

## Evidence in Chief and Case in Chief

What is ["Evidence in Chief"](#)?



It is evidence that is to be used by a party in **making its case in chief**

The New York rules of evidence points to many locations as to what constitutes evidence in chief. Among them are CPL Article 60, the most important part of this article though is;

### **S 60.10 Rules of evidence; in general.**

Unless otherwise provided by statute or by judicially established rules of evidence applicable to criminal cases, the rules of evidence applicable to civil cases are, where appropriate, also applicable to criminal proceedings.

This is where both the civil and criminal rules of evidence are allowed to 'co-mingle'

What is ["case in chief"](#)? It is the portion of a trial whereby the party with the Burden of Proof in the case presents its evidence. The opposing party then has the right to rebut the presented evidence, which in the case of [Administrative Law Judge Glenn Murray 004](#) you are not allowed to do.

It basically boils down to what is left on the record.