

1.12 GENERAL PROVISIONS FOR STANDARD CHARGE
(Approved 11/98)

G. Burden of Proof¹

The burden of proof is on the plaintiff/each party to establish his/her/their claim by a preponderance of the evidence. In other words, if a person makes an allegation then that person must prove the allegation.

In this action, the plaintiff (_____ name _____) has the burden of establishing by a preponderance of the evidence all of the facts necessary to prove the following issues:

[Explain issues raised by plaintiff.]

The defendant (_____ name _____) has the burden of establishing by a preponderance of the evidence all of the facts necessary to prove the following issues:

[Explain issues raised by defendant.]

¹ T.P.1. - Civil 2.40 "Burden of Proof and Preponderance of Evidence", Tennessee Pattern Jury Instructions of the Committee of the Tennessee Judicial Conference (3rd Ed. 11/95).