**Section 1900.950 Proceedings**

a) All testimony shall be given under oath or affirmation.

b) Both parties may present opening statements. The Board will proceed first.

c) The Board shall then present its case. The Board shall establish the charges contained in the notice of proposed disciplinary action by a preponderance of the evidence.

d) Upon the conclusion of the Board's case, the respondent may move for a directed finding. The ALJ may hear arguments on the motion or may grant, deny or reserve decision on the motion, without argument.

e) If no motion for directed finding is made, or if that motion is denied or decision reserved, the respondent may present its case.

f) The respondent bears the burden of rebutting the charges contained in the notice of proposed disciplinary action by clear and convincing evidence.

g) Each party may conduct cross-examination of adverse witnesses.

h) Upon the conclusion of the respondent's case, the Board may present evidence in rebuttal.

i) If the Board presents rebuttal evidence, the respondent may present additional, non-cumulative, evidence in surrebuttal.

j) Both parties may present closing arguments. The respondent proceeds first, then the Board and thereafter the respondent may present rebuttal argument.