

NJC Courses

Evidence Challenges for Administrative Law Judges

Why should I take this course?

Administrative law adjudicators will develop the skills needed to make evidentiary rulings with confidence. Adjudicators will be able to rule accurately on issues of hearsay, foundation, privileges and burden of proof, and make correct determinations concerning both expert witness and lay witness observations. Additionally, this course will also address the residuum rule, official/judicial notice, and the use of documentary and substantial evidence. This course relies heavily upon real-world examples and interactive tasks.

What will I learn?

After this course, participants will be able to:

- Recognize common evidentiary issues in administrative hearings;
- Apply basic principles of evidence to evidentiary issues as they arise in administrative hearings;
- Identify and use procedural tools to resolve evidentiary issues;
- Distinguish between the three primary burden of proof levels;
- Apply the concept of burden of proof to facts found after an evidentiary hearing;
- Apply proper procedures for taking judicial/official notice;
- Recognize when official notice can be taken based on an agency's expertise;
- Apply the test for official notice of scientific facts;
- Identify and apply the three-step process for handing offered documents;
- Explain the concept of "relevancy" as it relates to evidence offered in an administrative hearing;
- Distinguish between relevant and irrelevant evidence as it relates to your proceeding;
- Apply the concept of relevancy to determine whether to admit or reject proffered evidence;
- Identify specific types of privileged communications and their applicability to the introduction of evidence in administrative proceedings; and
- Apply the "Substantial Evidence Rule."

Who should attend?

Any administrative law judge, hearing officer, referee, or commissioner who must admit and evaluate evidence as part of the decision making process. This web-based course is designed for both legally-trained and non-legally-trained members of the administrative judiciary.

Who are the members of the faculty?

The faculty members are administrative law judges who have a high proficiency in the application of evidence in different types of administrative hearings.

How is this course taught?

The faculty uses a variety of interactive tools including weekly online web conferences, quizzes, and an online discussion board to engage the online learner. Participants will explore real-world examples, role playing exercises, decision quandaries, and current case law review. Participants will have weekly assignments including online group discussions. It is anticipated that judges will spend between four and six hours per week completing the required assignments.



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Does this course qualify for credits in the Judicial Studies degree program?

This course does not qualify for the Judicial Studies program. This course does qualify for the Certificate in Judicial Development, Administrative Law Adjudication Skills program.

What should I tell my presiding judge or funding agency so that my attendance will be approved?

Correct and effective decision making relies upon the proper application of evidentiary rules. The administrative law judge who completes this course will admit and rule on evidentiary issue applying the correct legal standards for the administrative setting. The administrative law judge skilled in evidentiary rules and procedures is less likely to require appellate review. The course does not require travel, lodging, or per diem expenses.

Whom should I contact for more information?

For more information, please contact the registrar's office at (800) 255-8343 or registrar@judges.org.



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