Chapter 1 : Evidence Examples

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Check new design of our homepage! OpinionFront Staff Last Updated: Apr 9, Burden of Proof In legal proceedings, the burden of proof is on the prosecution, which implies that the onus is on the prosecution to prove that the defendant is guilty. Evidence is what decides a case in both, civil and criminal trials. It helps the parties involved make their case as to what happened and who should be held responsible for the happening. In the courtroom, evidence is anything that supports the truth, i. It can be the testimony of a witness, documentary evidence like a contract or will, or physical evidence in the form of some material object. Evidence is broadly classified into two types: While the definition of direct evidence would be that which directly links a person to a crime, circumstantial evidence only implies that the said person has committed the crime, and calls for reasoning. What is Direct Evidence? Simply put, it validates the assertion of guilt or innocence. The simplest and by far the most common example of direct evidence will be the testimony of an eyewitness. Having said that, there are a few points that need to be taken into consideration. Firstly, it should directly prove or disprove a fact without making any assumption or inference. If it does resort to assumption or inference, then it will be circumstantial evidence. In other words, it should be based on facts, not coincidences. Secondly, it should be based on personal knowledge or observation, not hearsay. Depending on who the witness is, the weight of direct evidence will vary. If the witness is a well-known and respected member of society, then his testimony will have a stronger influence on the jury than that of a witness with a dubious record. In either case, direct evidence is of great help for the jury, as it lessens the degree to which they have to infer whether it was the defendant who committed the crime. Examples of Direct Evidence As we said earlier, the most common example of direct evidence is eyewitness testimony. In this case, your testimony will be direct evidence. Similarly, in an accident-related personal injury case, the testimony of a bystander who witnessed the accident take place will be considered as direct evidence. As for physical evidence which qualifies as direct evidence, an apt example will be a copy of the contract in a breach of contract case. Then, there are cases where surveillance tapes and other such documentary evidence can also act as direct evidence; a case where an individual is accused of shoplifting will be an apt example of the same. Circumstantial Evidence The basic difference between direct and circumstantial evidence is that, the latter relies on inference or assumption. In fact, circumstantial evidence almost always has more than one explanation. You go inside to see what has happened, and find a body lying there. While circumstantial evidence usually complements direct evidence to solidify the case, it is of immense importance when it comes to cases where direct evidence is lacking. Then again, at times, circumstantial evidence is enough to prove that someone is guilty beyond a reasonable doubt. Summarizing the concept, direct evidence directly supports the truth of an assertion, while circumstantial evidence makes an inference to support the truth of an assertion. Thus, when it comes to conviction, both are valuable in varying degrees, and a combination of both can solidify the case.

Chapter 2 : A Brief Explanation About Direct Evidence Along With Examples

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Download Now Constitutional Law: National Power and Federalism, which is part of a two-volume set, is a problem-oriented guide to the principle doctrines of constitutional law that are covered in the typical course. This straightforward text walks the student through issues pertaining to the structure of our constitutional system, including judicial review, justiciability, national power, supremacy, the separation of powers and federalism, as well as some of the structural limitations that the Constitution imposes on state powers. Designed to encourage students to think about the larger issues of constitutional law with both depth and perception, this straightforward and informal text: Is organized to parallel the major casebooks and will complement any constitutional law casebook Explains legal concepts and principles in digestible sections, followed by examples and analyses that illustrate how to apply these concepts and principles in hypothetical situations. Is part of a two-volume set that includes a corresponding treatment of Individual Rights. Together, these two volumes compose a strong and sophisticated foundation in the doctrines and methods of constitutional law and constitutional argument. With thoroughly updated text and examples and explanations, the Fifth Edition also incorporates important Supreme Court cases decided during the three terms since the publication of the previous edition, including: Office of Hawaiian Affairs, on adequate and independent state ground of decision; District of Columbia v. Heller, on original understanding; Horn v. Seattle School District No. Freedom from Religion Foundation, Inc. Coffman, on citizen and taxpayer standing; FEC v. Wisconsin Right to Life, Inc. Callahan; and Safford Unified School District 1 v. Texas, on self-executing treaties and presidential power ; Boumediene v. Davis, on dormant commerce clause; Altria Group, Inc. Good; Chamber of Commerce of U. New Hampshire Motor Transp. Levine, on federal preemption; Watters v. National Power, Fifth Edition.

Chapter 3 : Evidence - Examples and Definition of Evidence

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However, the frequency of such explanations often seems far and few between. For me, the first step toward teaching my students how to critically think about how they structured an argument or explanation was to implement the Claim, Evidence, Reasoning CER framework. Though you may have already guessed from the name itself, applying the CER framework to an explanation or argument goes something like this1. It should not start with yes or no. It should describe the relationship between dependent and independent variables. Scientific data used to support the claim Evidence must be: Sufficientâ€"Use enough evidence to support the claim. Appropriateâ€"Use data that support your claim. Qualitative, Quantitative, or a combination of both. Ties together the claim and the evidence Shows how or why the data count as evidence to support the claim. Provides the justification for why this evidence is important to this claim. Includes one or more scientific principles that are important to the claim and evidence. I encourage you to download their CER poster for your classroom. By the time students reach us in their late high school or early college career, they would have already had years of science classes. Because of this, I recommend introducing the CER framework in a non-scientific context so that students can more easily pick up on the anatomy of a good explanation with the intention that they will eventually be able to transfer these new thinking patterns to a scientific context later. Though there are hundreds of fun ways to do this, here is one way I have introduced CER the past couple years. Watch the video and take a look! The little girl in the video believes her dad is an alien and provides multiple pieces of evidence as to why she believes this to be true. Not only is it cute and humorous, but everything she mentions inadvertently provides an awesome opportunity for students to do three things that are fundamentally important when introducing CER. Examine each piece of evidence mentioned and determine if it supports the claim or not. Upon examining the evidence, students have an opportunity to critically think about why each piece of evidence justifies her claim. That part is pretty fun to talk about with students. It gives them an opportunity to hear an inaccurate explanation that sounds like an accurate one. No matter how adorable the little girl is, we can safely agree that her lack of experience on this Earth has allowed her to make connections between her evidence and claim that simply are not true. To the girl, her argument sounds completely valid. But to the rest of us, we are able to quickly discount each piece of evidence provided simply because we have more experience and knowledge than the little girl does. Though students may laugh for the moment and reminisce about how fun it was to be little, the humorous thing is that many of them will actually end up doing the same thing this little girls did early on with their evidence for chemistry explanationsâ€"to which I am quickly able to discount! I will typically ask for students to construct their own CER first and then get into small groups to discuss the merits and any potential holes in each argument. It takes a bit more facilitation by me to get them to realize the point of inaccurate reasoning beyond the simple example of the little girl but students quickly pick up on the message I am trying to get across. The process is fun and, most importantly, meaningful. It truly does provide an easy way to introduce a more complex way of thinking about how we explain things in science. My own use of this example can be found in the supporting information at the bottom of this post. The answer to this can be whatever you want it to be. During my 1st year of implementation, I only used CER in the lab setting. I regret that decision because the nature of our content provides opportunities for students to practice and reflect on their scientific explanations pretty much daily. Adhering only to the lab setting may allow students to think that somehow their explanations of findings in the lab have a fundamentally different structure than the answers I ask them to provide on an assessment. This year, for the first time, I have started to incorporate CER into my quizzes, tests, labs, and homework. Here are a few that I grabbed from a variety of activities we have done throughout the year. Example B - Error

analysis in stoichiometry precipitate lab: One source of error that affected our percent yield was our filter not being closed enough when in the funnel. Example C - Determining the mathematical relationship between molarity, moles of solvent, and volume of solution: The most efficient and accurate method I can suggest is to create a uniform rubric that will be used for every CER explanation. Though the explanations will differ based on content, the general structure to them will always be the same. You can find CER grading rubrics on the internet but it is not difficult to create your own once you understand what each piece of the framework looks like when done properly. Here is a relatively simple one that I have been using throughout the year. Though we may have disagreements on classroom policies, grading, or even educational philosophy, you can be fairly confident that all of your science colleagues will at least agree on their answers to the following question: Do you want your students to become better at constructing evidence-based explanations and arguments? If the answer to this is yes and you have a potential framework to offer that can accomplish such a task, aligns with what the NGSS standards advocate for, and already has enough of a foundation in the scientific education community to be taken seriously, then it will leave them with little room to comfortably say no. If time is the immediate obstacle, then you will find a way to rethink how you spend time currently and make the appropriate modifications. I am proud and thankful to be part of a chemistry department that was willing to accept the integration of CER. Doing so has allowed us to share, compare, and reflect on student work in ways that we rarely would have ever done in the past. If you decide to do this as a team of teachers, I strongly encourage you to make sure that everyone is on the same page about what CER is, what it looks like, and even how you all plan to grade it. This exercise helped us to constructively argue and become more aligned with each other. Even if you are just the lone wolf using CER, at least you can be confident that you are intentionally trying to make a difference in building a skill that will help students well beyond their academic career even if it is outside of the scientific context. I can honestly say that consistently and effectively implementing this was and still is a process that simply takes time. It is not something subtle like introducing daily warm up questions, exit slips, or new ways of giving formative assessments. It really is a classroom cultural shift with respect to how students interact with their thinking and, because of that, it takes time. If this sounds like something you are interested in, I recommend just trying it out for a while and see the kind of results you get from your students. I have found that more of my students are now writing high-quality scientific explanations. That is an area I have wanted to see improvement in since I began teaching! Feel free to share any experiences you have had with CER or anything related to evidence-based explanations.

Chapter 4 : Six strategies to help students cite and explain evidence | The Great Books Foundation

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Evidence Definition of Evidence Evidence is a type of literary device that appears in different categories of essays and theses, in the form of paraphrase and quotations. It is presented to persuade readers, and used with powerful arguments in the texts or essays. It is factual information that helps the reader reach a conclusion and form an opinion about something. Evidence is given in research work, or is quoted in essays and thesis statements, but is paraphrased by the writer. If it is given as it is, then it is quoted properly within quotation marks. In rhetoric , when a person makes a claim or presents an argument , he needs to present evidence in support of his claim or argument, in order to establish the veracity of his statements. If there is no evidence, the claim stands quashed. The same is true with a case in law, where a case or litigation is quashed if there is no evidence to support the claim. However, literary evidence is only used in literature, essays, and research papers for persuasion and convincing purposes. Examples of Evidence in Literature Example 1: I even think now that the land of the entire country was hostile to marigolds that year. This soil is bad for certain kinds of flowers. Certain seeds it will not nurture, certain fruit it will not bear, and when the land kills of its own volition, we acquiesce and say the victim had no right to live. She provides strong evidence that that the Earth itself is not fertile for the marigold seeds. Likewise, people also cannot survive in an unfriendly environment. She responded with speed and motion. She would not stop moving. She ran, as she had done most of her life, but this time she was running for her own sanity. Since the movement offers a solution, which though temporary, preserves her sanity. Educational Paragraph By Anonymous An effective use of evidence in a quotation: Other people and activities take precedence. In fact, the evidence shows that most American families no longer eat together, preferring instead to eat on the go while rushing to the next appointment Gleick Sit-down meals are time to share and connect with others; however, that connection has become less valued, as families begin to prize individual activities over shared time, promoting self-centeredness over group identity. Function of Evidence When writing something about literature, or writing about a particular text, a writer needs to strengthen his discussion by providing powerful answers from the text as evidence of the questions he raises. It is not enough to just simply drop in quotations around the text and expect their relevance and importance of his arguments to be self-evident. The fact is that simply making a claim and making an argument does nothing to convince the audience. The audience will only believe what the writer or the speaker has to say if he proffers strong evidence to back up his arguments. Therefore, evidence not only helps the writer convince his readers, but also persuades them to feel sympathy, or to support his argument. Mostly political speakers, research writers, and editorial writers use evidence extensively to turn public opinion for or against some issue.

Chapter 5 : Explanation dictionary definition | explanation defined

Property: Examples & Explanations, Fifth Edition, is a study aid that offers clear textual introductions to legal terms and concepts in property law, followed by examples and explanations that test and apply the reader's understanding of the material covered.

Classroom Discussions , Junior Great Books , Textual Evidence Discussions give students an authentic reason to find and explain evidence. As with any skill, students must learn it through modeling, practice with support, and coaching. Try these classroom tips to help students understand how to find, evaluate, and explain evidence. Model the importance of evidence whenever you can. From the beginning of the year, emphasize the difference between a guess and an idea that can be supported with reasons. Model giving evidence for your opinions or statements across different subject areas. Choose texts and questions that reward close reading. To make sure a text and question will repay some deep digging, try answering the question yourself. If you have at least two different, reasonable answers you can support with evidence, your students will have enough to work with. Choose shorter texts when students are new to working with evidence. Show students three pieces of textual evidence for an answer that you have rated from strongest to weakest, explaining your reasoning. Then have students try the exercise themselves with a different question, answer, and evidence. Identifying examples of strong and weak evidence from the same text can give students a valuable benchmark. Draw on the power of pairs. Especially for struggling or quieter students, working with a partner to find and explain evidence can be very beneficial. Pairing up to talk about ideas before a discussion can help all students find relevant evidence and participate confidently in a whole-class conversation. Help students reflect on their use of evidence. Sharing simple benchmarks with the class see sidebar can help students take more responsibility for their progress. After a discussion, pause to have students reflect on the evidence that came up and how it was used. Encourage students to cite particularly compelling uses of evidence, and to set goals for the next discussion. Has difficulty supporting an answer with evidence Considers answer self-explanatory Talks about things other than the text Level 2: Refers to the text in general to support ideas Looks back at the text when asked to do so Recalls major facts from the text Level 3: Recalls or locates evidence from the text to support ideas Often looks back at the text without prompting Recalls or locates relevant parts text Level 4: Locates evidence and explains how it supports ideas Habitually looks back at the text for evidence Explains how specific parts of the text support an idea Share with your friends.

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The simplest and by far the most common example of direct evidence will be the testimony of an eyewitness. An Explanation of the Best Evidence Rule with Examples.