

## The Evidence-Based Practitioner Applying Research to Meet Client Needs

Evidence is an item or information proffered to make the existence of a fact more or less probable. Evidence can take the form of testimony, documents, photographs, videos, voice recordings, DNA testing, or other tangible objects. Courts cannot admit all evidence, as evidence must be admissible under that jurisdiction's rules of evidence (see below) in order to be presented to court. In federal court, evidence is governed by the Federal Rules of Evidence. A court may exclude evidence because it is not relevant, hearsay, or otherwise inadmissible.

Rules of evidence are, as the name indicates, the rules by which a court determines what evidence is admissible at trial. In the U.S., federal courts follow the Federal Rules of Evidence, while state courts generally follow their own rules. See, for example California's evidence code, Indiana's evidence rules, or Washington's evidence rules. State rules of evidence are generally imposed by the state legislature upon the state courts.

In establishing what evidence is admissible, many rules of evidence concentrate first on the relevancy of the offered evidence. See, for example Article IV of the Federal Rules of Evidence. The admissibility of hearsay and oral testimony are addressed under Article VIII of the Federal Rules of Evidence.

Rules of evidence also allocate among the parties the burden of producing evidence and the burden of persuading the court. See, for example Article III of the Federal Rules of Evidence or Division 5 of the California Evidence Code. Privileges are addressed under Article V of the Federal Rules of Evidence as well as Division Eight of the California Evidence Code.

Federal Material

U.S. Constitution

CRS Annotated Constitution

Federal Rules

Federal Rules of Evidence

Federal Judicial Decisions

U.S. Supreme Court Recent Decisions on Evidence

State Material

State Statutes

State Statutes Dealing with Evidence

State Judicial Decisions

**P**

N.Y. Court of Appeals & Decisions on Evidence

Appellate Decisions from Other States

[Last updated in November of 2022 by the Wex Definitions Team]

## Reference

[Demystifying Research for Pre-Medical Students: A Comprehensive Guide to Succeeding in Your Research Journey](#)

[Reading, Understanding, and Applying Nursing Research](#)