

EVIDENCE

Video Number	Name	Skill	Description	Length (approx.)	Instructor	Written Material on Website?
1993-01 Pt 1 & 2	Basic Evidence	Evidence		180	Prof. Melvin B. Goldberg, William Mitchell College of Law	N
1997-01	Burden of Proof: Something to Prove	Evidence	This seminar helps you to discover or review how courts have worked out some of the most challenging aspects of decision-making - who has to prove what and how do they prove it? This will boost your ability to make sound evidentiary rulings and decisions by finding out what these terms really mean.	95	C. Robert Wallis, Review Judge, WA State Utilities & Transportation Commission Lisa Anderi, Senior Attorney, US West, Inc., Greg Kopta, Esq. Seattle, WA	N
1998-01	Advanced Evidence - Beyond the Basics	Evidence	This advanced evidence seminar focuses on evidentiary problems commonly confronted by hearing officials in administrative hearings. Because of jurisdictional variations in rules, the Federal Rules of Evidence will be used as a starting point for class discussion. Topics include hearsay, relevance, official notice, admission of documentary evidence and problems in rulings.	85	Carrie McLarty, ALJ, TX Dept. of Human Services	N
2003-02	Evaluating Evidence	Evidence	Hearing officials accept as evidence a sworn (or un-sworn) statement, an agency document, a medical report, or a printout from an employer that states how much an individual has earned. Hearing officials accept hearsay testimony by persons lacking first-hand knowledge of the events described, or testimony from individuals when the event occurred years ago. What weight is or should be given to this evidence?	95	Edward Touissaint, Jr., Chief Judge, Minnesota Court of Appeals	N

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2005-04	Evidence Basics for Hearing Officials	Evidence	This seminar presents basic principles of evidence for hearing officials including the following: admissibility of evidence (including relevance and materiality); hearsay rule, hearsay exceptions, and legal residuum rule; privileges, including self-incrimination, and attorney-client privilege; burdens of proof, prima facie case, presumptions, and reliability; foundation, authentication, and judicial notice; impeachment, prior inconsistent statements, and character for truthfulness; making a record, fact finding and standards for judicial review.	88	Prof. Gregory Ogden, Professor of Law, Pepperdine University	N
2006-05	Evidence 2006	Evidence	Discussion of the theory behind the rules of evidence.	90	Prof. Martha Davis, Thurgood Marshall School of Law, TX Southern University	N
2007-04 Pt 1 & 2	Ruling on Objections - Parts 1 and 2	Evidence	Part I of a 2-part interactive program concerning how a hearing officer properly rules on objections raised during a hearing. The first part of each session will involve a brief review of the generally applicable administrative rules of evidence. This will be followed by extensive practice by participants in ruling on objections in a series of mini-mock hearing scenarios. Other participants and the presenter will then provide constructive feedback as to the rulings.	120	Jim Gerl, Attorney & Special Education Hearing Officer, State of W. Virginia	N

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2018-03	Evidence: Handling Controversial or Problematic Admissibility Questions	Evidence	Determining what evidence to admit and what to exclude in a hearing is one of the integral and most difficult parts of a hearing officer's job. Hearsay evidence is often problematic. Bonny Fetch, James Gerl and Paul Keeper address how to handle these questions in this session.	60	Bonnie Fetch, Jim Gerl, Paul Keeper	N
2019-03	Why All This Talk About Hearsay?	Evidence	This course is an opportunity for hearing officials to deepen their understanding of what hearsay is, what it is not, and when it matters. The session also explores the relationship of hearsay to evidence concepts, such as relevancy and materiality	45	Peter Halbach, Chief Hearing Officer, North Dakota Dept. of Transportation	Y
2021-07	Ruling on Objections 2021	Evidence	Hearing officials must all rule on objections but it need not be anxiety causing. While the rules of evidence vary somewhat from one jurisdiction to another, the objections we hear are pretty much the same. This session will encourage you to embrace the rules of evidence so you can confidently respond to the most common objections. Knowing what to do and, perhaps as importantly, what the objecting party must do and when, will help you hold fair hearings for all parties while producing a better record for any subsequent review.	60	Peter Halbach, Chief Hearing Officer, North Dakota Dept. of Transportation	N

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2022-04	Evidence Challenges: Privileges	Evidence	Many of us are governed by a statute stating we are not “bound by evidence rules, except those on privilege.” These privileges, as in privileged communication or privileged evidence, are a result of a right expressed in the U.S. Constitution or in a statute. This class will cover the broad, general principles that inspired the concept of privileges and will look at how and when privileges might apply in administrative hearings. Techniques for dealing with privileges on a day-to-day basis will also be included, using examples taken from actual administrative hearings.	60	Toni Boone, ALJ (retired); W. Michael Gillette, Associate Justice, Oregon Supreme Court (retired).	Y