

# **Trials**

The Court will allow an adjournment of a trial date only upon a showing of good cause submitted with a motion. If an attorney has a conflict with another trial, the attorney should advise the Court at the time of the Final Pretrial Conference or advise the Case Manager, Julie Owens at (313) 234-5137, as soon as the conflict arises. If an attorney is handling another trial the Court may, depending upon the nature of the case, require that another member of that attorney's firm conduct the trial. The Court requires exhibits to be exchanged prior to trial in exhibit books with a copy for the Judge. Plaintiff and defendant exhibits are numbered separately. The Court retains custody of exhibits during the trial, while the parties retain custody of exhibits after trial and pending appeal. The Court requires trial briefs to be exchanged one week prior to trial.

## **a. Non-Jury Trials**

In non-jury trials, proposed findings of fact and conclusions of law must be filed one week prior to trial.

## **b. Jury Trials**

The Court selects the jury by a modified strike method. In criminal cases, two alternate jurors are normally used, and they are not informed prior to the conclusion of trial that they are alternates. The Court will, at times, permit counsel to participate in voir dire to ask follow-up questions after the Court has concluded its voir dire. Requests for specific voir dire questions must be submitted in writing three days prior to trial and be numbered. The Court does not handle the exercise of challenges in such a manner that the jurors would not know which party had excused them. Jury instructions must be filed with the Court at the beginning of trial and will be read to the jury at the conclusion of closing arguments. In addition, a copy of the jury instructions will be provided to the jury during its deliberations. The Court typically charges the jury after final arguments although counsel may jointly request to do so before final arguments. The Court typically permits jurors to take notes and to submit questions to witnesses, which the Court screens to ensure evidentiary propriety.

## **c. Miscellaneous**

The Court generally conducts trials between the hours of 9:00 a.m. and 5:00 p.m. The Court does not allow multiple counsel for one party to interrogate the same witness or to give opening or closing statements. Generally, counsel are urged to limit opening statements to 20 minutes and closing arguments to 45 minutes. Generally, no other time limits are imposed during the trial. The Court prefers that counsel request permission to approach a witness and the bench.