

Trials

The Court uses a Trailing Trial Docket. In most cases, a date certain for trial will be set at the Final Pretrial Conference. The Court follows [E.D. Mich. LR 16.4](#) regarding Pretrial Filings and Exchanges. All motions in limine must be filed **two** weeks prior to trial. The Court has an Order regarding Courtroom Decorum.

a. Non-Jury:

The Court follow [E.D. Mich. LR 52.1](#) regarding proposed findings of fact and conclusions of law. The Court permits the proposed findings to be amended after trial.

b. Jury:

The Court conducts *voir dire*. Counsel may submit proposed written requests for voir dire one week prior to trial. Counsel are permitted only limited participation in *voir dire*. Counsel may submit to the Court specific follow-up questions that arise during *voir dire*, which the Court may put to the jurors, if appropriate. In civil cases, each party shall be entitled to three peremptory challenges; in criminal cases, the Government may challenge six and the defense may challenge ten.

The Court follows [E.D. Mich. LR 16.4\(d\)](#) regarding jury instructions. JOINT jury instructions are to be submitted one week prior to trial, but are not required until the day of trial and may be modified or supplemented during trial. The Court reads the instructions and charges the jury after final argument. Counsel are not given a choice about this sequence. Jurors will be permitted to take notes during trial and are allowed to take the jury instructions into the jury room during deliberation. The Court generally uses two alternate jurors, but there could be more in special circumstances. The Court limits opening statements to fifteen minutes per side and closing arguments to thirty minutes per side. Time limits may be altered on a case-by-case basis. There are no time limitations imposed on direct or cross-examination. However, the Court does not permit multiple counsel for one party to examine a witness. The Court prefers that counsel request permission to approach a witness or the bench. The Court does not permit reading back of transcript during trial.

c. Miscellaneous:

The Court normally conducts trial between the hours of 9:00 a.m. and 1:00 p.m. Monday through Thursday.

The Court does allow out-of-state counsel to practice by special motion. The Court will admit out-of-state counsel at a hearing after they have obtained and completed the application for admission.