

## Chapter 1 : Index-Digest of the Connecticut Reports

*Glossary of the technical terms used in the evidence IV. Index to the evidence given by representatives of co-operative societies and of various movements and by public officials. []*

Such a practice fails to notify an employee what conduct was considered by the Agency in assessing discipline, thus depriving the employee of the opportunity to defend against the allegation. Hearing officer is not required to mention every piece of evidence admitted, and is free to consider whatever record evidence is relevant and persuasive. Hearing officer may reject irrelevant and unpersuasive evidence. Statements made by appellant during her pre-disciplinary meeting could be used against her in assessing discipline. Statements made by employee during pre-disciplinary proceedings may be used to justify an aggravated or mitigated penalty. Where the only agency witness testified she was not the decision-maker, and was not delegated such authority, her testimony conveying reasons for discipline were inadmissible hearsay. It is against sound policy for hearing officer to rely on the interpretation of written orders by two supervisors, where their interpretation was contrary to the actual terms of the orders. A factual finding is clearly erroneous when it is unsupported by substantial evidence in the record considered as a whole, meaning the factual finding has no support in the record. In excessive force case, it was not error for hearing officer to find the video record and testimony from 2 non-law enforcement witnesses was more persuasive than testimony of five law enforcement officers who said the appellant-deputy did nothing wrong. A hearing officer is free to accept or reject opinions offered by witnesses. Finding an expert not credible is a matter within the discretion of the hearing officer. Potential evidence of a rule violation strewn throughout the case must be assembled into a coherent claim by the agency, not the hearing officer. A use of force analysis must be based upon the perceptions of a reasonable officer, not a reasonable person. Hearing officer properly analyzed use of force evidence where he weighed totality of the circumstances known to the officer at the time. It is not error for hearing officer to admit evidence of subsequent remedial measures in the form of new policies and equipment designed to prevent erroneous release, since the rules of evidence do not apply strictly to our hearings. Evidence of subsequent remedial measures is admissible if not offered to prove negligence or culpable conduct. Consideration of documents not formally admitted into evidence does not warrant reversal for insufficient evidence. Consideration of documents not formally admitted into evidence does not warrant reversal given all the other evidence properly admitted and considered by the hearing officer. Hearing office hearings are administrative hearings which do not need to apply strictly the rules of evidence. The preferred practice for taking administrative notice is for hearing officer to advise parties at hearing that he is taking administrative notice under CRE e , rather than declaring such in his decision. Decision was not clearly erroneous where witnesses who appellant claimed were not made available by the agency, were known to appellant and appellant failed to subpoena them. Administrative hearings are not subject to strict compliance with the civil rules of evidence in order to promote the fact finding process. A hearing officer may not infer proof which is neither explicit nor clearly implicit from the evidence. Strict rules of evidence shall not apply in career service hearings. Flower Stop Marketing Corp. A career service hearing is a de novo hearing in which the agency has the burden of independently proving alleged misconduct, and the hearing officer is charged with the responsibility of making an independent determination regarding that misconduct based on the evidence presented. The raw evidentiary facts upon which an agency bases its decision must be reviewed de novo by the career service hearing officer; that is, all the evidence on the issues presented must be considered as though no previous action had been taken. Challenge to legality of background check is not properly before hearing officer on appeal when appellant answered the questions without objection, and did not assert a discrimination claim in the appeal. Admission of evidence of matters not contained in disciplinary letters did not violate due process where hearing officer did not consider that evidence in determining the issues on appeal. Hearsay may be admitted for purposes other than to prove the truth of the statement. The Administrative Procedure Act permits state administrative hearing officers to receive hearsay evidence ordinarily not admissible under the rules of evidence. Strict compliance with the Colorado rules of evidence is not required in career service hearings.

Hearing officers are charged with judging the credibility of witnesses, and the weight to be given to testimony and other evidence. Appellant was less credible than agency witnesses where: It is within the province of the hearing officer to judge the credibility of witnesses and the strengths or weaknesses of the evidence presented. In determining credibility, the quality of testimony is controlling, not the number of witnesses. Factors to consider in evaluating the credibility of a witness include opportunity to see or hear the events, motive to collude or fabricate testimony, plausibility of the testimony, consistency with other evidence, existence of bias, hostility or other attitude affecting truthfulness, expectation of benefit for testifying, and interest in the outcome of the case. An appellant always has an interest in the outcome of his case, although that interest may not affect the truthfulness of his testimony. In re Carter , CSA , n. Expert witness testimony properly rejected where it was based upon unreliable evidence. Hearing officers are empowered to reject testimony they find not persuasive or not credible. Hearing officers do not have the authority to dictate to an agency the nature and amount of training for its employees. Whether to conduct training and in what amount and type is an agency management decision outside the province of a hearing officer. It is error to rely on interpretation of orders by supervisors when those interpretations is inconsistent with the actual terms of the orders. Hearing officers job is to hear evidence, weigh evidence, assess credibility and make findings. An out of court statement may be admitted into evidence if offered for a purpose other than to prove the truth of the matter asserted. In disciplinary actions, the decision-maker is rarely if ever the person who actually investigates allegations of misconduct and therefore must rely on information provided from others. The use of hearsay evidence alone does not violate due process as long as the hearsay is sufficiently reliable and trustworthy and the evidence possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs. Hearing officer was not required to determine reliability or trustworthiness of report as hearsay evidence where decision was based on the testimony of eight fact witnesses and did not rely on the report, unlike Flower Stop case where the only evidence presented was hearsay. Appellant had notice of and access to an internal affairs report where it was included as an agency exhibit, and witnesses interviewed also testified at the career service hearing. Physician-patient privilege may be impliedly waived when a party raises an affirmative defense that makes his physical condition the basis of the affirmative defense.

## Chapter 2 : A Digest Law of Evidence

*Departmental Committee Appointed to inquire Into the accounts of Local Authorities; VOL I: Report & VOL II. Minutes of Evidence with Digest of Evidence and Index to Evidence [Departmental Committee on Accounts of Local Authorities] on theinnatdunvilla.com \*FREE\* shipping on qualifying offers.*

II Last edited Sun May 3, , You can still find the first entries at Christie Crime Digest Vol. A lot of the comments or additional information on entries up to and including are over there as well. I feel like J. But first-the plot thickens. Now let me get this straight-out of all of your text messages, this is the one you deleted? Read about it here: The Port Authority cops knew something was amiss and were told to shut up about it. Christie Crime Digest put to shame! The Bergen Record has assembled a very compelling and visually appealing dossier on all things Bridgegate. A very nice compilation of materials for anyone looking for a way to make sense of this. Remember, Quod est in Loco! Federal audit finds N. No money for pensions. No money for infrastructure. No money for schools. But we do have hundreds of millions for a casino-that failed: Chris Christie loses a big Atlantic City bet, posing another challenge for run- http: I got Ukraine, right here I got it! Just put a file in it! Debbie Wasserman Schultz visited our fair state to commemorate the one year anniversary of the GWB lane closures. New email exchange raises more questions: Apparently that is what he meant: After generations of industry trashed the Passaic River, finally millions of dollars have been secured to clean it up. Christie uses the money to fill his budget holes instead. The poor governor is tired! Come on fellows-eight months is enough. All Brian Williams needed was one "anonymous source" to declare him innocent! Could something possibly be wrong here? The Rise and Fall of Chris Christie: Oh, I completely forgot about this one. Chris Christie IS a sociopath! All the signs point to it. Charismatic, lying, prone to angry outbursts, no empathy, ultra-ambitious, will do anything to win-not just once, but over and over again his behavior confirms it. The Sociopathy of Chris Christie http: Hopefully those words come back to haunt him when people start taking his advice. Guess who turned out to be right-again. An update to but deserving of an entry of its own. Christie aide discussed pipeline with husband, a top exec at firm behind project, emails show: The good governor worships at the "Church of Koch". If they say compromise a globally significant environmentally sensitive region so they can make a few more bucks, he does it! Only this time somebody stood up to him. Christie earned the Pinelands pipeline defeat: Now THIS is real leadership! Christie to Sandy heckler: Oh yeah, entry ! Nobody from the Christie administration tip toes anywhere! Fox in charge of the chickens. The pressure just needs to be dialed up and something will give. There is just too much "there" there. And yet another chapter in the ongoing story-Chris Christie-Bold Leader, Stand-up Guy-Chris Christie will have no opinion on immigration until he runs for president: Christie is nothing if not consistent. Consistently an ass, but consistent. Attorney Item 9 , but Noooooooo. Christie Disclose His Travel Expenses?: And another chapter in the ongoing story- Chris Christie-Financial Genius- One of his "bold" moves has cost the state millions. Who would have guessed? Lawmaker calls for N. Its a Festivus Miracle! They turned out to be the ONLY bidders for the work. Hey, you get what you pay for! Late is better than not at all. Being a Democrat who endorsed Christie has its perks! No evidence that N. This is an oldie but a goodie. After all me and about 8 million other people did help pay for it! Yes Master, whatever you say. Supporting Keystone XL pipeline is safe for Christie http: Another non exoneration exoneration. First the link to the interim legislative report: Sorry Van Could this just be the beginning of the fun? Missed it by that much. A nod to Maxwell Smart and props to Rocktivity, Christie the financial genius strikes again! Will Christie tout this as one of his accomplishments? The best defense is a good offense-Former Port Authority chairman Samson tries to head off ethics probe: Former Port Authority chairman David Samson withdraws suit seeking to block ethics inquiry: Quod Est In Loco! Deal would let Christie profit from writing book, boost N. Read the story here. I wonder what the title will be? Make sure you get in line for the book signing now! New Jersey, Illinois and Kansas walk into a bar together No wonder she has that stupid grin on her face! This smells worse than Activists try to rile up governor, pile up some YouTube hits http: Master these steps and perhaps you too can learn to be a bully. How to get Chris Christie fired up: Look back to Vol I, Item 89 Because he was a Dallas

fan? Gravity is a bitch. Boy was I wrong! Well, just when you may have thought Mr. Fishman was a slacker, the plot thickens! It seems that the U. Attorney has taken an interest in the conjured testimony of Billy Baloney-U. As it is, he should have some interesting correspondence with the Office of Attorney Ethics in his future. The IB Times is all over Christie. Christie to reveal air travel records, not hotel bills: And it has pictures!

**Chapter 3 : Bill Text - SB Rape kits: testing.**

*A Digest Law of Evidence From the Fifth Edition () Of Sir Herbert Stephen, Bart., Of the Inner Temple, Barrister-at-Law, Clerk of Assize for the Northern Circuit, and Harry Lushington Stephen, of the Inner Temple, Esquire, Barrister-at-Law; With Both General American Notes An by James Fitzjames Stephen.*

Probable Cause Definition of probable cause A complainant is required to establish more than a prima facie case in order to sustain his burden to show probable cause to believe that discrimination has occurred. The conclusion of the circuit court in the case of *Gentilli v.* The concept of probable cause focuses on probabilities rather than possibilities, and it lies somewhere between preponderance of the evidence and suspicion. The concept of the prima facie case, however, focuses on inference and presumption, which are more closely akin to possibility and suspicion than to probability. As a result, the Complainant is required to establish more than a prima facie case in order to sustain his burden to show probable cause to believe that discrimination has occurred as alleged. In this case, although the Complainant established a prima facie case of discrimination, he did not show that the legitimate, non-discriminatory reason offered by the Respondent for his discharge was probably a pretext for age discrimination. *LIRC*, Wis. The concept set out in sec. Code, focuses on probabilities, not possibilities. The rule adopts the viewpoint of a prudent, not a speculative, imaginative or partisan person. As such, it contemplates ordinary, everyday concepts of cause and effect upon which reasonable persons act. Probable cause cases are to be analyzed under the McDonnell-Douglas framework, but require a quantum of proof that is less than that of a case on the merits. The probable cause standard is primarily a screening mechanism. Probable cause is somewhere between preponderance and suspicion. At a probable cause hearing, Complainants are permitted to present their case before a quasi-judicial officer and receive a more exacting scrutiny of the evidence than would otherwise be available in the normal investigative process. Concepts such as "burden of proof" and "probable cause" are often elusive and incapable of being precisely defined. The purpose of a no probable cause hearing is to afford the complaining party an opportunity to present evidence sufficient to demonstrate probable cause to believe that discrimination has occurred, and it is not an opportunity to review the initial determination or the investigative technique of the field representative. Probable cause does not mean proof of discrimination to a reasonable certainty, but proof within a reasonable probability that a full hearing will establish discrimination to a reasonable certainty. The burden of proof at the probable cause hearing was lower than at the hearing on the merits, the evidence introduced at the two hearings was not identical, and two different administrative law judges were involved in making the decisions. *Extendicare Health Services Inc.* Generally a Complainant must prove more than a prima facie case in order to establish probable cause. A Complainant is required to establish more than a prima facie case in order to sustain the burden of showing probable cause to believe that discrimination has occurred. Code, provides that probable cause means that there is "a reasonable ground for belief, supported by facts and circumstances strong enough in themselves to warrant a prudent person to believe, that a violation of the Act probably has been or is being committed. Even if some evidence of discrimination exists in a case, it might still be concluded that based upon all of the evidence produced at the hearing it was not probable that discrimination occurred. Although the standard of proof at a probable cause hearing is low, the burden of showing probable cause rests on the Complainant. Even if some evidence of discrimination exists in a case, the trier of fact might still conclude that, based upon all the evidence produced at the hearing, it was not probable that discrimination occurred. A Complainant is generally required to do more than establish a prima facie case in order to sustain his or her burden of establishing probable cause to believe that unlawful discrimination has occurred. The Complainant is required to establish more than a prima facie case in order to sustain his burden to show probable cause to believe that discrimination has occurred as alleged. It is incorrect that in a probable cause proceeding disputes as to facts should be resolved in favor of the Complainant. On the contrary, factual disputes are to be resolved by assessing and weighing the evidence offered by the parties at hearing. Though the standard of proof at a probable cause hearing is low, the burden of showing probable cause rests with the Complainant. The probable cause standard should be less stringent than, or, at the very

most equivalent to, that required to set forth a prima facie case of employment discrimination. At the probable cause stage, the very most that a Complainant should be required to do is to set forth that which would be required to make out a prima facie case. Although the Complainant claimed she was replaced by a younger employe, there was no basis for her testimony. Complainant showed no foundation to establish that she was in a position to know who replaced her. Therefore, a finding of no probable cause was appropriate. The mere articulation of a bare prima facie case is generally not adequate to establish probable cause except in cases in which the employer has offered no evidence to rebut that prima facie case. In determining whether there is probable cause, a less rigorous standard of proof is involved. However, the McDonnell-Douglas framework is still a useful analytical tool. In this case, the Complainant could not remember whether she had complained about the alleged sexual harassment. Complainant submitted her notes at the hearing, but the notes did not support a finding that she had informed the Respondent about the alleged sexual harassment. Accordingly, the Commission concluded that a reasonable person could not believe that Complainant had informed the Respondent about the alleged sexual harassment. The Complainant has the burden to show probable cause to believe discrimination occurred as alleged. This is a lesser burden of proof than the burden applicable to Complainants in a hearing on the merits. Under the Wisconsin Fair Employment Act, the initial burden of proof is on the Complainant to show a prima facie case of discrimination. If Complainant meets this burden, the Respondent then has the burden of articulating a non-discriminatory reason for the actions taken which the Complainant may, in turn, attempt to show was a pretext for discrimination. A similar analysis is appropriate at a probable cause hearing; however, the standard by which the evidence is measured is not as demanding as that used at a hearing on the merits. The Commission notes that this is similar to the "substantial evidence" standard used by courts in judicial review, and if applied as the standard for determining probable cause would not meet the clear purpose of the legislature in establishing a probable cause standard, which was to provide a screening device to sort out cases lacking a certain threshold degree of substance. The Commission concludes that probable cause requires a degree of proof that is less demanding than the preponderance standard applicable on the merits, but more demanding than the standard urged by the Complainant. The Commission agrees with the characterization of probable cause "as being somewhere between preponderance and suspicion. In a probable cause proceeding the evidentiary standard applied is not as rigorous as that which is required at a hearing on the merits. Nevertheless, it is useful to use the McDonnell-Douglas format in analyzing the record. The Commission is not limited at the probable cause hearing to merely examining whether the petitioner has presented evidence, which, if believed, would be sufficient to support his claim. Rather, the test is whether the Commission believes, upon its examination of the evidence and its review of the credibility of the witnesses, that discrimination has probably occurred. The question in a probable cause proceeding is whether there is any credible evidence in the record sufficient to support a claim that the Complainant was discriminated against. If there is such evidence, even if it is disputed or outweighed by contrary evidence, a finding of probable cause would have to be made. At a hearing on the issue of probable cause, a Complainant is not held to the same standard which applies to a full hearing on the merits. A hearsay statement alone is insufficient competent evidence to support a probable cause finding that discrimination has been committed.

**Chapter 4 : Chapter 2 - Physical Activity Guidelines - theinnatdunvilla.com**

*The Washington Post bravely risks it all to reveal that by , Donald Trump used his access to Gen. Michael Flynn to quietly direct DARPA, then in secret works with CERN in Switzerland, to commission the first time machine ever constructed.*

Cardiorespiratory health involves the health of the heart, lungs, and blood vessels. Heart diseases and stroke are two of the leading causes of death in the United States. Risk factors that increase the likelihood of cardiovascular diseases include smoking, high blood pressure called hypertension , type 2 diabetes, and high levels of certain blood lipids such as low-density lipoprotein, or LDL, cholesterol. Low cardiorespiratory fitness also is a risk factor for heart disease. People who do moderate- or vigorous-intensity aerobic physical activity have a significantly lower risk of cardiovascular disease than do inactive people. Regularly active adults have lower rates of heart disease and stroke, and have lower blood pressure, better blood lipid profiles, and fitness. Significant reductions in risk of cardiovascular disease occur at activity levels equivalent to minutes a week of moderate-intensity physical activity. Even greater benefits are seen with minutes 3 hours and 20 minutes a week. The evidence is strong that greater amounts of physical activity result in even further reductions in the risk of cardiovascular disease. Everyone can gain the cardiovascular health benefits of physical activity. The amount of physical activity that provides favorable cardiorespiratory health and fitness outcomes is similar for adults of various ages, including older people, as well as for adults of various races and ethnicities. Aerobic exercise also improves cardiorespiratory fitness in individuals with some disabilities, including people who have lost the use of one or both legs and those with multiple sclerosis, stroke, spinal cord injury, and cognitive disabilities. Moderate-intensity physical activity is safe for generally healthy women during pregnancy. It increases cardiorespiratory fitness without increasing the risk of early pregnancy loss, preterm delivery, or low birth weight. Physical activity during the postpartum period also improves cardiorespiratory fitness. Metabolic Health Regular physical activity strongly reduces the risk of developing type 2 diabetes as well as the metabolic syndrome. The metabolic syndrome is defined as a condition in which people have some combination of high blood pressure, a large waistline abdominal obesity , an adverse blood lipid profile low levels of high-density lipoprotein [HDL] cholesterol, raised triglycerides , and impaired glucose tolerance. People who regularly engage in at least moderate intensity aerobic activity have a significantly lower risk of developing type 2 diabetes than do inactive people. Although some experts debate the usefulness of defining the metabolic syndrome, good evidence exists that physical activity reduces the risk of having this condition, as defined in various ways. Lower rates of these conditions are seen with to minutes 2 hours to 2 hours and 30 minutes a week of at least moderate-intensity aerobic activity. As with cardiovascular health, additional levels of physical activity seem to lower risk even further. In addition, physical activity helps control blood glucose levels in persons who already have type 2 diabetes. Physical activity also improves metabolic health in youth. Studies find this effect when young people participate in at least 3 days of vigorous aerobic activity a week. More physical activity is associated with improved metabolic health, but research has yet to determine the exact amount of improvement. Obesity and Energy Balance Overweight and obesity occur when fewer calories are expended, including calories burned through physical activity, than are taken in through food and beverages. Physical activity and caloric intake both must be considered when trying to control body weight. Because of this role in energy balance, physical activity is a critical factor in determining whether a person can maintain a healthy body weight, lose excess body weight, or maintain successful weight loss. People vary a great deal in how much physical activity they need to achieve and maintain a healthy weight. Some need more physical activity than others to maintain a healthy body weight, to lose weight, or to keep weight off once it has been lost. Strong scientific evidence shows that physical activity helps people maintain a stable weight over time. However, the optimal amount of physical activity needed to maintain weight is unclear. People vary greatly in how much physical activity results in weight stability. Many people need more than the equivalent of minutes of moderate-intensity activity a week to maintain their weight. Over short periods of time, such as a year, research shows that it is possible to

achieve weight stability by doing the equivalent of 30 minutes 5 hours a week of moderate-intensity walking at about a 4 mile-an-hour pace. Muscle-strengthening activities may help promote weight maintenance, although not to the same degree as aerobic activity. People who want to lose a substantial amount of weight and people who are trying to keep a significant amount of weight off once it has been lost need a high amount of physical activity unless they also reduce their caloric intake. Many people need to do more than 30 minutes of moderate-intensity activity a week to meet weight-control goals. Regular physical activity also helps control the percentage of body fat in children and adolescents. Exercise training studies with overweight and obese youth have shown that they can reduce their body fatness by participating in physical activity that is at least moderate intensity on 3 to 5 days a week, for 30 to 60 minutes each time. Musculoskeletal Health Bones, muscles, and joints support the body and help it move. Healthy bones, joints, and muscles are critical to the ability to do daily activities without physical limitations. Preserving bone, joint, and muscle health is essential with increasing age. Studies show that the frequent decline in bone density that happens during aging can be slowed with regular physical activity. These effects are seen in people who participate in aerobic, muscle-strengthening, and bone-strengthening physical activity programs of moderate or vigorous intensity. The range of total physical activity for these benefits varies widely. Important changes seem to begin at 90 minutes a week and continue up to 300 minutes a week. Hip fracture is a serious health condition that can have life-changing negative effects for many older people. Physically active people, especially women, appear to have a lower risk of hip fracture than do inactive people. Research studies on physical activity to prevent hip fracture show that participating in 30 minutes a week of physical activity that is of at least moderate intensity is associated with a reduced risk. It is unclear, however, whether activity also lowers risk of fractures of the spine or other important areas of the skeleton. The bottom line is that the health benefits of physical activity far outweigh the risks of adverse events for almost everyone. Building strong, healthy bones is also important for children and adolescents. Along with having a healthy diet that includes adequate calcium and vitamin D, physical activity is critical for bone development in children and adolescents. Bone-strengthening physical activity done 3 or more days a week increases bone-mineral content and bone density in youth. Regular physical activity also helps people with arthritis or other rheumatic conditions affecting the joints. Participation in 30 minutes 2 hours and 10 minutes to 2 hours and 30 minutes a week of moderate-intensity, low-impact physical activity improves pain management, function, and quality of life. Very high levels of physical activity, however, may have extra risks. People who participate in very high levels of physical activity, such as elite or professional athletes, have a higher risk of hip and knee osteoarthritis, mostly due to the risk of injury involved in competing in some sports. Progressive muscle-strengthening activities increase or preserve muscle mass, strength, and power. Higher amounts through greater frequency or higher weights improve muscle function to a greater degree. Improvements occur in younger and older adults. Resistance exercises also improve muscular strength in persons with such conditions as stroke, multiple sclerosis, cerebral palsy, spinal cord injury, and cognitive disability. Functional Ability and Fall Prevention Functional ability is the capacity of a person to perform tasks or behaviors that enable him or her to carry out everyday activities, such as climbing stairs or walking on a sidewalk. Loss of functional ability is referred to as functional limitation. Middle-aged and older adults who are physically active have lower risk of functional limitations than do inactive adults. It appears that greater physical activity levels can further reduce risk of functional limitations. Older adults who already have functional limitations also benefit from regular physical activity. Typically, studies of physical activity in adults with functional limitations tested a combination of aerobic and muscle strengthening activities, making it difficult to assess the relative importance of each type of activity. However, both types of activity appear to provide benefit. In older adults at risk of falls, strong evidence shows that regular physical activity is safe and reduces this risk. Reduction in falls is seen for participants in programs that include balance and moderate-intensity muscle-strengthening activities for 90 minutes a week plus moderate-intensity walking for about an hour a week. Tai chi exercises also may help prevent falls. Cancer Physically active people have a significantly lower risk of colon cancer than do inactive people, and physically active women have a significantly lower risk of breast cancer. Research shows that a wide range of moderate-intensity physical activity between and

minutes a week 3 hours and 30 minutes to 7 hours is needed to significantly reduce the risk of colon and breast cancer; currently, minutes a week does not appear to provide a major benefit. It also appears that greater amounts of physical activity lower risks of these cancers even further, although exactly how much lower is not clear. Although not definitive, some research suggests that the risk of endometrial cancer in women and lung cancers in men and women also may be lower among those who are regularly active compared to those who are inactive. Finally, cancer survivors have a better quality of life and improved physical fitness if they are physically active, compared to survivors who are inactive. Mental Health Physically active adults have lower risk of depression and cognitive decline declines with aging in thinking, learning, and judgment skills. Physical activity also may improve the quality of sleep. Whether physical activity reduces distress or anxiety is currently unclear. Mental health benefits have been found in people who do aerobic or a combination of aerobic and muscle strengthening activities 3 to 5 days a week for 30 to 60 minutes at a time. Some research has shown that even lower levels of physical activity also may provide some benefits. Regular physical activity appears to reduce symptoms of anxiety and depression for children and adolescents. Whether physical activity improves self-esteem is not clear. Adverse Events Some people hesitate to become active or increase their level of physical activity because they fear getting injured or having a heart attack. Studies of generally healthy people clearly show that moderate-intensity physical activity, such as brisk walking, has a low risk of such adverse events. The risk of musculoskeletal injury increases with the total amount of physical activity. For example, a person who regularly runs 40 miles a week has a higher risk of injury than a person who runs 10 miles each week. However, people who are physically active may have fewer injuries from other causes, such as motor vehicle collisions or work-related injuries. Depending on the type and amount of activity that physically active people do, their overall injury rate may be lower than the overall injury rate for inactive people. Participation in contact or collision sports, such as soccer or football, has a higher risk of injury than participation in non-contact physical activity, such as swimming or walking. However, when performing the same activity, people who are less fit are more likely to be injured than people who are fitter. Cardiac events, such as a heart attack or sudden death during physical activity, are rare. However, the risk of such cardiac events does increase when a person suddenly becomes much more active than usual. The greatest risk occurs when an adult who is usually inactive engages in vigorous-intensity activity such as shoveling snow. People who are regularly physically active have the lowest risk of cardiac events both while being active and overall.

**Chapter 5 : LIRC - ER Digest Ch >**

*Similar Items. Report[s], minutes of evidence, and Index] By: Great Britain. Royal Commission on Local Taxation  
Published: () Memoranda chiefly relating to the classification and incidence of imperial and local taxes.*

Download PDF version of guide for print I. Introduction Court rules govern procedures for the conduct of business in the courts. They often concern such matters as time limitations, pleadings allowed, and grounds for appeal. Each jurisdiction has its own procedure for how court rules are promulgated, which is generally some combination of legislative and judicial action. In general, both federal and state courts are governed by statutory law that establishes the powers and jurisdiction of the courts and some procedural matters. In addition, courts are usually authorized by these statutes to adopt rules that further define procedures and processes of the courts. In many jurisdictions the courts issue proposed rules that become effective subject to timely repeal by the legislature. Rules that are validly adopted have the same legal effect as statutory law. The terminology of court rules is often inconsistent and confusing. Court rules may be called "rules of procedure" or "rules of court. There are rules that apply generally to all types of courts, specific rules for each type of court, and local rules or internal operating procedures for a particular court location. The terminology is not usually important, but you do need to be aware of the various layers that may apply to the court you are researching.

**Federal Court Rules** In the federal system, the Supreme Court of the United States promulgates court rules for itself and the lower federal courts under the authority of 28 U. As a matter of practice, rules are drafted by committees of the Judicial Conference of the United States, approved by the Judicial Conference and then submitted to the Supreme Court for adoption. Rules must be submitted to Congress by May 1 in order to become effective on December 1; however, Congress need not take action for the rules to become effective. Courts of appeals and the federal district courts have been empowered by 28 U. General Sources There are several general sources that contain the text of most of the federal rules described below. U57 The above are listings for the most current year of these annual handbook titles. Prior editions can be found in the library stacks Level 2 at the same call numbers. The text and annotations for most of the rules are available online through the legal research services Lexis Advance , Westlaw , and Bloomberg Law. Rules of General Application F. Federal Rules of Criminal Procedure F. In the print U. Supreme Court Digest, L. These sources contain historical notes, Advisory Committee comments and annotations to the federal civil and criminal rules. Rules for the U. Supreme Court The rules of the U. Supreme Court can be found in many places, including the general sources noted above in Section A. The rules are published in Title 28, Appendix of the official U. The annotated rules are in Title 28 of U. Local Court Rules for Federal Courts Individual lower federal courts issue their own rules governing local practice. These rules generally concern the operation of the court and often supplement the rules of general application. Some courts of appeal also have internal operating procedures that supplement their local court rules. Court rule handbooks published for individual states will include the local rules of the federal district courts in that state, as well as the circuit court of appeals for that jurisdiction. Annual handbooks are published for selected states. These are located with the state codes Level 3. Court rules are also frequently published on the websites of the individual court or court systems. The Administrative Office of the U. Courts maintains a federal court locator site with links to the websites of individual courts. Rules for Courts of Limited Jurisdiction and Special Proceedings Congress has established several federal courts with limited jurisdiction in specific subject areas, such as the Tax Court, the Court of Federal Claims, and the Court of International Trade. Their rules of court are published in the U. The court rules volumes of U. Rules for courts of limited jurisdictions are also frequently published on the website of the individual court. Use the Court Locator to locate the site for a particular court. Rules of procedure for the trial of misdemeanors before U. Administrative Rules of Procedure, a five-volume unit of U. Commercially published looseleaf or electronic services see Bluebook Table 15 for a representative list are another source for agency rules and regulations. Both substantive regulations and rules of practice and procedure are usually included. Agency websites frequently contain relevant rules. To locate an agency website, visit the USA. Government Departments and Agencies. Researching Federal Rules 1. Locating Decisions Construing Court Rules The text

of court decisions construing rules of procedure are usually printed in the same reports that cover court decisions generally, and can be found using traditional case-finding research methods online and in print. Two additional sources for decisions construing federal court rules are: Federal Rules Decisions F. Decisions printed are only those not already printed in the Federal Reporter or the Federal Supplement. Articles about the courts and federal procedure are also included. Federal Rules Service KF A, updated through February This looseleaf service focuses entirely on decisions construing rules of civil procedure. It includes three useful sections: Indexing is from the beginning of the service in Since , cases construing rules of appellate procedure are also included; 2 Federal Rules Digest contains digests of the decisions in an arrangement based on the official rule numbers, and editorial comments; 3 the Finding Aids volume includes the text of the rules, a subject index, and a table of cases. Citations to decisions can also be found: Updating Court Rules Court rule citations are treated as statutes in the legal research citator services, allowing researchers to locate citing decisions as well as information about amendments and repeals to individual rules. Updating court rules is more challenging outside the premium legal research services. Finding Discussion of the Federal Rules Several multi-volume sets discuss the practice and procedure of federal courts. They usually contain the text of the rules followed by analysis and citations to court decisions. Often they are cross-referenced to companion sets of form books. Two well-respected treatises are: These multi-volume sets include textual commentary on the rules and on practice under the rules, numerous case and law review citations, forms, as well as detailed indexing and other finding aids. Both sets are arranged basically in rule number order. Even though these commentaries are secondary sources, they are widely cited in cases, in addition to serving as research tools. Other useful sets for commentary on federal practice are: For a guide to the jurisdictional and procedural operations of the Supreme Court use the one-volume treatise by Gressman, Supreme Court Practice, 10th ed. It includes checklists, sample forms, and pertinent rules and statutes. For discussion of the Federal Rules of Evidence, try the general federal practice sources above. Commentary on Rules of Evidence for the United States Courts no longer updated in print in the library but current online in Lexis Advance is an electronic service including commentary on each rule. Other major treatises on the law of evidence are The New Wigmore: F42 reporter volumes contain decisions of federal courts and agencies interpreting the rules, up to volume 95 State Court Rules Each state has court rules governing the operation of its courts. Since , many states have adopted rules of procedure modeled after the federal rules, and many states have patterned their rules of evidence after the federal rules since those were adopted. Annotations from state and federal courts, state variations from the official text, and other library references are also included. Locating State Court Rules More than half of the states publish rules in their statutory compilations. West publishes separate paperback volumes of court rules for many states, including North Carolina. These West handbook editions generally include the current rules of court governing state and federal practice in the state; rules governing the practice of law; and rules concerning judicial conduct. Rules of evidence may also be included. State court rules can be found following the code for that state State Codes, Level 3. Adoption of changes and updates to state rules can often also be found in the state and West regional reporters. The court rules for all 50 states are also available online through the legal research services Westlaw , Lexis Advance , and Bloomberg Law. In addition, the North Carolina Administrative Offices of the Court provides access to the rules of appellate procedure, state bar rules, and general rules of practice for superior and district courts. More than half the states have adopted evidence rules based on the Federal Rules of Evidence. Finding Discussion of State Rules Treatises on state civil and criminal procedure and rules of evidence are available for many states. Treatises usually include commentary and case citations and may include comparisons of state and federal rules. In North Carolina, several of the most useful treatises are: Historical Court Rules For researching historical amendments to the federal rules, the U. Courts website provides an archive of rules committee reports and meeting minutes. Two resources on federal rules, discussed above in their present iterations—the Cyclopaedia of Federal Procedure: Civil and Criminal current edition online in Westlaw ; historical versions at KF

**Chapter 6 : West American Digest System - Wikipedia**

*Get this from a library! Report of the Royal commission on the practice of subjecting live animals to experiments for scientific purposes; with minutes of evidence and appendix [also Digest of evidence, and General analytical index].*

History[ edit ] Early digests The problem of finding cases on a particular topic was a large problem for the rapidly growing American legal system of the 19th century. West, the founder of West Publishing, described this problem in his article A multiplicity of reports. To solve the problem, he developed a system with two major parts. First, his company published cases in many American jurisdictions in bound volumes called reporters the West National Reporter System now covers all state and federal courts. Second, he put together a classification system in which he divided the law into major categories which he called topics such as "Contracts". He then created hundreds of subcategories. To save space in printing, these were given a number called a key number. He then applied this "topic and key number" system to the cases he published. The key number is identified in the books with a key number and a key symbol graphic. How the Digest System works[ edit ] Each case published in a West reporter is evaluated by an editor who identifies the points of law cited or explained in the case. The editor places the summaries of the points of law covered in the case at the beginning of the case. These summaries are usually a paragraph long, and are called headnotes. Each headnote is then assigned a topic and key number. The headnotes are arranged according to their topic and key number in multi-volume sets of books called Digests. A digest serves as a subject index to the case law published in West reporters. Headnotes are merely editorial guides to the points of law discussed or used in the cases, and the headnotes themselves are not legal authority. Print Digest[ edit ] In print, a digest works like an encyclopedia, in that the topics are listed in alphabetical order and printed on the spines. The "Descriptive Word Index" provides guidance as to the proper topics and key numbers. The digest system includes digests for the individual states except for Delaware, Nevada and Utah. Supreme Court, Bankruptcy Courts, Federal Claims Court, and military courts each have an individual digest, as well as their decisions being included in the Federal Practice Digest with the notes of decisions from the federal District Courts and Courts of Appeals. For nationwide research, about once a month, West publishes a General Digest volume, which incorporates classified digest notes from all reporters of the West National Reporter System. These are then cumulated into a Decennial Digest. Decennial implies that this occurs every ten years, but in the past several decades, there have been Decennial Digest Parts I and II the 11th Series now has Part III [1] , so the cumulation is now more frequent. However, the various Decennial Digests are not cumulated. Thus, completing such a search over several decades requires consulting the Decennial Digests, and then updating that work with the most recent series of the General Digest. Some of the state and topical digests are revised to include the first cases in the jurisdiction, while the spines of the books of some of the other digests indicate that they are from " to date," for instance, indicating that one must consult a prior series for references to earlier cases. The state, federal, regional, and topical digests are updated by interim pamphlets, pocket parts, replacement volumes, or a new series. The Digest on Westlaw[ edit ] Researchers can also search the digest electronically using Westlaw: Most secondary sources published by Thomson West, such as Corpus Juris Secundum and American Jurisprudence , also have key number hyperlinks in their on-line Westlaw versions. Selecting key numbers and jurisdictions in the "Key Number Search Tool" results in a similar display of digest headnotes. Since all West headnote annotations are merged on Westlaw into a single database from which each Custom Digest is generated, there is no need to consult each separate series of the hard copy Decennial Digest. Full text of the cases may be accessed from the Custom Digest by clicking on the underlined case citation. The key number search or KeySearch will retrieve entire cases from a case law database. Most of these use a topic and section format, while some, like the U. Case Digest, use a section format based on the statute or rules being annotated.

**Chapter 7 : Catalog Record: Report[s], Minutes of evidence, and Index | Hathi Trust Digital Library**

*II Minutes of evidence taken before the Royal Commission on the Aged Poor. Days 27 to With appendix and index. Vol.*

*III.] Item Preview remove-circle.*

## Chapter 8 : Christie Crime Digest-Vol. II - Democratic Underground

*Massive pulmonary embolism patients need to be treated aggressively, on the order of minutes to hours, whereas patients with submassive or intermediate risk pulmonary embolism should receive advanced therapies, if appropriate, over the course of a to hour period.*

## Chapter 9 : Court Rules | Duke University School of Law

*Calculated measurements that are performed during a right heart cath include the pulmonary vascular resistance (PVR), PVR index, cardiac index, and cardiac output per the Fick equation. 1 If an intracardiac left-to-right shunt is suspected (as evidenced by a PA saturation of >75% or an excessively high cardiac output), additional venous.*