



ADMINISTRATIVE RULES OF MONTANA



37.62.943 BURDEN OF PROOF AND STANDARD OF PROOF

- (1) In all hearings conducted under this chapter, the party proposing that a certain action be taken must prove the facts at issue by a preponderance of the evidence unless the substantive law provides a different burden or standard. A party asserting an affirmative defense has the burden of proving the existence of the defense.

Authorizing statute(s): Sec. 17-4-105, 40-5-202, 40-5-262, 40-5-272, 40-5-273, 40-5-405, 40-5-713, 40-5-825 and 40-5-906, MCA

Implementing statute(s): Sec. 17-4-105, 40-5-157, 40-5-202, 40-5-208, 40-5-226, 40-5-233, 40-5-261, 40-5-271, 40-5-273, 40-5-414, 40-5-431, 40-5-703, 40-5-710, 40-5-821, 40-5-822, 40-5-823, 40-5-824 and 40-5-906, MCA

History: NEW, 2000 MAR p. 3547, Eff. 12/22/00.