Trials

The Court uses a trailing docket which is revised and updated each month. Adjournments of trial dates are not usually given. If a conflict arises with another trial, counsel should immediately contact the Court Clerk. The Court requires counsel to exchange exhibits prior to trial. Exhibits agreed upon are to be premarked and typed on a separate sheet. Exhibits not agreed upon are to be premarked and listed separately. All exhibits are to be consecutively numbered. In criminal matters, the Court requires the exhibits to be exchanged by both the Government and the defense prior to trial. Motions *in limine* normally will be decided prior to trial. The Court may retain custody of the exhibits during trial depending upon the type of case, the wishes of counsel, and the types of exhibits involved. The Court prefers that the parties retain custody of exhibits after trial pending appeal.

a. Non-Jury Trials

   Trial briefs must be submitted three days prior to the first day of trial. Proposed findings of fact and conclusions of law also must be submitted to the Court three days prior to the first day of trial. The Court encourages the use of a bench book. The Court generally makes findings of fact in writing.

b. Jury Trials

   Joint jury instructions must be submitted to the Court at the Final Pretrial Conference. The Court uses the standard method of jury selection. The Court will refer jury selection to Magistrate in all cases upon stipulation of the parties. The Court will generally use two alternates who are selected by the blind draw method at the close of proofs. The Court typically charges a jury after final arguments. Jurors are allowed to take instructions into the jury room during deliberations. Jurors are not allowed to take notes during trial.

c. c. Miscellaneous

The Court generally conducts trial between the hours of 8:30 a.m. and 1:00 p.m. The Court will allow multiple counsel for one party. The Court prefers that counsel request permission to approach a witness and to approach the bench.