, if true, allows a person to infer the fact at issue; requires drawing a conclusion/inference based on the circumstances to show that something happened.  
*f* Example: Witness saw two people emerge from the same room and one was disheveled; could infer that a fight or assault between the two took place.



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