

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

**G. Burden of Proof<sup>1</sup>**

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.]*

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<sup>1</sup> 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).