

# **Trials**

The Court generally sets the trial date at the first pretrial conference. Adjournments of the trial date by the parties are not favored. Requests for adjournment will be handled based on the Court's schedule. An attorney having a conflict with another trial should advise the Court promptly on learning of the conflict. In the event of a conflict, the Court may require another member of an attorney's firm to conduct the trial. In civil cases, the Court requires exhibits to be given to the defendant prior to trial. In criminal cases, the Court requires that exhibits be given to the defendant by the Government prior to trial. Parties must number their exhibits separately prior to trial. A bench book of exhibits should be supplied for the Court. The parties retain custody of exhibits both during trial and pending any appeal after trial. The Court requires that trial briefs be exchanged prior to trial. There are no special forms for motions in limine, which should be filed prior to jury selection and are usually heard on the morning of trial. For additional information regarding civil trials see the .pdf selection below

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

In non-jury trials, proposed findings of fact and conclusions of law must be filed prior to trial and may be supplemented at the conclusion of trial.

## **b. Jury Trials**

The Court generally impanels eight jurors and encourages the parties to allow all eight to deliberate. The Court usually does not allow counsel to participate in [voir dire](#). Voir dire questions should be submitted in advance of trial in writing, although oral requests may be entertained. The Court uses the strike system of exercising [peremptory challenges](#). Each party is allowed four peremptory challenges in a civil case. In a criminal case, six Government and ten defense challenges are allowed. One challenge per side is allowed for alternates. The Court handles all challenges in such a manner that the jurors do not know which party has excused them. The Court generally gives a copy of boilerplate [jury instructions](#) to counsel to work from. Additional proposed instructions must be filed at the beginning of trial but may be supplemented at the conclusion of the trial.

## **c. Miscellaneous**

The Court generally conducts trial between the hours of 9:00 a.m. and 1:00 p.m., Monday through Friday. The Court will allow multiple counsel for one party. There are no time limitations imposed on opening statements, closing arguments, or direct or cross-examination. The Court prefers that counsel request permission to approach a witness or the bench, and that they stand when addressing the Court. The Court encourages the parties to anticipate evidentiary problems and to request time to argue them before 9:00 a.m. and 1:00 p.m. so that jury time is not wasted. The Court expects counsel and the parties to stand when the jury enters or exits the Courtroom.

## **d. Patent Cases**

[Jury Requirements](#)

[Non-Jury Requirements](#)

**e. Articles**

[Effective Advocacy in My Court](#)

[Effective Trial Practice: One Judge's View](#)

**f. Miscellaneous**

[Civil Voir Dire](#)

[Preliminary Jury Instructions - Civil](#)

[Brief and Exhibit Requirements](#)